



To: First Steps Finance and Administration Committee

From: Judith Aughtry, Chair

Date: March 10, 2016

RE: Consent Agenda Item: Greenville County First Steps Request

ACTION ITEM: Shared Services Project

SC First Steps has received a request for clarification from Greenville County First Steps pertaining to language in the state grant agreement which allows a *“non-exclusive license for SC First Steps and local First Steps organizations to publish, translate, reproduce and/or deliver all data, reports, publications, studies, curricula and other materials originated in the performance of the Agreement and to authorize others to do so.”*

The partnership is currently working with private funders to establish an innovative “shared services” model that will allow SC child care providers to access discounted materials and administrative resources on a subscription basis. Because the financial viability of this model is premised on bulk purchasing and a statewide subscriber base, GCFS is seeking assurance that SCFS will not assert any claim to license and/or disseminate this model independent of the Greenville County partnership.

The committee has directed staff to work with counsel to craft an amendment offering the necessary assurances from the State Board/Office and to revisit the necessity of this language in advance of the FY17 grant agreement.

Committee Recommendation: Approval/ratification of the Committee’s directive to staff, who will be prepared to share proposed language as an information item on Thursday, March 17, 2016.

**AMENDMENT TO
GRANT AGREEMENT BETWEEN SOUTH CAROLINA FIRST STEPS
TO SCHOOL READINESS**

AND

GREENVILLE COUNTY FIRST STEPS TO SCHOOL READINESS

This Amendment to Grant Agreement (the "Amendment") is entered into by and between the South Carolina First Steps to School Readiness ("SC First Steps") and the Greenville County First Steps to School Readiness Partnership (the "Partnership") for the purpose of amending the Grant Agreement entered into by and between S.C. First Steps and the Partnership for the period July 1, 2015 – June 30, 2016 (the "Agreement").

WHEREAS, S.C. First Steps and the Partnership entered into the Agreement; and

WHEREAS, SC First Steps and the Partnership desire to amend the Agreement according to the terms of this Amendment.

Now, therefore, for and in consideration of the mutual covenants set forth herein, the sufficiency of which is hereby acknowledged, S.C. First Steps and the Partnership hereby amend the Agreement as follows:

1. **Section 16 Copyrights, License and Distribution of Material** is hereby amended to add the following sentence to the end of the section: "Neither SC First Steps nor the South Carolina First Steps to School Readiness State Office will use any of the material generated in the **Shared Services Project** of the Partnership without permission of the Partnership's board."
2. In addition, the following is hereby added to Section 16: "The Partnership is authorized to market and charge user fees for the Shared Services Project. The Partnership will have exclusive rights to set the prices for the fees for the service."

Except as modified by this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

**GREENVILLE COUNTY FIRST STEPS
TO SCHOOL READINESS PARTNERSHIP**

**SOUTH CAROLINA FIRST STEPS
TO SCHOOL READINESS**

BY: _____
Board Chairman

BY: _____
Board Chairman

BY: _____
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DATE: _____

DATE: _____

WITNESS: _____

WITNESS: _____

