

**MONTGOMERY TOWNSHIP BOARD OF EDUCATION
Skillman, New Jersey 08558**

Meeting, Tuesday, February 23, 2021

6:00 p.m. Executive Session

7:30 p.m. Public Session

REMOTE – Participation Information Available on District Website

BUSINESS MEETING AGENDA

2020-2021 District Goals

- Goal 1: Provide deeper student-teacher-parent connection to allow for continued excellent academic education and emotional well-being of students regardless of mode of instruction during the COVID19 pandemic.
- Goal 2: Revise the Science Curriculum and Structure to reflect new developments and requirements in Science.
- Goal 3: Implement curricular changes to incorporate diversity and inclusion.
- Goal 4: Prioritize our financial resources to drive innovation in ongoing student education.

OPENING OF THE MEETING

Call to Order – Board President

Statement of Open Meeting and Public Participation - In accordance with the State's Sunshine Law, adequate notice of this meeting was provided by mailing notice of meeting on January 6, 2021 and February 17, 2021. Notice was provided to Board of Education Members, Montgomery Township Clerk, Rocky Hill Borough Clerk, Public Library, Township Posting, School Posting, PTSA Officers, Courier News, Montgomery News, Princeton Packet, Trenton Times, and The Star Ledger.

The Board reserves the right to enter into Executive Session during all meetings of the Board of Education.

It is the School Board's intention to conclude this meeting no later than 10:00 p.m.

ROLL CALL

EXECUTIVE SESSION

It is recommended that the Board of Education adopt a resolution to convene in executive session as follows:

WHEREAS, the Open Public Meetings Act, Chapter 231 of the Laws of 1975 provides that a public body may exclude the public from that portion of a meeting of which the public body discusses certain matters for which confidentiality is required as permitted in Section 7B of the act.

WHEREAS, the items that are permitted to be discussed in executive session are as follows:

- 1) a matter rendered confidential by federal or state law
- 2) a matter in which release of information would impair the right to receive government funds
- 3) material the disclosure of which constitutes an unwarranted invasion of individual privacy
- 4) a collective bargaining agreement and/or negotiations related to it
- 5) a matter involving the purchase, lease, or acquisition of real property with public funds
- 6) protection of public safety and property and/or investigations of possible violations or violations of law
- 7) pending or anticipated litigation or contract negotiations and/or matters of attorney-client privilege
- 8) specific prospective or current employees unless all who could be adversely affected request an open session
- 9) deliberation after a public hearing that could result in a civil penalty or other loss

NOW THEREFORE BE IT RESOLVED, that the Board of Education will be discussing items 3, 4, 7 and 8. Action may take place on these items.

The matters discussed in executive session shall be disclosed to the public when the need for confidentiality no longer exists.

ROLL CALL

RECONVENE IN OPEN SESSION – 7:30 p.m.

SALUTE THE FLAG

SUPERINTENDENT’S REPORT/PRESENTATIONS

- College Admissions: Applications, Acceptances and College Visits - Corie Gaylord

NEW BUSINESS FROM BOARD/PUBLIC

Members of the public are allotted one opportunity to bring any new business to the Board for up to a maximum of three (3) minutes per speaker. All comments or questions must be directed to the board president. The Board of Education welcomes and encourages input from the public. There are two times during board meetings that the public is invited to speak. One time is now when members of the public are invited to bring any new business to the board for up to a maximum of three minutes per speaker. Later in the meeting there will be a second opportunity to address the board regarding the Action Agenda.

Before you make your comment, please state your name, address and subject matter. Being mindful of privacy rights regarding students and board employees and to avoid any potential liability on the part of the speaker, the board discourages references to specific individuals. While directing your comments or questions to the board president, please understand that the public comment portions of the meeting are not structured as question and answer sessions but rather are offered as opportunities for you to share your thoughts with the board. The board president may need to refer an issue to the superintendent if the particular issue has not been handled through the appropriate chain of command with the school district before coming to the board for a response. Responses may be provided at the end of this session. However, there are times when comments and questions will require additional information gathering before a response is provided.

COMMITTEE/REPRESENTATIVE REPORTS

Representative Reports

- Student Representative Report
- MTEA Report
- Board Member Delegate/Representative Reports
(SCSBA, PTSA, MAC, Legislative, NJSBA, Ed. Services Commission, etc.)

Board Committee Reports

- Assessment, Curriculum and Instruction Committee (ACI)
- Anti-Racism and Reform Committee (ARRC)
- Operations, Facilities and Finance Committee (OFF)
- Policy and Communications Committee (PCC)
- Human Resource Committee (HRC)
- President's Report

APPROVAL OF MINUTES – It is recommended that the Board of Education approve the minutes of the following Board Meeting(s):

1. January 26, 2021 Executive Session I Meeting
2. January 26, 2021 Executive Session II Meeting
3. January 26, 2021 Business Meeting

CORRESPONDENCE TO THE BOARD – List of correspondence to the Board:

1. Email dated 1/24/21 from J. Liu regarding changes to the science curriculum
2. Email dated 1/25/21 from D. Morrison regarding bussing concern
3. Email dated 1/25/21 from C. Gural regarding Kidsbridge introduction
4. Email dated 1/25/21 from A. Wu regarding physics courses
5. Email dated 1/25/21 from Z. Wen regarding physics first program
6. Email dated 1/25/21 from E. Ahmer regarding freshmen physics
7. Email dated 1/26/21 from N. Pace-Addeo regarding Great Road Bridge
8. Email dated 2/2/21 from R. Jacinto regarding school calendars
9. Email dated 2/2/21 from D. Xue regarding curriculum changes
10. Email dated 2/3/21 from R. Jacinto regarding Montgomery Township side roads
11. Email dated 2/7/21 from D. Kricheff regarding Phase 2
12. Email dated 2/7/21 from J. Strickland regarding Make-ups for Cohort 1
13. Email dated 2/8/21 from D. Kricheff regarding lack of response
14. Email dated 2/9/21 from D. Xue regarding Open Public Records Act
15. Email dated 2/11/21 from J. Rooney regarding very good communication
16. Email dated 2/11/21 from M. Deutsch regarding MHS
17. Email dated 2/12/21 from A. Yver regarding MTSD letter dated 2/8/21 to Governor Murphy
18. Email dated 2/17/21 from S. Partilova regarding Important Message from the Superintendent
19. Email dated 2/18/21 from R. Jacinto regarding Montgomery school calendars

PUBLIC COMMENTS

Members of the public are allotted one opportunity to address the Board regarding the **Action Agenda** for up to a maximum of three (3) minutes during this period of the meeting. All comments or questions must be directed to the board president. The board president may need to refer an issue to the superintendent if the particular issue has not been handled through the appropriate chain of command within the school district before coming to the board for a response. All responses will be provided at the end of this session.

ACTION AGENDA

1.0 ADMINISTRATIVE

The Superintendent recommends that the Board of Education approve the administrative items as follows:

1.1 Routine Monthly Report – Accept the following reports:

- a. Student Control Report
- b. Fire/Security Drill Report
- c. Harassment, Intimidation and Bullying (HIB) Report

1.2 Policy First Reading - Accept the following policies/regulations as a first reading:

1620	Administrative Employment Contracts
2431	Athletic Competition
2431.1R	Emergency Procedures for Sports and Other Athletic Activity
7450	Property Inventory
7510	Use of School Facilities
7510R	Use of School Facilities
8561	Procurement Procedures for School Nutrition Programs

1.3 Approve Educators to be Given Priority for Vaccines – Approve the following resolution:

WHEREAS, public schools have a profound impact on millions of students, families and staff and are charged with the care, education, and nourishment of their students and are an integral part of the health and safety of our communities; and

WHEREAS, the COVID-19 Vaccination Plan published by the State of New Jersey Department of Health (December 15, 2020, pgs. 36-37) prioritizes the availability of vaccines to “essential workers” in Phase 1B of the vaccine protocol; and

WHEREAS, school district staff at all levels are essential to the day-to-day operations of this district, responsible for the thorough and efficient education of all students and their social and emotional wellbeing, are critical for virtual and in-class instruction and are “essential workers”;

NOW, THEREFORE, BE IT RESOLVED that the Montgomery Township Board of Education finds a substantial public purpose exists to request that Governor Murphy give appropriate priority in the statewide administration of the COVID-19 vaccine to all public school district personnel.

2.0 CURRICULUM & INSTRUCTION

The Superintendent recommends that the Board of Education approve the curriculum and instruction agenda as follows:

2.1 Out-of-District Placements 2020-2021 - Approve the following Out-of-District placements for the 2020-2021 School Year:

Pupil ID	School	Dates	TUITION		
			ESY	RSY	Total for Year
100333	Mercer County Technical School ½ day - Withdrawn	2/1/21-6/30/21		-\$2,790.00	-\$2,790.00
100333	Bridge Academy ½ day to full day	2/1/21-6/18/21		\$8,883.63	\$8,883.63
105184	East Mountain School	2/1/21-6/21/21		\$29,070.00	\$29,070.00
105184	Cornerstone Day School - Withdrawal	12/7/20-6/25/21		-\$53,563.60	-\$53,563.60

2.2 Consultant Approvals 2020-2021 - Approve the following consultants for the 2020-2021 school year:

CONSULTANT NAME/VENDOR	SERVICES PROVIDED	RATES OF SERVICE
A-Speakers ApS	Provide VES Title I students and parents with a virtual evening event on motivation skills on March 17, 2021	\$4,000.00 To be funded by Title I funds
Top Youth Speakers	Provide MHS Title I students and parents with a series of virtual evening events on motivational skills, February – March, 2021	\$9,720.00 To be funded by Title I funds
Top Youth Speakers	Provide UMS Title I students and parents with a series of virtual evening events on motivational skills, March – April, 2021	\$8,000.00 To be funded by Title I funds
Melissa Sadin Ducks & Lions: Trauma Sensitive Resources	Provide District staff with five (5) virtual workshops on trauma and resiliency in schools, February 24, 2021 – June 30, 2021	\$5,400.00 To be funded by Title II funds
Blackboard, Inc.	Provide online ADA compliance training for school administration, secretaries and website users to learn how to properly create ADA compliant content, February 24, 2021 – June 30, 2021	\$400.00

2.3 Educational Research Project – Approve Karen Damato, Teacher, Village Elementary School, to conduct an Educational Research Project in accordance with Policy 3245.

- 2.4 Fireplace, Inc. – Approve annual software subscription to SMORE. \$999.00 to be funded by ESEA Title II funds.
- 2.5 FY2021 CARES Emergency Relief Grant Amendment – Approve submission of the CARES Act Emergency Relief Grant Amendment in the amount of \$246,107 to include additional funds granted by the NJDOE.

3.0 OPERATIONS, FACILITIES AND FINANCE

The Superintendent recommends that the Board of Education approve the finance agenda as follows:

3.1 Acceptance of the Financial Reports

WHEREAS, N.J.A.C. 6A:23A-16.10 requires the Board Secretary and the Board of Education of the Montgomery School District to certify that no budgetary line item account has been over-expended and that the sufficient funds are available to meet the District's financial obligation, and

WHEREAS, N.J.A.C. 6A:23A-16.10 further requires the Board of Education of the Montgomery Township School District receive and accept the monthly financial statement, the Board Secretary's and Treasurer's Reports; and

WHEREAS, the Board Secretary's and Treasurer's Reports for the month ending January 31, 2021 are presented for the Board to accept and are on file in the Office of the School Business Administrator;

NOW THEREFORE BE IT RESOLVED, the Board of Education of the Montgomery Township School District acknowledges receipt of and accepts the Board Secretary's and Treasurer's Reports for the month ending January 31, 2021; and

BE IT FURTHER RESOLVED, that the Board Secretary and the Board of Education certifies that no budgetary line item account has been over-expended and that there are sufficient funds available to meet the District's financial obligation.

3.2 Approval of Transfers

WHEREAS, N.J.A.C. 6A:23A-16.10-(c)1 states that a report shall be presented to the Board showing all transfers between line item accounts for each line item account shown on the budget prepared in accordance with N.J.S.A. 18A:22-8; and

WHEREAS, Board Policy 6422 designates the Superintendent of Schools to approve transfers as necessary between meetings of the Board and be reported to the Board, ratified and duly recorded in the minutes at a subsequent Board meeting; and

WHEREAS, transfers were necessary to maintain the needs of the district and are on file in the Office of the School Business Administrator,

NOW THEREFORE BE IT RESOLVED, that the Montgomery Township Board of Education ratifies and approves the transfers through January 31, 2021 within the 2020-2021 school year budget, as approved by the Superintendent, so that no budgetary line item account has been over-expended and that sufficient funds would be available to meet the district's financial obligations, as requested by various district;

BE IT FURTHER RESOLVED, this resolution shall take effect immediately, and the Montgomery Township Board of Education authorizes the Superintendent, Board President and School Business Administrator to sign any documents on behalf of the Montgomery Board of Education with regards to exercising the intent of this resolution.

3.3 Approval of Bill Lists

WHEREAS, N.J.S.A. 18A:19, Expenditure of Funds; Audit and Payment of Claims, provides Board of Educations to make payments on claims for goods received and services rendered payable to the order of the person entitled to receive the amount after approval by the board; or in accordance with payrolls duly certified; or debt service or when provided by resolution approval by a person designated by the board; and

WHEREAS, a list of bills dated February 24, 2021 is being presented to the board with the recommendation that they be ratified and paid respectively; and

WHEREAS, each claim or demand has been fully itemized, verified and audited as required by law in accordance with N.J.S.A. 18A:19-2;

NOW THEREFORE BE IT RESOLVED, that the Montgomery Township Board of Education approves the list of bills for payment in the grand sum of \$6,641,103.97 and

General Account	\$6,606,895.00
Food Service Account	\$34,208.97
TOTAL	\$6,641,103.97

BE IT FURTHER RESOLVED, the list of bills are on file in the Office of the School Business Administrator, and

BE IT FURTHER RESOLVED, that the Montgomery Township Board of Education authorizes the School Business Administrator to pay bills if it is determined that a need arises prior to the next board meeting in accordance with Board Policy 6470 – Payment of Claims.

3.4 Travel Reimbursement –2020/2021 – approve the Board member and/or staff conference and travel expenses as per the travel reimbursement list dated 2/23/21.

- 3.5 Revised Food Service Management Agreement - that the Board of Education approve amendment number four agreement with COMPASS GROUP USA, INC., by and through its CHARTWELLS Division as the district's Food Services management company for the 2020-2021 school year as follows:

THIS AMENDMENT NUMBER FOUR, effective January 1, 2021, is between Montgomery Township Board of Education ("School Food Authority" or "SFA") and Compass Group USA, Inc. by and through its Chartwells Division ("Chartwells") (collectively the "Parties").

WHEREAS, the SFA and Chartwells are parties to that certain Cost Reimbursable Food Service Management Company Contract School Year 2018-2019; as amended by Addendum School Year 2019-2020; as further amended by Contract Renewal School Year 2020-2021; as further amended by Amendment Number Three dated September 1, 2020 (collectively, the "Agreement") pursuant to which Chartwells manages the SFA's food service operation and facilities; and

WHEREAS, the Parties now desire to amend the Agreement;

NOW, THEREFORE, in consideration of the promises contained herein and for other good and valuable consideration, the Parties hereto agree as follows.

1. The Agreement is amended such that the Impact Period identified in Amendment No. 3 is extended through June 31, 2021 (extended from December 31, 2020). During the Impact Period, Client shall continue to pay Chartwells a monthly suspension fee of \$277.00.
 2. Confirmation and Integration. Except as expressly amended by this Amendment, the parties hereby confirm and ratify the Agreement in its entirety. The Agreement, as amended hereby, constitutes the entire agreement between the parties and their predecessors pertaining to the subject matter of the Agreement, as so amended, and supersedes all prior and contemporaneous agreements and understandings of the parties and their predecessors in connection therewith.
 3. Counterparts. This Amendment may be executed in any number of counterparts, each of which shall constitute an original and all of which together shall constitute but one and the same original document.
 4. Headings. The section headings herein are for convenience only and do not define, limit or construe the contents of such sections.
- 3.6 Donation Acceptance – Accept the donation of \$6,000.00 from Bristol-Myer Squibb to Montgomery High School Robotics Team 1403.
- 3.7 Approval of Professional Services Contract – Approve a professional services contract with Parette Somjen Architects for professional architectural design and construction services to raise the football field scoreboard approximately six feet at Montgomery High School at a fee of \$3,000.

- 3.8 Settlement Agreement– Approve the following resolution pertaining to a settlement agreement:

BE IT RESOLVED by the Montgomery Board of Education (hereinafter referred to as the “Board”) that the terms, stipulations and conditions as established in the Settlement Agreement and Release between the Board and the Parent of a student whose name is on file in the Superintendent’s office, and which Agreement is located in the student’s file, are hereby adopted and approved by the Board. The Board President and Business Administrator/Board Secretary are hereby authorized and directed to execute the Settlement Agreement and Release and any other documents necessary to effectuate the settlement.

- 3.9 Approve Effective School Solutions, LLC for Professional Services at Montgomery Upper Middle School and Lower Middle School - approve the following resolution:

WHEREAS, there exists a need for professional services for the 2021-22 school year and during the 2021 summer program defined as a five-week program scheduled during the months of July and August 2021; and

WHEREAS, the Public School Contracts Law (Chapter 114, Laws of 1977) requires that the Resolution authorizing the award of contracts for professional services without competitive bids be publicly adopted; and

WHEREAS, Effective School Solutions, LLC (ESS) will provide a therapeutic environment within Montgomery Upper Middle School and Lower Middle School to assist students with emotional and behavioral challenges to engage with the academic environment and remain at the upper middle school and lower middle school;

NOW THEREFORE BE IT RESOLVED by the Montgomery Township Board of Education that the following be engaged for professional services as described and in the amount not to exceed \$271,480 as follows: Effective School Solutions to provide therapeutic mental health services through licensed professionals to students in Montgomery Upper Middle School and Lower Middle School.

- 3.10 Receipt and Award of Bid – Spring Athletic Awards, Equipment, Supplies and Uniforms for the Montgomery Township School District (Bid #B21-07) – Bids were received on February 9, 2021, for spring athletic awards, equipment, supplies and uniforms for the Montgomery Township School District as follows:

<u>Vendor</u>	<u>Base Bid</u>
BSN Sports, Passon’s Sports & US Games Jenkintown, PA	\$10,207.60
Aluminum Athletic Equipment Royersford, PA	\$3,048.00
Riddell Elyria, OH	\$3,020.39
MFAC, LLC West Warwick, RI	\$2,914.00

It is recommended that the Board of Education award Bid #B21-07 for spring athletic awards, equipment, supplies and uniforms for the Montgomery Township School District as follows:

<u>Vendor</u>	
BSN Sports, Passon's Sports & US Games Jenkintown, PA	\$7,408.91
Riddell Elyria, OH	\$1,833.89
MFAC, LLC West Warwick, RI	\$1,525.00
Aluminum Athletic Equipment Royersford, PA	\$821.00
Total Bids Awarded	\$11,588.80

3.11 Resolution Authorizing Disposal of Surplus Property

WHEREAS, the Montgomery Township Board of Education is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Board are desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW THEREFORE, be it RESOLVED by the Montgomery Township Board of Education, Skillman, NJ, as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30). The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Montgomery Township Board of Education.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:

Rockwell/Delta 12" Disc Sander, Model #31-426
Rockwell/Delta 6" x 42" Jointer, Model #37-220
2 - Rockwell/Delta 24' Scroll Saw, Model #40-440
Rockwell/Delta Heavy Duty Shaper, Model #43-340
Rockwell/Delta 10" Unisaw Table Saw, Model #34-450
Rockwell/Delta 10" Table Saw, Model #114-9646
Rockwell/Delta Drill Press, Model #126-6760

- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Montgomery Township Board of Education reserves the right to accept or reject any bid submitted.
- (7) Any surplus property unsold after the auction shall be offered without cost to school-related community organizations or charitable and nonprofit organizations located within the district or discard the surplus property in a manner consistent with the public interest.
- (8) BE IT FURTHER RESOLVED, the Board President, Board Secretary and any other necessary officer, official or employee of the Board are hereby authorized to execute any and all documents and to take any and all actions necessary to complete and realize the intent and purpose of this Resolution, including the execution of the auction.

3.12 Appointments – The Board President made the following committee assignments for 2021 as per the below list:

- Members of the Assessment, Curriculum and Instruction Committee (ACI):

Chair	Zelda Spence-Wallace
Member	Christina Harris
Member	Patrick Todd
Alternate Member	Cookie Franco-Herman
Ex-Officio Member	Phyllis Bursh

- Members of the Anti-Racist & Reform Committee (ARRC):

Chair	Christina Harris
Member	Patrick Todd
Member	Cookie Franco-Herman
Alternate Member	Zelda Spence-Wallace and Michael Morack, Jr.
Ex-Officio Member	Phyllis Bursh

- Members of the Human Resources Committee (HRC):

Chair	Cookie Franco-Herman
Member	Michael Morack, Jr.
Member	Zelda Spence-Wallace
Alternate Member	Dr. Antoine Yver
Ex-Officio Member	Phyllis Bursh

- Members of the Operations, Finances & Facilities Committee (OFF):

Chair	Shreesh Tiwari
Member	Richard Specht
Member	Dr. Antoine Yver
Alternate Member	Patrick Todd
Ex-Officio Member	Phyllis Bursh

- Members of the Policy and Communications Committee:

Chair	Richard Specht
Member	Michael Morack, Jr.
Member	Cookie Franco-Herman
Alternate Member	Dr. Antoine Yver
Ex-Officio Member	Phyllis Bursh

- Legislative Liaison for the purpose of receiving materials:

Delegate	Richard Specht
Alternate	Christina Harris

- Montgomery Township PTSA (PTA/PTO/PTSA/SEPTA) Liaison:

Delegate	Cookie Franco-Herman
Alternate	Zelda Spence-Wallace and Phyllis Bursh

- Liaison to the Montgomery Township-Rocky Hill Municipal Alliance Committee:

Liaison	Richard Specht
Alternate	Dr. Antoine Yver

- Voting member and alternate to the New Jersey School Boards Association:

Voting Member	Phyllis Bursh
Alternate	Zelda Spence-Wallace

- Member and alternate to the Executive Committee of the Somerset County School Boards Association:

Delegate	Cookie Franco-Herman
Alternate	Zelda Spence-Wallace and Phyllis Bursh

- Borough of Rocky Hill Liaison:

Liaison	Dr. Antoine Yver
Alternate	Richard Specht

- Montgomery Township Liaison:

Liaison	Patrick Todd
Alternate	Cookie Franco-Herman

- Members of the Negotiations Committee with APSMT:

Chair	Shreesh Tiwari
Member	Phyllis Bursh
Member	Dr. Antoine Yver
Member	Michael Morack, Jr.
Alternate Member	Christina Harris

- Members of the Negotiations Committee with CWA:

Chair	Phyllis Bursh
Member	Shreesh Tiwari
Member	Cookie Franco-Herman
Member	Patrick Todd
Alternate Member	Zelda Spence-Wallace

- Members of the Negotiations Committee with MTEA:

Chair	Shreesh Tiwari
Member	Phyllis Bursh
Member	Richard Specht
Member	Dr. Antoine Yver
Alternate Member	Patrick Todd

3.13 Election of Delegate - It is recommended that the Board of Education elect Dr. Antoine Yver as delegate to the Somerset County Educational Services Commission, Richard Specht as an alternate delegate.

3.14 Non Public Chapter 192/193 Agreement with SCESC 2021-2022 - approve the following nonpublic instructional services agreement:

THIS AGREEMENT is made the first day of July 2021 between the Somerset County Educational Services Commission, County of Somerset, State of New Jersey, hereinafter referred to as SCESC and the Montgomery Township School District in the County of Somerset, State of New Jersey, hereinafter referred to as the Public School District.

WHEREAS, the SCESC, by authority of its Board of Directors, acting on approval of the State Board of Education, is capable of providing New Jersey's Chapter 192 and Chapter 193 programs to eligible students enrolled full time in nonpublic elementary and secondary schools in New Jersey. Chapter 192 programs provide nonpublic school students with auxiliary services such as compensatory education, English as a second language, and home instruction. Chapter 193 programs provide nonpublic school students with remedial services such as evaluation and determination of eligibility for special education and related services, supplementary instruction, and speech-language services.

WHEREAS, the SCESC services are in accordance with N.J.S.A. 18A:46-6, 8, 19.1 et seq. (Laws of 1977, Chapter 193), N.J.S.A. 18A:46-1 et seq. (Laws of 1977, Chapter 192), and the Rules and Regulations governing auxiliary services to nonpublic schools; and

WHEREAS, the Public School District is under obligation to provide said services to all eligible students attending nonpublic schools/facilities within its district; and

WHEREAS, the Public School District has by Resolution of its Board, agreed with the SCESC to provide said services pursuant to N.J.S.A. 18A:46-19.7 and N.J.S.A. 18A:46A-7 as authorized by the Public School District;

NOW, THEREFORE, the parties hereto agree to as follows:

1. The terms and conditions of this Agreement shall be in effect for one (1) year from July 1, 2021 through and including June 30, 2022.
2. All services will be provided based on available state funding and the economical allocation of staffing resources available.
3. SCESC will provide the Auxiliary Services in Compensatory Education, English as a Second Language, Supplemental Instruction, Corrective Speech and/or Home Instruction for eligible students at nonpublic schools/facilities.
 - a. COMPENSATORY EDUCATION will be provided to students who meet the established State requirements. Every eligible student will be assessed, and an Individual Student Improvement Plan (I.S.I.P.) will be developed, instruction will be based on the New Jersey Core Curriculum Content Standards/Common Core, provided per session as applicable to the student, and as long as the funding is available based on the Commission's calendar. Progress reports will be distributed twice per year. Student instructional services shall be scheduled for a minimum of thirty (30) minutes per week, based on the Commission's nonpublic services calendar.
 - b. ENGLISH AS A SECOND LANGUAGE will be provided to students who meet the established State requirements. Every eligible student will be tested and assessed with a state approved Language Assessment Battery, an Individual Student Improvement Plan (I.S.I.P.) will be developed, and instruction will be based on the New Jersey Core Curriculum Content Standards/Common Core, provided per session as applicable to the student, and as long as funding is available, based on the Commission's calendar.

Progress reports will be distributed twice per year. Student instructional services shall be scheduled for a minimum of thirty (30) minutes per week, based on the Commission's nonpublic services calendar.

- c. SUPPLEMENTAL INSTRUCTION will be provided to students examined and classified by a Child Study Team under N.J.A.C. 6A:14-4.5. Every eligible student will receive instruction based on the Individual Student Plan (I.S.P.), provided per session as applicable to the student, and as long as the funding is available, based on the Commission's calendar. Progress reports will be distributed as per State guidelines during the year. Student instructional services shall be scheduled for a minimum of thirty (30) minutes per week based on the Commission's nonpublic services calendar.
 - d. CORECTIVE SPEECH will be provided to students who meet established requirements under N.J.A.C. 6A:14-3.6. Every eligible student will receive instruction based on the Individual Student Plan (I.S.P.) provided per session as applicable to the student, and as long as funding is available, based on the Commission's calendar. Student instructional services shall be scheduled for a minimum of thirty (30) minutes per week, based on the Commission's nonpublic services calendar.
 - e. HOME INSTRUCTION will be given in lieu of regular classroom instruction to an eligible student who is enrolled full time in a nonpublic school and is unable to attend school for 10 consecutive school days or 15 cumulative school days or more during the school year due to temporary or chronic health condition or need for treatment which precludes participation in their usual educational setting. The teacher providing the instruction will be appropriately certified for the subject and grade level in which instruction is given pursuant to N.J.A.C. 6A:16-10.1(b).
4. SCESC will provide the auxiliary services in examination and classification to nonpublic school students who are identified by a nonpublic school as having potential learning problems. Examinations and/or classifications will be conducted in accordance with N.J.A.C. 6A:14-3.3(c) by appropriate certified personnel.
 5. Nothing contained herein shall prevent a Public School District from electing to provide all of the above services for any individual nonpublic school student within its District boundaries.
 6. All nonpublic transportation funding will be allocated according to State guidelines.
 7. For the Auxiliary services of Compensatory Education, English as a Second Language, Supplemental Instruction and Corrective Speech services described in this Agreement, the Public School District agrees to pay to SCESC a sum equal to 10% of the funding that is allocated for the contract year by the State Department of Education for Auxiliary Services to Nonpublic Schools pursuant to the provisions of the Laws of 1977, Chapter 192 and 193, based on the active roster of students, which will be considered the official enrollment, and provided to the Public School District through monthly invoices of services rendered.

8. For the Auxiliary services of Examination and Classification, and Home Instruction described in this Agreement, the Public School District agrees to pay to SCESC a sum equal to 100% of the funding that is allocated for the contract year per pupil by the State Department of Education for Auxiliary Services to Nonpublic Schools pursuant to the provisions of the Laws of 1977, Chapter 192 and 193 when services are rendered. The SCESC will submit monthly billing of services rendered.
9. The SCESC, as per New Jersey Department of Education guidelines effective August 2018 will retain 6% of the total monthly invoice as reimbursement for programming, supervision and administrative expenses associated with the Chapter 192/193 program implementation. The SCESC shall be required to provide service only to the extent of the amount of state aid received.
10. It is the responsibility of the nonpublic school to notify the SCESC in writing when a student has exited and is no longer on the active roster within 10 (ten) business days.
11. The Public School District agrees to pay SCESC within sixty (60) days following receipt of invoices for such services.
12. The Project Completion Report for Chapter 192/193 services shall be prepared by SCESC and submitted to the Public School District by July 30.
13. In the event a Public School District fails to remit funds to the SCESC within the time schedule set forth above, SCESC shall have the right to discontinue services without further notice.
14. The SCESC shall act as agent for the Public School District in the distribution, collection, processing and preparation of the Request for Additional Funding Under the Provisions of Chapter 192/193 required by the State Department of Education for the implementation of said services pursuant to the laws of 1977, Chapters 192/193. The SCESC Business Administrator may act as the local district's agent by filing for Additional Funding Under Provisions of Chapters 192/193. The Public School District will provide the SCESC access to the NJ DOE Homeroom for submission of the requests.
15. Due to the wide variation in district school calendars, the SCESC will develop and adhere to their master calendar for teacher scheduling.
16. The SCESC will coordinate the Annual Consultation meeting between the Public School District and its nonpublic schools according to the provisions set forth by the State of New Jersey Department of Education.
17. During the performance of this contract, SCESC and the Public School District agree to the following affirmative action:

- a. The SCESC and the Public School District, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. The SCESC and the Public School District will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The SCESC and the Public School District agree to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.
18. The SCESC will act as the signer of all 407 forms for Chapters 192/193 student services on behalf of Montgomery Township School District as permitted by the New Jersey Department of Education guidelines.
- 3.15 Non Public IDEA Agreement with SCESC 2021-2022 - approve the following nonpublic instructional services agreement:

THIS AGREEMENT shall be in effect from July 1, 2021 until June 30, 2022 between the Somerset County Educational Services Commission, County of Somerset, State of New Jersey, hereinafter referred to as SCESC and the Montgomery Township School District in the County of Somerset, State of New Jersey, hereinafter referred to as the Public School District.

The District agrees to pay the Commission the monthly amount of the Nonpublic School IDEA proportionate share grant funding in support of the Nonpublic School Individuals With Disabilities Education Act. The following payment schedule is hereby agreed to: 100% of the monthly services as defined below plus any other additional fees for services allowable by law with prior District approval. No other funding is due the Commission in order to operate this program.

In the event the District fails to remit the funds according to the schedule indicated above, the Commission retains the right to postpone service under this contract until funds are released.

The parties agree that if the District shall no longer be eligible for funding pursuant to the Nonpublic School Individuals With Disabilities Education Act, or if such funding shall terminate, either party may terminate this agreement.

It is understood that the Commission will provide services to all of the eligible Somerset County nonpublic schools identified by the District's grant application and as authorized by the District. Also, the SCESC will coordinate the Annual Consultation Meeting between the District and its nonpublic schools, according to the provisions set forth by the State of New Jersey Department of Education.

The Commission will provide an annual report of I.D.E.A. funded services, equipment and/or technology and provide input into the grant process for each school served.

Speech (per student on active roster/per month)	\$140.00
Supplemental (per student on active roster/per month)	\$130.00
Study Skills/Student Support Class – Teacher provided up to 5 days per week for 60 minutes per day to provide supplemental instruction (per month)	\$3,000.00

3.16 Resolution/New Jersey Nonpublic School Technology Initiative Program – approve the following resolution:

WHEREAS, the New Jersey Nonpublic School Technology Initiative Program has been authorized in the Appropriations Act for Fiscal Year 2021-2022; and

WHEREAS, Nonpublic School Technology Initiative Aid shall be paid to school districts and allocated for nonpublic school pupils in a manner that is consistent with the provisions of the federal and state constitutions; and

WHEREAS, said program requires the Board of Education in each public school district in New Jersey to provide technology to all students attending a nonpublic school located in the public school district; and

WHEREAS, it is the responsibility of the chief school administrator of the public school district or designee to confer with the administrator of each participating nonpublic school within the district to advise the nonpublic school of the limit of funds available and to agree upon the technology to be provided to the nonpublic school within the limits of the funds that are available for the nonpublic school; and

WHEREAS, it is the responsibility of the public school district to send written verification that conferences were held with each nonpublic school administrator to the County Superintendent, along with a copy of each agreement, prior to the State's deadline; and

WHEREAS, it shall be the responsibility of each public school district to provide the agreed upon technology which may include equipment, software, professional development and/or maintenance of equipment; and

WHEREAS, the Somerset County Educational Services Commission (SCESC) has agreed to administer the responsibilities associated with this program for the purpose of greater cost effectiveness through joint purchasing and centralized administration,

NOW, THEREFORE, BE IT RESOLVED that the Montgomery Township School District (District) enter into an agreement with the SCESC, whereby the SCESC will administer the Nonpublic School Technology Initiative Program for nonpublic schools located within the boundaries for the 2021-2022 school year and are awarded funding and as authorized by the District, and

BE IT FURTHER RESOLVED that the SCESC will coordinate the Annual Consultation Meeting between the District and its nonpublic schools, according to the provisions set forth by the State of New Jersey Department of Education, and

BE IT FURTHER RESOLVED that the District pay the State-approved administrative percentage (5% in 2019-2020) of the allocation for the Nonpublic School Technology Initiative Program to cover the SCESC's cost for administering the program. The SCESC will invoice the District for technology items as expended in accordance with the Guidelines for Administering the New Jersey Nonpublic School Technology Initiative Program and State-approved administrative percentage of the total amount spent as reimbursement for administrative expenses associated with the Nonpublic School Technology Initiative Program. No other funding is due the Commission in order to operate this program.

3.17 Resolution/New Jersey Nonpublic Textbook Program – approve the following resolution:

WHEREAS, 18A:58-37-1 et seq., as amended by Chapter 121, Laws of 1984, requires that the state and local community purchase and loan textbooks upon individual request to all students enrolled in grades kindergarten through 12 in nonpublic schools located within the local school district; and,

WHEREAS, no Board of Education is required to expend funds for the purchase and loan of textbooks in excess of the amounts provided in state aid; and,

WHEREAS, the Somerset County Educational Services Commission (SCESC) has agreed to administer the purchasing and processing of nonpublic school textbooks for local public school districts for the purpose of greater cost effectiveness through joint purchasing and centralized administration;

THEREFORE, BE IT RESOLVED that the Montgomery Township School District enters into an agreement with the SCESC whereby the SCESC will administer a nonpublic textbook program for those eligible students attending nonpublic schools located within the county for the 2021-2022 school year, in accordance with 18A:58-37-1 et seq, and as authorized by the District. The SCESC will coordinate the Annual Consultation Meeting between the District and its nonpublic schools, according to the provisions set forth by the State of New Jersey Department of Education.

BE IT FURTHER RESOLVED that the Montgomery Township School District agrees to pay the total amount allocated by the State for the New Jersey Nonpublic School Textbook Program and a 6% administrative fee not to be paid through State program funds to the SCESC by August 31, 2021 or 30 days after State funding is announced, whichever is first. The 6% administrative fee will be waived if all other nonpublic program services for the District are provided by the SCESC. Any unexpended funds will be refunded to the local district.

3.18 Nonpublic Security Aid Program 2021-2022 – approve the following nonpublic services agreement:

WHEREAS, the Nonpublic Security Aid Program has been authorized in the Appropriations Act for Fiscal Year 2021-2022; and

WHEREAS, Nonpublic Security Aid shall be paid to school districts and allocated for nonpublic school pupils in a manner that is consistent with the provisions of the federal and state constitutions; and

WHEREAS, said program requires the Board of Education in each public school district in New Jersey to provide security services, equipment, and technology to the nonpublic schools located in the public school district; and

WHEREAS, it is the responsibility of the chief school administrator of the public school district or designee to confer with the administrator of each participating nonpublic school within the district to advise the nonpublic school of the limit of funds available and to agree upon the security to be provided to the nonpublic school within the limits of the funds that are available for the nonpublic school; and

WHEREAS, it is the responsibility of the public school district to send written verification that conferences were held with each nonpublic school administrator to the County Superintendent, along with a copy of each agreement, prior to the State's deadline; and

WHEREAS, it shall be the responsibility of each public school district to provide the agreed upon security which may include security services, equipment and technology; and

WHEREAS, the Somerset County Educational Services Commission (SCESC) has agreed to administer the responsibilities associated with this program for the purpose of greater cost effectiveness through joint purchasing and centralized administration,

NOW, THEREFORE, BE IT RESOLVED that the Montgomery Township School District (District) enters into an agreement with the SCESC, whereby the SCESC will administer the Nonpublic Security Aid Program for nonpublic schools located within the boundaries for the 2021-2022 school year and are awarded funding and as authorized by the District, and

BE IT FURTHER RESOLVED that the SCESC will coordinate the Annual Consultation Meeting between the District and its nonpublic schools, according to the provisions set forth by the State of New Jersey Department of Education, and

BE IT FURTHER RESOLVED that the SCESC will invoice the District for security items as expended in accordance with the Guidelines for Administering the Nonpublic Security Aid Program. No other funding is due the Commission in order to operate this program.

- 3.19 Approve Eagle Scout Project – approve the creation of a gaga pit at the Village Elementary School as an Eagle Scout Project being completed by Mr. Rishin Alpesh-Jignya Patel. It will be located adjacent to the playground.
- 3.20 Approve Eagle Scout Project – approve the installation of two buddy benches at Orchard Hill Elementary School as an Eagle Scout Project being completed by Mr. Andrew Devine. It will be located in the playground area. One of the benches will replace a bench already in existence that is not in good condition.

4.0 PERSONNEL

The Superintendent recommends that the Board of Education approve the personnel agenda following discussion in Executive Session.

ANNOUNCEMENTS BY THE PRESIDENT

ADJOURNMENT