

MONTCLAIR PUBLIC SCHOOLS



MONTCLAIR, NEW JERSEY

PUBLIC BOARD MEETING HELD ON

**WEDNESDAY, AUGUST 10, 2016 AT 4:30 PM
GEORGE INNESS ANNEX ATRIUM
141 PARK STREET, MONTCLAIR, NEW JERSEY**

MINUTES OF THE PUBLIC BOARD MEETING
HELD WEDNESDAY, AUGUST 10, 2016 AT 4:30 PM
GEORGE INNESS ANNEX ATRIUM
141 PARK STREET, MONTCLAIR, NEW JERSEY

A. STATEMENTS

1. Meeting Notice

B. RESOLUTION FOR EXECUTIVE SESSION at 4:35 pm

Anne Mernin moved to approve the following resolution:

WHEREAS, the Open Public Meetings Act, N.J.S.A.10:4-12, permits the Board of Education to meet in closed session to discuss certain matters,

NOW THEREFORE BE IT RESOLVED, the Board of Education adjourns to closed session to discuss:

- a matter rendered confidential by federal or state law;
- material the disclosure of which constitutes an unwarranted invasion of individual privacy;
- a collective bargaining agreement and/or negotiations related to it;
- pending or anticipated litigation or contract negotiation and/or matters of attorney-client privilege;
- any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting

AND BE IT FURTHER RESOLVED, the minutes of this closed session be made public when the need for confidentiality no longer exists.

Seconded by Franklin Turner and approved by a vote of 7-0

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			

Joseph Kavesh	x			
Anne Mernin	x			
Eve Robinson	x			
Franklin Turner	x			

C. EXECUTIVE SESSION

D. RETURN TO OPEN SESSION at 7:35 pm

E. STATEMENTS

1. Meeting Notice

F. THE PLEDGE OF ALLEGIANCE

G. ROLL CALL

	PRESENT	ABSENT
Jessica de Koninck	x	
Jevon Caldwell-Gross	x	
Laura Hertzog	x	
Joseph Kavesh	x	
Anne Mernin	x	
Eve Robinson	x	
Franklin Turner	x	

Staff Members	3
Members of the Public	8
Members of the Press	2

H. SUPERINTENDENT'S OFFICE

I. COMMITTEE, LIAISON AND CONFERENCE REPORTING

J. SEARCH UPDATES

K. ADMINISTRATION PRESENTATION AND BOARD OF EDUCATION DISCUSSION

1. Charter application response

2. Committee work for 2016-2017
3. Calendar of Superintendent presentations/board agenda 2016-2017

L. COMMENTS FROM THE PUBLIC

The Board will allow time for the public to comment on agenda and non-agenda items.

M. MINUTES

Franklin Turner moved to approve the following minutes:

1. Public Board meeting held on July 25, 2016
2. Board Hearing held on July 29, 2016

Seconded by Joe Kavesh and approved by a vote of 7-0

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			
Joseph Kavesh	x			
Anne Mernin	x			
Eve Robinson	x			
Franklin Turner	x			

N. BUSINESS OFFICE

1. Resolution Re: Approval of Conference and Travel

Franklin Turner moved to approve the following resolution:

WHEREAS, New Jersey Administrative Code N.J.A.C. 23B and Board of Education policy require approval of the Board of Education prior to expending Board of Education funds for travel and related expenses, and

WHEREAS, the travel must be directly related to the employee's or Board member's current responsibilities,

NOW, THEREFORE, BE IT RESOLVED that the following Board members and employees are approved for

travel-related reimbursements for an amount up to the estimated cost indicated:

CONFERENCE AND TRAVEL EXPENSES						
CONFERENCE	<u>DATE</u>	<u>BOARD MEMBER/ EMPLOYEE</u>	<u>SCHOOL DEPT.</u>	<u>ESTIMATED COST</u>	<u>EDUCATIONAL PURPOSE</u>	<u>LOCATION</u>
Conversations Around Curriculum and Instruction: Building the Curriculum Framework – PM Session/ NJDOE	8/16/16	Deborah Evans	CO	\$0	This workshop will strengthen her understanding of new NJDOE expectations regarding the new New Jersey Student Learning Standards for ELA and math.	Parsippany, NJ

BE IT FINALLY RESOLVED that reimbursement will be made for expenses that are in accordance with Board of Education policy and for which original receipts are submitted to the Business Office.

Seconded by Laura Hertzog and approved by a vote of 7-0

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			
Joseph Kavesh	x			
Anne Mernin	x			
Eve Robinson	x			
Franklin Turner	x			

2. Resolution Re: Monthly Budget Reports and Bills and Claims

Franklin Turner moved to approve the following resolution:

BE IT RESOLVED that the Montclair Board of Education approves the attached Bills

and Claims for the Summer 2016 Bills List #1 in the amount of \$2,341,874.98.

BE IT FURTHER RESOLVED that the Montclair Board of Education does hereby approve the request for tax levy from the Township of Montclair in the amount of \$5,000,000.00 for the month of August 2016.

Seconded by Laura Hertzog and approved by a vote of 7-0

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			
Joseph Kavesh	x			
Anne Mernin	x			
Eve Robinson	x			
Franklin Turner	x			

- Resolution Re: Approval of Submission of Initial Application for Temporary Instructional Space for Off-Site Use- Soccer Domain, 2016-2017 School Year

Franklin Turner moved to approve the following resolution:

WHEREAS, N.J.A.C. 6A:26-3.14 requires approval of the County Superintendent for off-site facilities, and

WHEREAS, the Montclair Board of Education is in need of space for use by the Renaissance Middle School for physical education for grades six, seven and eight, and

WHEREAS, the Soccer Domain, located at 14 Depot Street, has space available,

NOW THEREFORE BE IT RESOLVED that the Montclair Board of Education approves the submission of a temporary instructional space application (Attachment A) for an off-site location.

INITIAL APPLICATION FOR TEMPORARY INSTRUCTIONAL SPACE
2016 - 2017 SCHOOL YEAR

Please check one:

In an existing school building

x Off-site

Year of: Initial Application: _____ Renewal Application(s): 1st Year: x 2nd Year: _____
3rd Year: _____

District: Montclair Board of Education

School or Building: Soccer Domain

Address of School: 14 Depot Street, Montclair, New Jersey, 07042

Room Location/Number (be specific): Indoor Sports Facility

Dimensions: Length: 180 ft. Width: 102 ft. Ceiling height: 41 ft. 6 in.
Total Area: 22,560 square feet NET Area: _____ square feet

Grade Level(s): Grades 6, 7, and 8
Instructional Activity(s): Physical Education

25 Students in each of 3 Separate Rooms;
Maximum number of students and teachers/aides (total) at one time: 75 Students Total

Reason for Renewal: _____

What improvement(s) was made to this space during the 1st, 2nd and /or 3rd year approval for use:

1st Year: _____

2nd Year: _____

3rd Year: _____

What improvement will be made to this space prior to September 1 of the next school year? _____

The Board of Education approved the initial application for temporary instructional space for the
2016 - 2017 school year on August 10, 2016 (Date).

*****A COPY OF RESOLUTION FROM MINUTES MUST BE
ATTACHED*****

Certified by: _____
(Chief School Administrator) (Date)

(School Business Administrator) (Date)

FOR COUNTY SUPERINTENDENT'S USE ONLY:
Date of inspection by County Office: _____ Inspected by: _____

Included in Long-Range Facility Plan: Yes _____ No _____
 For the _____ - _____ school year, approval: is granted _____ is not granted _____
 subject to the following conditions: _____
 _____ (County Superintendent) _____
 _____ (Date)

FOR NEW JERSEY DEPARTMENT OF EDUCATION USE ONLY:

Date of Evaluation: _____ Temporary Instructional Space Approval
 Date: _____
 Unapproved Date: _____
 Abandoned by Date: _____
 Permanent Approved Date: _____
 District Abandoned Date: _____ Ref: _____ Evaluator:
 Date: _____

Seconded by Joe Kavesh and approved by a vote of 7-0

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			
Joseph Kavesh	x			
Anne Mernin	x			
Eve Robinson	x			
Franklin Turner	x			

4. Resolution Re: Disposal of Surplus, Broken And/Or Out Dated Equipment

Franklin Turner moved to approve the following resolution:

WHEREAS, the Board of Education is the owner of certain surplus, broken and/or out dated equipment, and

WHEREAS, the Board of Education had advertised to sell eleven (11) upright pianos and one (1) grand piano on January 28, 2016, and

WHEREAS, the Board of Education has received no response to the advertisement and is desirous of disposing of the pianos due to space constraints and equipment being in various states of disrepair, and

NOW THEREFORE BE IT RESOLVED, by the Montclair Board of Education that it hereby authorizes the Buildings and Grounds office to dispose of the eleven (11) upright pianos and one (1) grand piano and the Business Administrator to remove them from the district’s fixed asset report.

Seconded by Laura Hertzog and approved by a vote of 7-0

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			
Joseph Kavesh	x			
Anne Mernin	x			
Eve Robinson	x			
Franklin Turner	x			

- Resolution Re: Elementary Teacher Apple Laptop/Nishuane Student Laptop/iMac Stem and Computer Lab Lease

Franklin Turner moved to approve the following resolution:

WHEREAS, Title 18A:18A-11 provides that, “the boards of education of two or more districts may provide jointly by agreement for the provision and performance of goods and services for their respective districts...” and

WHEREAS, the Board of Education is a member of the Educational Services Commission of New Jersey (ESCNJ) cooperative (State ID #65MCESCCPS) and is desirous of purchasing technology from Apple utilizing pricing from the ESCNJ’s cooperative contract #MRESC 15/16-69, and

WHEREAS, Apple has quoted the requested technology (quote #2203226701) at a total of \$335,919.60 (for elementary teacher laptops, and Nishuane computer remediation) and \$175,200.00 (for school specific computer and STEM lab remediation) with financing through a 4-year lease purchase agreement at a 0% promotional APR, broken out into four annual payments of \$127,779.90, and

NOW THEREFORE BE IT RESOLVED that the Montclair Board of Education does hereby authorize the Business Administrator to proceed with the lease purchase of \$511,119.60 in technology from Apple, Inc. with a four (4) year lease purchase at 0% promotional APR.

Seconded by Laura Hertzog and approved by a vote of 7-0

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			
Joseph Kavesh	x			
Anne Mernin	x			
Eve Robinson	x			
Franklin Turner	x			

6. Resolution Establishing Board Committee and Appointment of Board Member to Committee for 2016-2017 School Year

Franklin Turner moved to approve the following resolution:

WHEREAS the bylaws of the Board of Education provide that committees be established by action of the Board, and that all committees are dissolved at the Board's annual reorganization meeting; and

RESOLVED that Board Members are hereby appointed to represent the Montclair Board of Education on committees as outlined below in accordance with N.J.S.A. 18A:65-30 until the next organizational meeting of the Board and until the appointment and qualification of the successor

RESOLVED that the Board hereby establishes the following Board Committee until its next reorganization meeting, unless dissolved earlier by Board action:

BOARD COMMITTEE

Martin Luther King Breakfast Committee

Franklin Turner

Seconded by Laura Hertzog and approved by a vote of 7-0

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			
Joseph Kavesh	x			
Anne Mernin	x			
Eve Robinson	x			
Franklin Turner	x			

7. Resolution Re: Rental Lease With Soccer Domain 2016-2017 School Year

Franklin Turner moved to approve the following resolution:

WHEREAS, the Montclair Board of Education leased space in a building owned by the Soccer Domain, Inc. located at 14 Depot Square, Montclair, New Jersey to house a physical education program for children at the Renaissance School for the 1999-2000 school year through the 2009-2010 school year, and

WHEREAS, the Montclair Board of Education reinstated this lease for the 2015-2016 school year and is desirous of reinstating this lease for the 2016-2017 school year,

NOW THEREFORE BE IT RESOLVED that the Montclair Board of Education authorizes the Board Secretary/Business Administrator to execute a one-year lease agreement with the Soccer Domain, Montclair, New Jersey for academic use for physical education in exchange for scheduled time on Montclair Board of Education soccer fields, with no monies exchanged.

Seconded by Joe Kavesh and approved by a vote of 7-0

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			

Joseph Kavesh	x			
Anne Mernin	x			
Eve Robinson	x			
Franklin Turner	x			

8. Resolution Re: Dual Use Application and Schematic Plans for Room 116 at Mt. Hebron

Franklin Turner moved to approve the following resolution:

WHEREAS, the Montclair Board of Education desires to change an existing Reading Room into a dual classroom consisting of two Reading Rooms at Mt. Hebron School,

AND WHEREAS, the Montclair Board of Education requests the approval to make this change,

NOW, THEREFORE, BE IT RESOLVED that the Montclair Board of Education approves the request to change an existing Reading Room into a dual classroom consisting of two Reading Rooms at Mt. Hebron School. This complies with the N.J.A.C. 6A:26, Educational Facilities, and

BE IT FINALLY RESOLVED that the Montclair Board of Education approves the submission of the attached Application for Dual Use of Educational Space with the Essex County Superintendent of Schools.

APPLICATION FOR DUAL USE OF EDUCATIONAL SPACE
2016-2017 SCHOOL YEAR

This form is to be used when educational space is required but limited. Dual use of educational spaces is permitted under limited circumstances wherein two small group classes of similar nature separated by a movable divider are operating simultaneously within the same educational space. Permission to operate a dual use educational space must be obtained from the Executive County Superintendent annually.

County: Essex District: Montclair
 School: Mt. Hebron School, 173 Bellevue Avenue, U Montclair NJ 07043

Room Number/Name: Room 116 State Approved Use: Classroom
 Requested Use: Reading Room And: Reading Room

Number of students and teachers (total) in each group: 5 And:
10

Description of movable divider used (e.g. height, length, bookshelf, acoustical, etc.): A pre-made aluminum and laminate panel with door, 7'4" high x 20' wide

Submit the following with this application:

A sketch of the space showing room size, location of exit doors, fire detection systems, ventilation systems and divider, must accompany this form.

The Board of Education approved the Dual Use Application for the 2016-2017 school year on 8/10/16 (Date).

*****A COPY OF RESOLUTION FROM MINUTES MUST BE ATTACHED*****

Certified by: _____
(Chief School Administrator) (Date)

(Date) (School Business Administrator)

FOR EXECUTIVE COUNTY SUPERINTENDENT'S USE ONLY:

Date of Inspection by County Office: _____

Inspected by: _____

_____ Approved as is _____ Not approved
_____ Approved subject to the following conditions: _____

(Date) (Executive County Superintendent)

Seconded by Laura Hertzog and approved by a vote of 7-0

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			

Laura Hertzog	x			
Joseph Kavesh	x			
Anne Mernin	x			
Eve Robinson	x			
Franklin Turner	x			

9. Resolution Re: New Jersey Nonpublic School Technology Initiative Program

Franklin Turner moved to approve the following resolution:

WHEREAS, the New Jersey Nonpublic School Technology Initiative has been authorized by the 2014-2015 Appropriations Act; and

WHEREAS, Nonpublic School Technology Initiative Aid shall be paid to public school districts for nonpublic school pupils at the rate of \$26.00 per pupil in a manner that is consistent with the provisions of the state constitutions; and

WHEREAS, this program requires each public school district in New Jersey to provide technology to all qualifying students attending a nonpublic school located in the public school district.

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 shall be the responsibility of each public school district to provide the agreed upon technology which may include providing nonpublic school students with computers, educational software, distance learning equipment and other technologies that can improve their education by meeting their specific educational needs and to give nonpublic school teachers the skills, resources and incentives to use educational technologies effectively to improve teaching and learning in the classroom; and

WHEREAS, the Essex Regional Educational Services Commission (ERESC) has agreed to conduct the responsibilities mandated by this program in a manner resulting in greater cost effectiveness through joint purchasing and centralized administration,

NOW THEREFORE BE IT RESOLVED that the Montclair Board of Education enter into an agreement with the ERESA, whereby the ERESA will administer the New Jersey

Nonpublic School Technology Initiative Program for participating nonpublic schools located within its boundaries for the 2016-2017 school year as per the attached contract, and

BE IT FINALLY RESOLVED that the Montclair Board of Education pays 5% of the allocation for the Nonpublic School Technology Initiative Program to cover the ERESC's cost for administering the program.

Seconded by Laura Hertzog and approved by a vote of 7-0

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			
Joseph Kavesh	x			
Anne Mernin	x			
Eve Robinson	x			
Franklin Turner	x			

O. PUPIL SERVICES

1. Resolution Re: Approval of Out Of District Placements

Franklin Turner moved to approve the following resolution:

WHEREAS, the Superintendent recommends that the Board approves the actions contained in the attached Out-of-District Placements for the 2016-2017 school year.

BE IT RESOLVED that the Board approves the attached lists.

OUT OF DISTRICT PLACEMENTS PRESENTED TO THE BOARD

Note: Tuition amounts listed below are based on full-year costs due to the need to estimate if attendance dates have not yet been determined. Actual costs will be reflected on contract when it is issued.

August 10, 2016

Student ID	School	Amount
042477	Harbor Haven	\$6,595.00

Seconded by Jevon Caldwell Gross and approved by a vote of 6-0-1

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			
Joseph Kavesh	x			
Anne Mernin			x	
Eve Robinson	x			
Franklin Turner	x			

2. Resolution Re: Nursing Services Plan – 2016-2017

Franklin Turner moved to approve the following resolution:

NOW, THEREFORE, BE IT RESOLVED that the Montclair Board of Education approves the attached Nursing Services Plan for the Montclair Public Schools per Title 6A:16-2.1,8b.

Seconded by Jevon Caldwell Gross and approved by a vote of 6-0-1

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			
Joseph Kavesh	x			
Anne Mernin			x	
Eve Robinson	x			
Franklin Turner	x			

P. HUMAN RESOURCES

1. Resolution Re: Approval of Personnel Report

Franklin Turner moved to approve the following resolution:

WHEREAS, the Superintendent has recommended that the Board approved the actions contained in the attached Personnel Report.

NOW, THEREFORE, BE IT RESOLVED that the Board approves the Personnel Report of August 10, 2016 including the indicated individuals who have been hired under the Emergent Hiring Procedures as required by law.

Seconded by Eve Robinson and approved by a vote of 7-0

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			
Joseph Kavesh	x			
Anne Mernin	x			
Eve Robinson	x			
Franklin Turner	x			

Q. RECOMMENDED MOTION:

Jevon Caldwell Gross moved to approve the following resolution:

1. That the Board of Education retains the services of Lester E. Taylor , Esq. of Florio Perrucci Steinhardt & Fader to conduct an affirmative action investigation as discussed in Executive Session at the hourly rate of \$160.00 not to exceed \$3,000.00

Seconded by Franklin Turner and approved by a vote of 7-0

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			
Joseph Kavesh	x			
Anne Mernin	x			
Eve Robinson	x			
Franklin Turner	x			

Laura Hertzog moved to approve the following resolution:

2. Resolution Re: Submission of Letter Responding to Phase II Application of Proposed Charter School

BE IT RESOLVED that the Montclair Board of Education hereby authorizes the Superintendent to submit the enclosed letter to the Commissioner of the New Jersey State Department of Education in continued opposition to and response to the Phase II application of the proposed Fulbright Charter School, also known as the Montclair Charter School.

August 10, 2016

David C. Hespe, Commissioner
NJ Department of Education
100 River View Plaza
PO Box 500
Trenton, NJ 08625

Dear Commissioner Hespe:

RE: Response to the Fulbright/Montclair Charter School Phase II

Kindly accept this letter on my behalf and on behalf of the Montclair Board of Education in continued opposition to and response to the Phase II application of the proposed Fulbright Charter School. At the outset, we concur with the many letters of opposition you have received from township residents and our elected officials in opposition to the charter school. We incorporate those opposition letters and petitions by reference. Many are from parents, teachers, experts in their fields, taxpayers and the Montclair Branch of the NAACP. All have a deep and abiding interest in the well-being of the students of Montclair. *The Montclair Times*, in its editorial of August 4, 2016, copy attached, joined in the opposition. Montclair receives a very small percentage of State funding for its schools. Additionally, Montclair is a community with few commercial ratables. The cost of any additional school in Montclair will be borne almost exclusively by taxpaying homeowners.

Montclair is a racially and economically diverse community, characteristics about which its residents take a great deal of pride. Talk to almost any newcomer and they will tell you they came to Montclair for its diversity. Approval of a charter school will undermine the student diversity for which Montclair is so rightly proud. The application spends a lot of space discussing the achievement gap, but points to no evidence-based method for assuring a diverse student body and runs the risk of further segregating Montclair schools. Charter schools in New Jersey have not done a good job of recruiting and retaining low income and minority students. This may be a result of recruitment practices, information dissemination or other causes. However, until the State undertakes a comprehensive study of the effect of the *Charter School Program Act of 1995, N.J.S.A. 18A:36-1, et seq.*, in New Jersey, something that has not been done since that law was enacted, it would be imprudent to approve this charter school. It has the capacity of increasing racial segregation in a community which is already under a desegregation order, which has already implemented its own school choice model and which is actively undertaking a variety of steps to eliminate the achievement gap in the early grades. (See, for example, the literacy presentation found on our website: <http://www.montclair.k12.nj.us/WebPageFiles/43/K-5ELA%20Presentation.BOE%204.6.16.pdf>).

The NJ Supreme Court held in a recent charter case that also involved Montclair, before approving a new charter application "the commissioner must assess the racial impact that a charter school applicant will have on the district of residence in which the charter school will operate" and "must use the full panoply of [his] powers to avoid segregation resulting from the grant of a charter school application. *In the Matter of Proposed Quest Academy Charter School of Montclair Founders Group*, 216 N.J. 370, 377 (2013) (quoting *Englewood*, 164 N.J. at 329). It is worth noting that the application in that Montclair matter was denied.

Neither the Department, nor the Montclair Charter “application team” have provided any evidence that such an assessment has been undertaken or completed. A credible, independent study of the effect the proposed charter may have on the existing racial balance is particularly necessary in a district like Montclair that is still under a court-mandated desegregation plan.

A review of the NJ School Performance Report for HOLA, the Hoboken Dual Language Charter School, a school with which applicant compares itself, reflects that 3.4% of the student population in that urban school is black. 59.5% of the student population is white. 29.6% is Hispanic. Montclair has a small percentage of Latino students. An enrollment similar to HOLA in Montclair would further segregate the Montclair schools in a devastating manner.

In addition to the more detailed response to the Phase II application which follows, our other concerns continue to be those set forth regarding the Phase I application. We are concerned about the failure of the application to discuss how the applicant plans to meet with needs of special needs students, particularly those with language acquisition issues, dyslexia, dysgraphia and other issues with reading and numeracy fluency or comprehension. Significantly, the Phase II application does not include a child study team staff in its list of positions or in the budget, neither do funds appear to be allocated for speech, OT, PT or other equipment or services which might reasonably be expected to be required by special needs students even in the first year of the operation of a school. Furthermore, there is no discussion of differentiated instruction.

The application does not address concerns about the proposed facility being in close proximity to railroad tracks, traffic issues, ground conditions, site conditions and building conditions.

The applicant now seeks to change the name of the proposed school. This name change is only one of the many factors in the Phase II application which make clear that the school now proposed **differs substantially** from the school proposed in the Phase I application and constitutes a completely new application. The initial application referred to a language immersion program. The current application refers to a dual language model along with a STEM focus and the addition of a third language. The applicant uses the words bilingual and trilingual without defining a standard of fluency. **It is a completely different application from the Phase I proposal.** We acknowledge that the Applicant is free to apply for any sort of school. However, it is not free to apply for one school at the Phase I stage, and once that moves forward apply for an entirely new academic entity at Phase II. Applicant should begin the process of applying for this new school at the *initial Phase I stage*, to assure a meaningful review of the application both by the Department and by the district Board of Education and its community.

We continue to believe that applicant did not meet the requirements for a Phase I application as set forth in N.J.A.C. 6A:11-2.1(2) in that, at a minimum, the sections on demonstration of need and community and parent involvement are wholly inadequate. Although requested, the NJDOE has provided no information to indicate the scoring data for the Phase I application for each of the areas required by the regulations. Additionally, as noted, the Phase II application differs substantially from the Phase I application and constitutes a new application. Certainly, given the decision to substantially recreate the structure of the school in the second phase, this newly described entity has not met the necessary threshold.

Neither the lead founder nor the qualified founder appears to hold any sort of instructional or administrative certificates in the State of New Jersey. It is not clear whether the proposed principal is appropriately certified, nor does the job description provided specify that such certification will be

required of successful applicants. The application does not address how applicant proposes to identify and attract qualified dual certified staff in the various subject matter areas and in French. Familiarity with French does not qualify an individual to teach that language any more than an English speaking middle school teacher certified in mathematics is qualified to teach English.

The application, as noted, is either unclear or simply wrong with regard to job requirements for multiple key positions. Holding an appropriate certification cannot be optional. Every teacher and administrator in the Montclair school district holds the appropriate certificate for his or her position and has a degree, or multiple degrees, relevant to that position. In addition, the application appears to use the terms bilingual and bicultural education interchangeably. They are two different things. The misuse of these two terms in this fashion underscores the founders' lack of preparation to launch any educational entity, but particularly one which purports to excel in these two distinct areas.

The mission statement in the application makes no reference to the content standards, to meeting them or to meeting the needs of all students. Most of the reference to actual curriculum in the application is relegated to "boiler plate" language quoting content standards more or less verbatim without a discussion of how those standards are going to be delivered. The application takes the same non-responsive tack in its discussion of school climate which it, alarmingly, refers to as "discipline" and other issues relating to student welfare and safety.

Instead of addressing how its program is going to meet the needs of all students, including students with disabilities, the application engages in a falsely premised debate with the Superintendent and the Board, insulting both, along with gratuitous digs at members of the public, going so far as to reference threats allegedly made by some members of the public. We hope such threats, if true, were brought to the attention of local law enforcement agencies that have the ability to address same. The Superintendent and Board were, of course, unaware of any such alleged threats, and never collaborated with or endorsed such behavior by anyone. This choice of discourse by applicant, as well as the tone of the language in the application, suggests the applicant will have difficulty working collaboratively with the district Board and administration, and more importantly, with parents and students.

The applicant argues that proof of success will largely be measured on the number of Advanced Placement tests taken and the results of those tests compared to the tests taken by their monolingual peers. However, the applicant seeks to open a K-8 school, with no students in the 6th through 8th grades in the first few years of operation. There is no suggestion as to how advanced placement data will be used to inform instruction. It is not reasonable to wait 10, 11 or 12 years for additional data which might suggest how students fared in the program. This measure would also ignore all instruction and experience gained in high school, and its impact on AP performance.

Data on whether students come from bilingual, trilingual or monolingual families is not collected by the district, would be self-reported and, therefore, anecdotal at best. The applicant will only be able to "follow" its own students to the extent such students voluntarily agree to provide information, and would have no access to comparative data on any students other than its own alumni. FERPA precludes the District from making such student information available without such consent.

The application makes no reference to student work, grades, locally-developed assessments or other routinely accepted models of assessing elementary student performance in its descriptive language. In fact, the application is oddly silent about how this elementary school will operate. There is no discussion of elementary benchmarks, early literacy or numeracy or the importance of play. As another example of the founders' lack of fluency in and understanding of basic educational vocabulary, the daily schedule

uses recess and DEAR interchangeably. This confusion on their part presages a likely failure to provide students with the necessary unstructured time, which has been recognized as a key developmental need for children in their target age group. There has been much statewide discourse about the importance of daily recess for young children, including proposed legislation that would mandate same. Recess provides students an opportunity for unstructured play, essential to both learning and physical well-being. The suggestion that they would substitute required reading for recess eliminates this vital activity time for children, and is merely one illustration of their lack of preparedness to administer a school.

Additionally, the application concedes that its proposed property is utterly inadequate for athletic needs. They attempt to compensate for this by referencing nearby athletic facilities, and implying access to those facilities. They fail to note, however, that these facilities are fully utilized and will not be available to applicants during the school day.

The Applicant suggests that it is going to follow a STEM curriculum other than that required by State standards. NJ content standards are quite specific in the STEM areas. Additionally, in yet another example of the Applicant's lack of understanding of basic educational terminology, the application uses the term STEM and STEAM interchangeably. The application, however, makes no specific mention of how the applicant intends to deliver instruction in the arts apart from theoretical boiler plate language. In contrast, each school in Montclair offers a robust arts program with the variety of offerings tied to the various magnet models and can offer concrete examples of STEAM (Science, Technology, Engineering, Art, and Math) learning. Certainly an applicant who cannot even make a specific showing of how its art programs will function has not shown that these amorphous theoretical programs serve a need **already addressed** in our schools. For instance, Glenfield Middle School is the Visual and Performing Arts Magnet and is reorganizing to incorporate elective courses providing interdisciplinary instruction framed by STEAM. They have already utilized this technology with students to produce items that range from drawing models, producing sound tracks with instruments and software, to designing props for their musical *Bye Bye Birdie*.

Furthermore, learning about 3D printing is a reality across all grade levels at Montclair Public Schools. This foundational tool is one part of a significant undertaking to incorporate STEM and STEAM learning from Kindergarten through Grade 12. So much so, that the Montclair Board of Education passed a resolution on November 16, 2015, to implement a robust 3D Printing/STEM initiative. A copy of that resolution is enclosed. As reference points for our dynamic program, I submit the following links which are evidence of our commitment to engage in STEM/STEAM teaching and learning:

High School and Middle School Students visiting at Markerbot Labs:
<http://www.montclair.k12.nj.us/Article.aspx?Id=1224>

Montclair Times article: <http://www.northjersey.com/news/education/montclair-teachers-advocate-for-stem-learning-across-district-1.1456514>

Montclair students recognized in *Popular Science Magazine*: <http://www.popsci.com/nasa-and-star-trek-are-inspiring-future-engineers>

Makerbot manufacturer recognizes Montclair students:
<http://www.makerbot.com/blog/2015/12/11/montclair-n-j-is-putting-3-makerbot-3d-printers-in-every-school>

The criticism levied at the Montclair schools surrounding languages is already being addressed. Unrelated to the charter application, the district made a decision to and already has hired a world language consultant with immersion expertise to review and enhance our existing programs. The district already offers world languages in a variety of different ways in each of its elementary and middle schools including a program in Mandarin from elementary school through advanced placement. Montclair High School graduates consistently earn honors and awards in State and national competitions for French, Spanish and Mandarin.

The application also reflects a lack of understanding about school finance. ‘Surplus’ is a misnomer. Rather, each year the district has a fund balance just as the applicant, in developing its budget, shows a “fund balance.” The fund on June 30, 2015 was \$5,169,379.00. The district has been spending down the fund balance in the past few years to remain in line with State budgeting requirements and to reduce the burden on taxpayers. The fund balance will most likely continue to decrease. Given that continuing decrease in fund balance, combined with the tax levy cap, within the next year or two Montclair will be forced to make significant budget reductions whether or not a charter school is approved. A charter school will force an increase in the number of positions and programs that will need to be cut and accelerate the timing of when those cuts will begin to take place. Similarly, the argument about decreasing class size fails to take into account that the class size reductions are predicated upon the opening of an entirely new building and all the staff and other expenses attendant to operating that building. The cost to the district of a charter school will be loss of program and class size increases throughout the remainder of the district. Many children will be hurt for a few to attend a charter school with an unproven program. We cannot emphasize this strongly enough given their emphasis on the benefits of small class size. Providing this benefit to the very few children served by this proposed school will inevitably, directly and immediately increase class sizes for the rest of the children in Montclair’s public schools.

Perhaps to compensate for the application simply repeating a lot of canned verbiage about programming without any specificity as to its application to the proposed school, it purports to provide references to supporting research. But a quick analysis shows that the cited research does not necessarily support their conclusions. As a glaring example, the application provides a link to a Washington Post article, allegedly as proof of the success of bilingual education programs. The problem is that of the two schools referenced in the article, one has not opened yet and the other has refused to show the difference between students enrolled in the dual language program and other students. This is hardly a case for referencing best practices or supporting a conclusion as to the likely success of their proposed program. As another example, the application suggests that increasing birth rates in French-speaking Africa by 2050 in some way supports the notion that they will have access to a greater number of French-speaking teachers of African descent for their school in 2017, when the two are clearly unrelated. The Applicant’s citation of these sources as support for their assertions raises the question as to whether the founders have even read or comprehended any of the research they reference.

The Applicant’s attempt to distinguish the proposed school from the Montclair schools by reliance on PARCC as the sole current measure of student success is misplaced. In 2015, the district did not receive its test results from the prior spring until December. That was too late to inform instruction for this year, but does not mean that the District will not use PARCC results as one of the tools to inform instruction if it receives statistically significant and timely results in the future. It is true that in its launch year, a large number of Montclair parents refused to have their students take the PARCC. That number decreased by over 50% this second year. In addition, the Applicant fails to note that students who attend the charter school may also choose not to have their children take the PARCC. Since their students will be drawn

from the Montclair public school population, it is reasonable to assume that whatever the opt-out rates in the public schools in Montclair, the opt-out numbers will be comparable in this new school. In any event, it is never educationally appropriate for standardized test scores to be a single measure of success -- something which would be known to founders with any educational expertise or background.

For all of the above cited reasons, and given the collective appeal of the Montclair Board of Education, Township Council, and Montclair residents with and without children in our schools, we adamantly oppose this Charter School proposal.

Sincerely,

Ronald E. Bolandi

Seconded by Jevon Caldwell Gross and approved by a vote of 7-0

	AYE	NAY	ABSTAIN	ABSENT
Jessica de Koninck	x			
Jevon Caldwell-Gross	x			
Laura Hertzog	x			
Joseph Kavesh	x			
Anne Mernin	x			
Eve Robinson	x			
Franklin Turner	x			

R. ANNOUNCEMENT OF FUTURE MEETING DATES

The next public meeting of the Montclair Board of Education will be held on Monday, August 22, 2016 at 8:30 am in the Library of the Charles H. Bullock School. No actionable items will be on the agenda. That afternoon at 4:30 pm the Board will meet in the George Inness Annex Atrium. The meeting will open in public and immediately go into closed session until approximately 7:30 pm.

S. ADJOURNMENT at 9:40 pm