

MONTCLAIR PUBLIC SCHOOLS



MONTCLAIR, NEW JERSEY

PUBLIC BOARD MEETING HELD ON

**MONDAY, AUGUST 22, 2016 AT 6:30 PM
GEORGE INNESS ANNEX ATRIUM
141 PARK STREET, MONTCLAIR, NEW JERSEY**

MINUTES OF THE PUBLIC BOARD MEETING
HELD MONDAY, AUGUST 22, 2016 AT 6:30 PM
GEORGE INNESS ANNEX ATRIUM
141 PARK STREET, MONTCLAIR, NEW JERSEY

A. STATEMENTS

1. Meeting Notice

B. RESOLUTION FOR EXECUTIVE SESSION at 6:31 pm

Jessica de Koninck 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:

- protection of public safety and property and/or investigations of possible violations or violations of law;
- 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 4-0

	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 7:37 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	2
Members of the Public	6
Members of the Press	3

H. SUPERINTENDENT’S OFFICE

Joe Kavesh moved to approve the following resolution:

- 1. 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. Hesse, Commissioner
NJ Department of Education
100 River View Plaza
PO Box 500
Trenton, NJ 08625

Dear Commissioner Hesse:

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 accessing 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 Laura Hertzog and approved by a vote of 6-0

	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			

I. SEARCH UPDATES

J. COMMENTS FROM THE PUBLIC

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

K. MINUTES

Joe Kavesh moved to approve the following open session minutes:

- Public Board meeting held on August 10, 2016

Seconded by Laura Hertzog and approved by a vote of 6-0

	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			

L. BUSINESS OFFICE

Anne Mernin moved to approve the following resolution:

- Resolution Re: Approval of Conference and Travel

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>

Workers Compensation Seminar/ PMA Companies	9/30/16	Diane Bertrand	CO	\$44.00	This seminar will provide updated information on New Jersey Case Law and Legislation concerning Workers Compensation.	Monroe, NJ
Tools of the Mind Seminar/ Tools of the Mind	8/23/16	Badilla Adus-Salaam Zshack Gomes Castillo	DLC	\$330 each	First Professional Development session for new DLC curriculum; paid via IDEA grant "Tools for the Mind".	New Brunswick, 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 Joe Kavesh and approved by a vote of 6-0

	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			

Anne Mernin moved to approve the following resolution:

- Resolution Re: Approval of Revised Adult Lunch Prices, 2016-2017 School Year

WHEREAS, the Montclair Board of Education will participate in the National School Lunch Program for the 2016-2017 fiscal year,

WHEREAS, the Montclair Board of Education previous approved the 2016-2017 school year's lunch prices for students and adults and a revision to the adult lunch prices is needed as shown below to be in compliance with the National School Lunch Program

	<u>Adult Lunch Price</u>	
	<u>Originally</u>	<u>Revised</u>
Glenfield	4.15	4.35
Mt. Hebron	4.15	4.35
Renaissance	4.15	4.35
High School	4.40	4.60
George Inness	4.40	4.60

NOW THEREFORE BE IT RESOLVED that the Montclair Board of Education does hereby approve the revised price list for adult meals to be in compliance with the National School Lunch Program.

APPENDIX A

Breakfast and Lunch Prices – 2016-2017

School	Breakfast			Lunch			
	Paid	Reduced	Adult	Paid	Reduced	Premium Paid	Adult
Bradford	2.10	0.30	2.60	3.40	0.40	N/A	3.90
Bullock	2.10	0.30	2.60	3.40	0.40	N/A	3.90
Edgemont	2.10	0.30	2.60	3.40	0.40	N/A	3.90
Hillside	2.10	0.30	2.60	3.40	0.40	N/A	3.90
Nishuane	2.10	0.30	2.60	3.40	0.40	N/A	3.90
Northeast	2.10	0.30	2.60	3.40	0.40	N/A	3.90
Watchung	2.10	0.30	2.60	3.40	0.40	N/A	3.90
Glenfield	2.35	0.30	2.85	3.65	0.40	3.85	4.35
Mt. Hebron	2.35	0.30	2.85	3.65	0.40	3.85	4.35
Renaissance	2.35	0.30	2.85	3.65	0.40	3.85	4.35
High School	2.60	0.30	3.10	3.90	0.40	4.10	4.60
George Inness	2.60	0.30	3.10	3.90	0.40	4.10	4.60

Seconded by Joe Kavesh and approved by a vote of 6-0

	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			

Anne Mernin moved to approve the following resolution:

- Resolution Re: Award of Contract for Insurance Coverage for the 2016-2017 School Year

WHEREAS, Insurance, including the purchase of insurance coverage and consultant services is specifically exempt from the public bidding process by NJSA 18A:18A-5, and

WHEREAS, the Board of Education approved John Daly of Wells Fargo Insurance Services as Insurance Broker of Record,

NOW THEREFORE BE IT RESOLVED that the Montclair Board of Education accepts the recommendations submitted by Peter Tarricone, Wells Fargo Insurance Services USA, Inc. 190 River Road, 1st Floor, Summit, NJ 07901, and awards contracts for the 2016-2017 school year as shown on Attachment A.

Attachment A

<u>Company</u>	<u>Coverage</u>	<u>Premium</u>
NJ School Boards Insurance Group	Property (Includes boiler & machinery)	\$190,129.00
NJ School Boards Insurance Group	Electronic Data Processing	\$ 8,357.00
NJ School Boards Insurance Group	Equipment Breakdown	\$ 12,070.00
NJ School Boards Insurance Group	Crime	\$ 5,853.00
NJ School Boards Insurance Group	General Liability	\$124,134.00
NJ School Boards Insurance Group	Auto	\$ 75,001.00
State National Insurance Company	Excess Workers' Compensation	\$ 56,069.00
NJ School Boards Insurance Group	Errors & Omissions	\$197,545.00
Western Surety and Travelers	Bonds	\$ 1,350.00
	PMA Fee Agreement	\$ 2,000.00
US Fire	Student Accident	\$ 116,067.00

Seconded by Joe Kavesh and approved by a vote of 6-0

	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			

Anne Mernin moved to approve the following resolution:

4. Resolution Re: Renewal of Contract for Food Service 2016-2017 School Year

Whereas, supplies, equipment and services anticipated to be in excess of \$40,000 are subject to the bidding requirements of New Jersey Statutes 18A:18A-4 or are to be purchased under a State of New Jersey contract through the provisions of N.J.S. 18A:18A-10, and

Whereas, pursuant to 18A:18A-5, contracts for food services provided by a food management company pursuant to procedures established by the New Jersey Department of Agriculture are exempt from the bidding requirements, and

Whereas, in accordance with Public School Contract Law, requests for proposals were prepared, advertised, and sealed proposals received on May 10, 2012, for Food Service for the 2012-2013 school year and the contract was awarded to Compass Group USA, Inc.’s Chartwells Division and renewed for the 2013-2014, 2014-2015 and 2015-2016 school years, and

Whereas, Compass Group USA, Inc.’s Chartwells Division and the Montclair Board of Education wish to extend the term of the Food Service Management Company (FSMC) Agreement entered into as of the 1st day of July 2012 (the “Agreement”).

Be it Resolved, that the Montclair Board of Education upon recommendation of the Business Administrator approves the renewal of the FSMC base year contract with Compass Group USA, Inc.'s Chartwells Division for the 2016-2017 school year as follows:

1. FSMC Fee at twenty-three cents (\$0.23) per meal served and meal equivalents.
2. Conditional Guaranteed Subsidy: Chartwells guarantees that the bottom line of the operational financial report for the school year will reflect a loss of no greater than one hundred fifteen thousand dollars (\$115,000.00). If the actual bottom line is a loss greater than this amount, Chartwells will reduce its management fee by the difference between the actual and the guaranteed amount, but in no event shall the reimbursement obligation exceed the amount of Chartwells' management fee, as set forth above. The guaranteed subsidy is based on the following conditions and assumptions remaining in effect for the school year.

1. Conditions:

- a. Cash and/or reimbursement levels from State and Federal sponsors do not fall below the levels estimated in Chartwells' proposed budget.
- b. The value of USDA donated foods will not be less than the value of USDA donated foods estimated in the prior agreement year.
- c. The number of days meals are served during the school year will not be less than:

<u>School Category</u>	<u>Lunch</u>	
<u>Breakfast</u>		
Elementary Schools	180 days	180 days
Middle Schools	180 days	180 days
High Schools	180 days	180 days

- d. Changes in the district policies, practices and serving requirements including but not limited to changes in bell schedules, meal service periods or proposed staffing may result in an adjustment.
- e. The student enrollment for the current year will not be less than 6,699 students.
- f. The level of wages, salaries and fringe benefits will not exceed those included in Chartwells' budget. In the event of an increase in wages or fringe benefits payable to the

employees as a result of unionization or changes in minimum wage rates or taxes, the guarantee shall from the date of the increase in wages, minimum wage rates, taxes or fringe benefits be adjusted by such actual increase.

- g. The number of participating health insurance participants does not exceed the level of participants in the prior year.
- h. Any LEA employees' vacation/sick time accumulated prior to the effective date of this Agreement will remain the sole responsibility/liability of the LEA.
- i. The selling prices of Menu Pattern Meals and a la carte selections will not be less than the prior year.
- j. Service will not be interrupted as a result of fire, work stoppage, strike or school closing.
- k. The LEA and its representatives including but not limited to, school principals, teachers and LEA employees shall fully cooperate with Chartwells in the implementation of the Food Service Program. The LEA shall fully cooperate with Chartwells to limit the expansion of competitive food sales in order to maximize the gross receipts and other non-cash sales of the Food Service Program.
- l. The LEA shall have timely submitted all documentation for reimbursement claims, except where such failure is due to an act or omission of Chartwells.
- m. Changes in legislation (including but not limited to the Healthy Hunger Free Kids Act and the Affordable Care Act), regulation, reimbursement rates, meal components or quantities required by the National School Lunch Program or the Smart Snacks in Schools Program will affect the guarantee in proportion to the impact of such change.
- n. Vendor prices shall remain constant throughout the year.
- o. Due to the volatile nature of raw material costs, Chartwells and the LEA shall review quarterly the costs associated with paper and plastic supplies and fuel surcharges on deliveries. Any changes in Chartwells' cost shall result in an adjustment to the guarantee.
- p. Chartwells' guarantee is based on revenue amounts and service levels/requirements set forth in the proposed budget. Should a shortfall in any of these revenue amounts or service

levels/requirements set forth by the LEA occur, the guarantee shall be adjusted accordingly.

- q. Make-up days due to inclement weather shall have equal or greater revenue as a normal day of operation for the period in which the inclement weather cancellation occurred.
- r. Chartwells guarantee does not account for bad debts/uncollected funds. In the event there are bad debts/uncollected funds, such amounts shall be subtracted from Chartwells' guarantee obligation.
- s. The number of students eligible for free and reduced priced meals will be no less than that estimated in Chartwells' proposed budget.
- t. The following variable LEA expenses charged to the Food Service budget by the LEA must be identified and capped so as not to exceed the following amounts:
 - a. Annual point-of-sale system service and system maintenance fees of \$4,580.
- u. In the event union labor costs are higher than that the proposed budget by Chartwells, the guarantee shall be adjusted by such amount.
- v. In the event labor costs are higher than the proposed budget by Chartwells, the guarantee shall be adjusted by such amount.
- w. USDA donated foods received by the LEA are compatible with the menus outlined in writing by Chartwells.

In the event the foregoing conditions are not met during the school year, Chartwells' guarantee obligation shall be reduced by an amount equivalent to any increased cost or loss of revenue attributable to the changes in such conditions.

Seconded by Franklin Turner and approved by a vote of 6-0

	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			

Anne Mernin moved to approve the following resolution:

5. Resolution Re: Acceptance of Donation from Local Sources

WHEREAS, Montclair Kimberly Academy (MKA) has very generously donated 50 Epson Powerlite 915 classroom projectors valued at approximately \$1000.00 each for a total value of approximately \$50,000.00;

NOW THEREFORE BE IT RESOLVED, that the Montclair Board of Education acknowledges the donation from Montclair Kimberly Academy and thanks them for their generosity.

Seconded by Joe Kavesh and approved by a vote of

	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			

Anne Mernin moved to approve the following resolution:

6. Agenda Title: Agenda Title: Rejection of Bids for School Related Activity - Athletic and Field Trip Transportation Services for the 2016-2017 School Year

WHEREAS, New Jersey Statutes 18A:39-3 requires that transportation contracts anticipated to be in excess of \$18,800.00 be awarded after advertisement and receipt of sealed bids and provides for the annual extension of contracts entered into through competitive bidding when the increase in the original contractual amount does not exceed the rise in the Consumer Price Index (CPI) for that school year;

WHEREAS, in accordance with Public School Contract Law, specifications were prepared, advertised and one (1) sealed bid was received on August 18, 2016 for school related activity-athletic transportation services and (1) sealed bid was received on August 18, 2016 for school related activity-field trip transportation services for the 2016-2017 school year;

WHEREAS, the bid sheets submitted by 4 Diamond Transportation LLC for both school related activity-athletic and school related activity-field trip transportation services were higher than budgeted the Business Administrator recommends that the bids be rejected and that the district re-bid both services to be awarded at a later date;

NOW BE IT RESOLVED, that Montclair Board of Education authorizes the Business Administrator to reject the bid submissions from 4 Diamond Transportation LLC of Clifton, New Jersey for school related activity-athletic and school related activity-field trip transportation services and re-bid both services.

Seconded by Joe Kavesh and approved by a vote of 6-0

	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			

M. PUPIL SERVICES

Joe Kavesh moved to approve the following resolution:

1. Resolution Re: Approval of Out Of District Placements

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.

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.

Student ID	School	Tuition
985565	Barnstable Academy	\$44,900.00

Seconded by Laura Hertzog and approved by a vote of 5-0-1

	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			

N. DEPARTMENT OF CURRICULUM AND INSTRUCTION

Anne Mernin moved to approve the following resolution:

1. Resolution Re: Approval of Field Trips

WHEREAS, THE NEW JERSEY DEPARTMENT OF EDUCATION ACCOUNTABILITY REGULATIONS REQUIRE APPROVAL OF ALL SCHOOL RELATED FIELD TRIPS BY THE BOARD OF EDUCATION AND,

WHEREAS, THE FIELD TRIP MUST BE DIRECTLY RELATED TO INSTRUCTION AND CLASS WORK,

NOW, THEREFORE, BE IT RESOLVED THAT THE FOLLOWING FIELD TRIPS ARE APPROVED:

DATE OF TRIP	SCHOOL	GRD	TEACHER	DESTINATION	COST	PURPOSE	DURING SCHOOL HRS.
10/5/2016	Hillside	4/5	Bermeo	Sterling Hill Mine Museum 30 Plant St. Ogdensburg, NJ 07439	\$15	Students will examine and find minerals, learn about the use of minerals in our daily life	Yes 5hrs
10/14/2016	Hillside	4/5	Bermeo	Montclair Hawk Watch Edgecliff Road Montclair, NJ	\$5	Students will observe and collect migration data.	Yes 2 hrs.
11/4/2016	Hillside	4/5	Bermeo	Thomas Edison Muesum	\$8	Student tour the lab learning about the invention process. Hands on invention activity.	Yes 3 hr.
5/19/2017	Hillside	4/5	Bermeo	Duke Farms 1112 Dukes Pkwy West Hillsborough, NJ	\$10	Students will participate in an alternative energy scavenger hunt, learning ways to reduce their carbon footprint/	Yes 4 hrs.

BE IT FINALLY RESOLVED THAT THE FIELD TRIPS ARE APPROVED IN ACCORDANCE WITH THE NEW JERSEY DEPARTMENT OF EDUCATION ACCOUNTABILITY REGULATIONS.

Seconded by Franklin Turner and approved by a vote of 6-0

	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. HUMAN RESOURCES

Joe Kavesh moved to approve the following resolution:

1. Resolution Re: Approval of Job Description: Supervisor of Nursing

WHEREAS the Montclair Board of Education requires a Supervisor of Nursing to support the needs of the district,

BE IT RESOLVED that the Montclair Board of Education approves the attached job description for Supervisor of Nursing pursuant to Board Policy P-2130.

Position Title: Supervisor of Nursing

- Qualifications:**
1. School Nursing/Teacher of Health and Supervisory Certificate required;
 2. Demonstrated ability to work effectively with district administration;
 3. Demonstrated aptitude or competence for assigned responsibilities;
 4. Ability to effectively function independently;
 5. Such alternatives to the above qualifications as the Supervisor may find appropriate and acceptable.

Responsible to: Superintendent

Job Goal: To work cooperatively with those in authority and provide an essential connection between the School Nurses in Montclair and the various schools, community and governmental agencies who are involved with the health of children.

Performance Responsibilities:

1. Works in cooperation with the school physician, other school health professionals (e.g. dentist, non-certified nurses, optometrist), members of the staff, parents, school related committees and community health professionals to promote a healthy school climate and to maintain conformity to required mandates for the delivery of health services in schools;
2. Review and make effective suggestions for the organization and implementation of all health services programs;
3. Assist with interviewing and selection of health services personnel;

4. Monitor and maintain a uniform system of electronic records and written forms which record and communicate health data across all buildings and/or programs;
5. Assist with the orientation of new school nurses and health services personnel;
6. Hold regular effective staff meetings which promote uniformity of service;
7. Promote effective communication and interpersonal relationships with other members of the faculty;
8. Promote participation of all school nurses in Child Study team evaluation and placement when required;
9. Evaluate the school health program and recommend changes as needed;
10. Assist with the scheduling of the school physician across the district;
11. Assists with emergency management activities regarding the prevention and control of communicable diseases;
12. Confers with and advises students, parents, and staff members on matters of policy pertaining to the health and safety of students;
13. Assists in the development of policies and procedures for comprehensive health education and services;
14. Review and provide services which conform to district objectives;
15. Enforces all board policies, administrative directions and state laws/regulations relating to health services
16. Maintain positive relationships with the building administration, parents, other staff and students in the buildings;
17. Performs such other appropriate duties as required under law, as may be assigned by the Superintendent
18. Assume other related responsibilities and duties within the context of the major responsibilities and/ or illustrations of key duties
19. Assist nurses across the district in completing mandated health screenings and physical examinations
20. Provide emergency coverage as needed in buildings in the absence of a school nurse or district substitute
21. Coordinate professional development for nurses
22. Ensure mandated staff educational programs relating to health are provided
23. Coordinate and facilitate district registration with Registrar's Office as it relates to health services
24. Coordinate substitute nurses for field trips
25. Schedule mantoux testing for district substitutes
26. Provide DLC-CSN oversight

Terms of Employment: Annual appointment. Salary and benefits as determined by the Board
Evaluation: Performance of this job will be evaluated annually in accordance with the Board's policy on evaluation of certified staff.

Established: August 2016
Board approved: 8/22/16

The Montclair Public School District encourages people with disabilities, minorities, veterans and women to apply. Applicants and employees will not be discriminated against on the basis of any legally protected category.

EEO/AA/Vet/Disability Employer

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

	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			

Joe Kavesh moved to approve the following resolution:

2. Resolution Re: Approval of Personnel Report

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 attached Personnel Report including the indicated individuals who have been hired under the Emergent Hiring Procedures as required by law.

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

	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			

- P. RESOLUTION FOR EXECUTIVE SESSION at 8:45 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:

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

	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. ANNOUNCEMENT OF FUTURE MEETING DATES

The next public meeting of the Montclair Board of Education will be held on Wednesday, September 7, 2016 at 6:30 p.m. in the George Inness Annex Atrium. The meeting will open in public and immediately go into closed session until approximately 7:30 pm.

R. ADJOURNMENT at 9:40 pm

