

*EAST WINDSOR REGIONAL SCHOOL DISTRICT, HIGHTSTOWN, NJ 08520***MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION****October 10, 2011 7:30 p.m.**

**The Board of Education of the East Windsor Regional School District held a Regular meeting on Monday, October 10, 2011 at 7:30 p.m. in the Hightstown High School Cafeteria located at 25 Leshin Lane, Hightstown, NJ.**

Members Present: Lisa Abel, Paul Connolly, Bruce Ettman, Suzann Fallon, Bonnie Fayer, Christine Harrington, Bob Laverty, Susan Lloyd, Kennedy Paul

Members Absent: None

Also Present: Dr. Edward Forsthoffer, Chief School Administrator  
Kurt Stumbaugh, SBA/Board Secretary  
David Coates, Board Legal Counsel

**ITEM 1. WELCOME**

Board President Robert Laverty called the meeting to order at 7:30 p.m. and read the Open Public Meeting Act Statement as follows:

“Written advance notice of this meeting has been given in accordance with law. Minutes of this meeting are being kept by the Board Secretary and will be made available to any member of the public requesting them from the Board Secretary at the Administration building 25A Leshin Lane, Hightstown, NJ. Minutes will be provided at cost and in accordance with Board policy.”

Mr. Laverty asked “Are there any Board members present who believe this meeting to be in violation of the Open Public Meeting Act?” No one objected. “There being none, we may proceed.”

Fire Code Compliance: Mr. Laverty made the following announcement: “In compliance with the fire code of the State of New Jersey, I call your attention to the emergency exit for this room, which is located.... ”  
(Mr. Laverty pointed to the emergency exit.)

**ITEM 2. PLEDGE OF ALLEGIANCE****ITEM 3.A APPROVAL OF AGENDA**

Mr. Paul moved seconded by Ms. Fallon to approve the agenda with the following additions/revisions:

- Add Item 16. V. Appointment of Attorney for Labor Negotiations
- Revise Item 3.B2 to read: Attorney/Client Privilege-Settlement Agreements for Two Special Ed. cases
- Item 16.A Addendum to Staffing

On a roll call vote of the Board, motion to approve the agenda was carried unanimously.

**ITEM 3.B RESOLUTION FOR CLOSED SESSION**

Mr. Paul moved, seconded by Ms. Fallon to approve the following resolution:

**BE IT RESOLVED**, that the Board of Education of the East Windsor Regional School District will hold two closed sessions during its regular meeting on October 10, 2011. These closed sessions concern:

1. Contract Negotiations
2. Attorney/Client Privilege – Settlement Agreements for two Special Education cases
3. Student Matters-Bullying

Minutes of the closed session will be available in accordance to Board policy when the need for confidentiality no longer exists. On a roll call vote of the Board, motion to approve was carried unanimously.

**ITEM 4. HIGHTSTOWN HIGH SCHOOL STUDENT RECOGNITIONS**

High School students were honored for the following academic achievements. Principal Alix Arvizu gave a brief background of each award.

For the 2011 National Merit Scholarship Program – Commended Students

Katharine Aveni	Aditya Dalal
Rifah Gheyas	Shravya Kandra
Ankita Naraparaju	Soham rege
Gauri Sadalgekar	Yifang Zhao

2011-12 National Hispanic Recognition Program – Scholar

Josue Rivera

National Achievement Scholarship Program

Ajani Crosley

**5. PUBLIC HEARING ON 2003 BOND REFUNDING ORDINANCE NOT TO EXCEED \$34,500,000**

Mr. Kurt Stumbaugh, Business Administrator and Board Secretary, opened the public hearing at 7:45 pm. He provided information on the status of the refunding process activities and reviewed the savings.

Public Comment: Mr. Stumbaugh invited the public to make comments or ask any questions they may have on this transaction. No one spoke. Mr. Stumbaugh asked the Board if they had any comments or questions. They did not.

**6. SECOND READING OF REFUNDING BOND ORDINANCE NOT TO EXCEED \$34,500,000**

At the September 12, 2011 meeting of the Board of Education, the Board approved the refinance of our outstanding 2003 Series bonds on first reading. The Ordinance is a required step in the process as required by the State of NJ and recommended by Bond Counsel. It is recommended that the Board approve the Refunding Bond Ordinance to refinance the Series 2003 Bonds in an amount not to exceed \$34,500,000 on second reading.

REFUNDING BOND ORDINANCE OF THE BOARD OF EDUCATION OF THE EAST WINDSOR REGIONAL SCHOOL DISTRICT IN THE COUNTY OF MERCER, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING SCHOOL BONDS OF THE SCHOOL DISTRICT, DATED MARCH 1, 2003, ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$43,859,000, APPROPRIATING NOT TO EXCEED \$34,500,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$34,500,000 REFUNDING BONDS TO PROVIDE FOR SUCH REFUNDING.

BE IT ORDAINED BY THE BOARD OF EDUCATION OF THE EAST WINDSOR REGIONAL SCHOOL DISTRICT IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

**Section 1.** The Board of Education of the East Windsor Regional School District in the County of Mercer, New Jersey (the "Board of Education") is hereby authorized to refund all or a portion of the remaining outstanding school bonds issued in the original principal amount of \$43,859,000, and dated March 1, 2003 (the "2003 Bonds"). The 2003 Bonds maturing on or after March 1, 2014 may be redeemed at the option of the Board of Education as a whole or in part on any date on or after March 1, 2013 (the "Redemption Date") at a redemption price equal to 100% of the principal amount of such 2003 Bonds to be refunded plus accrued interest to the Redemption Date, if any.

**Section 2.** In order to finance the cost of the purpose described in Section 1 hereof, negotiable refunding bonds (the "Refunding Bonds") are hereby authorized to be issued in the aggregate principal amount not to exceed \$34,500,000 pursuant to *N.J.S.A. 18A:24-61 et seq.*

**Section 3.** An aggregate amount not exceeding \$285,000 for items of expense listed in and permitted under *N.J.S.A. 18A:24-61.4* has been included in the aggregate principal amount of Refunding Bonds authorized herein.

**Section 4.** The purpose of the refunding is to incur an interest cost savings for the Board of Education.

**Section 5.** Supplemental debt statements have been prepared and filed in the offices of the municipal clerks of Borough of Hightstown and the Township of East Windsor, collectively, the "Constituent Municipalities"), and the Board Secretary and in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey as required by law. Such statements show that the gross debt of the Constituent Municipalities as defined in the Local Bond Law and the school debt of the Board of Education is increased by the amount the Refunding Bond authorization exceeds the amount of the proposed Refunded Bonds.

**Section 6.** A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the Business Administrator/Board Secretary of the Board of Education as to the indebtedness to be financed by the issuance of the Refunding Bonds authorized herein.

**Section 7.** The Board President, the Superintendent, the Business Administrator/Board Secretary and other appropriate representatives of the Board of Education are hereby authorized to prepare such documents, to publish such notices and to take such other actions as are necessary or desirable to enable the Board of Education to prepare for the sale and the issuance of the Refunding Bonds authorized herein and to provide for the redemption of the 2003 Bonds referred to in Section 1 hereof.

**Section 8.** This bond ordinance shall take effect immediately after final adoption and endorsement of the consent of the Local Finance Board upon a certified copy of this ordinance as finally adopted.

Board approval is recommended.

**ACTION:** Mr. Paul moved seconded by Ms. Fallon to approve the refunding bond ordinance as submitted on second reading. On a roll call vote of the Board, motion to approve was carried unanimously.

## **7. RESOLUTION: ADOPTION OF THE FORM AND SALE OF REFUNDING SCHOOL BONDS NOT TO EXCEED \$34,500,000**

The current market conditions in the government debt markets are favorable for us to refinance our outstanding 2003 series bonds. It is recommended that the Board approve and adopt the attached Resolution determining the form and other details of an amount not to exceed \$34,500,000 refunding school bonds and providing for the sale and delivery of the bonds to RBC Capital Markets and Wells Fargo Bank.

**BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE EAST WINDSOR REGIONAL SCHOOL DISTRICT IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:**

**Section 1.** The Board of Education of the East Windsor Regional School District in the County of Mercer, New Jersey (referred herein as the "Board of Education" or "Board") hereby authorizes the sale, in one or more series, of an amount not to exceed \$34,500,000 Refunding School Bonds (the "Bonds") by virtue of its final adoption by a two-thirds majority of its full membership on October 10, 2011 of a bond ordinance entitled, "Refunding Bond Ordinance of The Board of Education of the East Windsor Regional School District in the County of Mercer, New Jersey, Providing for the Refunding of All or a Portion of the Outstanding School Bonds of the School District, Dated March 1, 2003, Issued in the Original Principal Amount of \$43,859,000, Appropriating Not to Exceed \$34,500,000 Therefore and Authorizing the Issuance of Not to Exceed \$34,500,000 Refunding Bonds to Provide for Such Refunding."

**Section 2.** The Bonds are hereby authorized to be sold to RBC Capital Markets, as senior managing underwriter, acting on behalf of itself and on behalf of Wells Fargo, as co-managing underwriters (collectively, the "Underwriter") in accordance with the purchase contract to be entered into by and between the Underwriter and the Board (the "Purchase Contract") pursuant to this resolution. The purchase price for the Bonds shall be as set forth in the Purchase Contract, plus unpaid accrued interest, if any, from the dated date of the Bonds to, but not including, the delivery date of the Bonds. The Board President, Superintendent and/or Business Administrator/Board Secretary is hereby authorized to enter into the Purchase Contract on behalf of the Board with the Underwriter in a form satisfactory to McManimon & Scotland, L.L.C., Bond Counsel for the Board ("Bond Counsel") for the sale of the Bonds to the Underwriter in accordance with the provisions of this resolution and otherwise in accordance with and subject to approval of the refunding bond ordinance by the Local Finance Board. The signature of the Board President, Superintendent or Business Administrator/Board Secretary on the Purchase Contract shall be conclusively presumed to evidence any necessary approvals.

**Section 3.** The Bonds are being issued to incur interest cost savings by redeeming all or a portion of the callable outstanding school bonds of the Board originally issued in the principal amount of \$43,859,000 dated March 1, 2003, which bonds maturing on or after March 1, 2014 (the "Refunded Bonds") are redeemable at the option of the Board in whole or in part on any date on or after March 1, 2013 at par (the "Redemption Price"), plus in each case accrued interest, if any, to the date fixed for redemption.

**Section 4.** The Bonds shall be issued in accordance with the terms and the conditions set forth in the Purchase Contract within the parameters set forth herein:

- (A) The Bonds shall be issued in a par amount determined to be necessary to pay costs of issuance and to provide for payment of the Redemption Price of the Refunded Bonds on the Redemption Date, and the interest due on the Refunded Bonds through the Redemption Date, all in accordance with the Local Finance Board approval;
- (B) The Bonds shall be dated such date as established in the Purchase Contract;

(C) The Bonds shall mature in the principal amounts on or about March 1 of each year, commencing on or about March 1, 2012 and thereafter or as otherwise set forth in the Purchase Contract and shall bear interest at interest rates per annum on the unpaid principal balance on each March 1 and September 1 until maturity or earlier redemption, commencing on or about March 1, 2012 or as otherwise set forth in the Purchase Contract;

(D) The Bonds shall be issued in the form of one bond for each maturity;

(E) The Bonds shall be numbered consecutively from R-1 upward and shall mature in such principal amounts with such mandatory call features and with such mandatory sinking fund payments as set forth below and as determined in the Purchase Contract;

(F) The Bonds may be subject to optional redemption or not as set forth in the Purchase Contract;

(G) Depending on market conditions at the time of the sale, the Bonds may be issued in one or more series as determined by the Business Administrator/Board Secretary, in consultation with Bond Counsel and Phoenix Advisors, LLC serving as Financial Advisor (the "Financial Advisor").

**Section 5.** The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Board to conform the Bonds to the requirements of the Purchase Contract.

**Section 6.** The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the Board's Bond Counsel, complete except for omission of its date. The Business Administrator/Board Secretary is hereby authorized and directed to file a signed duplicate of such written opinion in the Business Administrator/Board Secretary's office. Alternatively, each Bond may be accompanied by the signed legal opinion or copy thereof.

**Section 7.** The Board's Bond Counsel and Financial Advisor are authorized to arrange for the printing of the Bonds. The proper officials of the Board are hereby authorized and directed to execute the Bonds and to deliver them to the Purchaser in exchange for payment, including accrued interest from their date to the date of delivery, if any.

**Section 8.** The Business Administrator/Board Secretary is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York as may be necessary in order to provide that the Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

**Section 9.** In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Bonds or is removed by the Board of Education and if no successor Securities Depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds (the "Registered Bonds") in denominations of \$5,000, or any integral multiple thereof, except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in denominations of \$1,000, or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of such Registered Bonds. The Board shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

**Section 10.** The Board hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986 (the "Code") in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, and that it will refrain from taking any action that would adversely affect the tax exemption of the Bonds under the Code. The Board authorizes the Business Administrator/Board Secretary to act and determine on behalf of the Board whether the Bonds will be designated as "bank qualified" within the meaning of Section 265 of the Code.

**Section 11.** Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Board of Education shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to February 1 of each year, beginning February 1, 2012, electronically to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") system or such other repository designated by the SEC to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Board of Education consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Board of Education and certain financial information and operating data consisting of 1. Board of Education and overlapping indebtedness including a schedule of outstanding debt issued by the Board of Education; 2. the Board of Education's most current adopted budget; 3. Property valuation information; and 4. tax rate, levy and collection data. The audited financial statements will be prepared in accordance with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law;

(b) if any of the following material events occur regarding the Bonds, a timely notice not in excess of ten business days after the occurrence of the event sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;

- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations with respect to the tax determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) Appointment of a successor or additional trustee or the change of name of a trustee, if material for the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(c) Notice of failure of the Board of Education to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

(d) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

(e) The Business Administrator/Board Secretary shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Board of Education prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

(f) In the event that the Board of Education fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Board of Education shall not be liable for monetary damages, remedy being hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefore

**Section 12.** The Board hereby approves the preparation and the distribution of the Preliminary Official Statement in the form to be approved by the Business Administrator/Board Secretary. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Board by the Business Administrator/Board Secretary. The Preliminary Official Statement shall be prepared in final form in connection with the issuance of the Bonds, and the Business Administrator/Board Secretary is authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Final Official Statements shall be delivered to the Purchaser within the earliest of seven business days following the sale of the Bonds or to accompany the Purchaser's confirmations that request payment for the Bonds. The Board's Bond Counsel and/or the Board's Financial Advisor are further authorized to arrange on behalf of the Board of Education for a rating for the Bonds from Moody's Investors Service and/or Standard & Poor's.

**Section 13.** The Business Administrator/Board Secretary, with the advice of the Board's Financial Advisor and Bond Counsel, is authorized to arrange for bond insurance if advantageous based on the advice of the Financial Advisor to be provided at a premium not to exceed 75 basis points of the amount of principal and interest payable in order to obtain the best possible rates and the most cost effective financing and is authorized to take all steps on behalf of the Board necessary to do so.

**Section 14.** The Business Administrator/Board Secretary, with the advice of the Board's Financial Advisor and Bond Counsel, shall arrange for paying agent services or redemption agent services with a banking institution if any portions of the Bonds are term bonds requiring a sinking fund.

**Section 15.** The Business Administrator/Board Secretary is also authorized to pay the costs of issuance at or after the time of closing to the various participants regarding the sale and issuance of the bonds based upon the recommendation of the Board's Financial Advisor and Bond Counsel to pay such costs.

**Section 16.** The Business Administrator/Board Secretary shall take all steps necessary to call the Refunded Bonds on the Redemption Date, at par, plus any unpaid accrued interest thereon and to take all steps necessary for the investment of the proceeds of the Refunded Bonds necessary to arrange for such redemption. The Board's Financial Advisor and/or Underwriter on behalf of the Board of Education are authorized to reserve and purchase open market treasury securities and/or United State Treasury—State and Local Government Series (SLGs) for deposit with the escrow agent if required. All of the principal amount and interest earnings on the open market treasury securities and/or SLGs, as well as cash, if necessary, will be used to pay the interest due on the Refunded Bonds through the Redemption Date and pay the Redemption Price on the Refunded Bonds on the Redemption Date. The Board hereby authorizes The Bank of New York Mellon to serve as escrow agent (the "Escrow Agent") and authorizes the Business Administrator/Board Secretary and/or Board President to enter into an Escrow Deposit Agreement with the Escrow Agent in order to provide instructions regarding the deposit of the open market treasury securities and/or SLGs and cash, if any.

**Section 17.** The Board hereby authorizes Holman & Frenia, P.C. to serve as verification agent to confirm the accuracy of the arithmetical and mathematical computations supporting (i) the accuracy of the interest cost savings and the sufficiency of the amount in the escrow account to pay the interest due on the Refunded Bonds through the Redemption Date and pay the Redemption Prices on the Redemption Date; and (ii) the calculations of yield supporting the conclusion of Bond Counsel that the Bonds are not "arbitrage bonds" as such meaning is set forth in the Code.

**Section 18.** The Board President, Superintendent, Business Administrator/Board Secretary and other appropriate representatives of the Board are hereby authorized to take all steps necessary to provide for the issuance of the Bonds and the redemption of the Refunded Bonds, including preparing and executing such agreements and documents on behalf of the Board and taking all steps necessary or desirable to implement the requirements of this resolution, such agreements, and documents as may be necessary and appropriate and the transactions contemplated thereby.

**Section 19.** This resolution shall take effect immediately upon approval of the refunding bond ordinance by the Local Finance Board.

### **REFUNDING SCHOOL BOND**

THE BOARD OF EDUCATION OF THE EAST WINDSOR REGIONAL SCHOOL DISTRICT IN THE COUNTY OF MERCER, New Jersey (the "Board of Education") hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company, which will act as Securities Depository, on the Maturity Date specified above, the principal sum of \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_) and to pay interest on such sum from the Dated Date set forth above at the Rate of Interest Per Annum specified above semiannually on the first days of March and September in each year until maturity or earlier redemption commencing on March 1, 2012. Interest on this bond will be paid to the Securities Depository by the Board of Education and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the February 15 and August 15 next preceding the date of such payments (the "Record Dates" for such payments). Principal of this bond, upon presentation and surrender to the Board of Education, will be paid to the Securities Depository by the Board of Education and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

The bonds of this issue maturing prior to March 1, 20\_\_ are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after March 1, 20\_\_ are redeemable at the option of the Board of Education in whole or in part on any date on or after March 1, 20\_\_ upon notice as required herein at par, plus in each case unpaid accrued interest to the date fixed for redemption. Notice of redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Board of Education or a duly appointed Bond Registrar. Any failure of the Securities Depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings. If the Board of Education determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Board of Education. The bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations. If notice of redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the redemption price, together with unpaid accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption. Payment shall be made upon surrender of the bonds redeemed.

This bond is one of an authorized issue of bonds and is issued pursuant to Title 18A, Education, Chapter 24, of the New Jersey Statutes and the refunding bond ordinance finally adopted by the Board of Education on October 10, 2011, in all respects duly approved. Payment of this obligation is secured under the provisions of the New Jersey School Bond Reserve Act, P.L. 1980, c. 72, approved July 16, 1980, as amended by P.L. 2003, c.118, approved July 1, 2003, in accordance with which an amount equal to 1% of the aggregate outstanding bonded indebtedness (but not to exceed the moneys available in the fund) of New Jersey counties, municipalities and school districts for school purposes as of September 15 of each year, is held within the State Fund for the Support of Free Public Schools as a school bond reserve pledged by law to secure payments of principal and interest due on such bonds in the event of the inability of the issuer to make payment.

The full faith and credit of the Board of Education are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Board of Education, is within every debt and other limit prescribed by such constitution or statutes.

IN WITNESS WHEREOF, THE BOARD OF EDUCATION OF THE EAST WINDSOR REGIONAL SCHOOL DISTRICT IN THE COUNTY OF MERCER, NEW JERSEY has caused this bond to be executed in its name by the manual or facsimile signature of its President, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Secretary, and this bond to be dated the Dated Date as specified above.

**ACTION:** Mr. Paul moved, seconded by Ms. Fallon to approve the resolution to adopt the form and sale of refunding school bonds. On roll call vote of the Board, motion to approve was carried unanimously.

#### **ITEM 8. FIRST READING OF BOARD POLICIES**

The following POLICIES are being submitted to the Board for FIRST reading:

- A. Policy 1230 – Superintendent’s Duties (Revised)
- B. Policy 1522 – School-Level Planning (Revised)
- C. Policy 2440 – Summer Session (Revised)
- D. Policy 2461 – Special Education/Receiving Schools (Revised)
- E. Policy 6150 – Tuition Income (Revised)
- F. Policy 6220 – Budget Preparation (Revised)
- G. Policy 6311 – Contracts for Goods or Services Funded by Federal Grants (New)
- H. Policy 6820 – Financial Reports (Revised)

#### **1230 – Superintendent’s Duties (Revised)**

Policy Guide 1230 has been updated to remove outdated legal citations that are within the content of the Policy Guide. A job description for the Superintendent of Schools is mandated. Policy Guide 1230 is **MANDATED**

#### **1522 – School-level Planning (Revised)**

N.J.A.C. 6:8-2.4 was updated and relocated to N.J.A.C. 6A:32-12.2. Policy Guide 1522 has been revised to reflect the new code. The revisions are minor and most of the revisions were format changes to better align with the new code. The requirements for school-level planning remain unchanged with the exception of eliminating the reference to the Quality Assurance Annual Report (QAAR), which is now replaced by New Jersey Quality Single Accountability Continuum (QSAC). As school-level planning is required by the administrative code, this Policy is mandated. Policy Guide 1522 is **MANDATED**

#### **2440 – Summer Session (Revised)**

N.J.A.C. 6:3-1.8 – Approved Public Elementary and Secondary Summer Sessions has been recodified to N.J.A.C. 6A:32-10.1 – Summer School Sessions. Policy and Regulation Guides 2440 have been revised to reflect the new code citations and updated language. Operating a summer session is not required so the Policy Guide has been revised to indicate the Board “may” conduct a summer session. These Guides provide guidance in the event the district currently operates a summer session or may operate a summer session program in the future.

Policy Guide 2440 is **RECOMMENDED**

#### **Policy Guide 2461 – Special Education/Receiving Schools (Revised)**

On February 9, 2011, school districts received a Memorandum from the New Jersey Department of Education (DOE) dated February 4, 2011 with a model policy and procedures required for private schools and public schools who receive special education children. Policy Guide 2461 and Regulation Guides 2461 have been revised to be consistent with the model policy and procedures. **Districts that accept out-of-district special education pupils are required to adopt this policy and these regulations.** These districts should present this revised Policy Guide and these revised or new Regulation Guides to the Board for approval. The February 4, 2011 Memorandum stated districts must submit an Assurance Statement to the County Office by April 1, 2011.

Policy 2461 is **MANDATED**

**6150 – Tuition Income (Revised)**

The entire chapter N.J.A.C. 6A:23 has been relocated to N.J.A.C. 6A:23A. Many of the administrative code sections were relocated with minor changes. Subchapter N.J.A.C. 6A:23-3 – Tuition Public Schools was relocated to N.J.A.C. 6A:23A-17 – Tuition Public Schools with minor changes. Policy Guide 6150 has been updated to reflect new code citations and to provide a county vocational and county special services school district the option of charging a nonresident fee when funds are appropriated by the County. Policy Guide 6150 is **RECOMMENDED**

**6220 – Budget Preparation (Revised)**

The entire chapter N.J.A.C. 6A:23 has been relocated to N.J.A.C. 6A:23A. Many of the administrative code sections were relocated with minor changes. Policy Guide 6220 has been revised removing some of the details of budget development and referencing the new code sections that apply as the budget details are frequently revised. In addition, some of the new requirements regarding public inspection of the budget upon submission to the Executive County Superintendent and publication of the budget after adoption have been added. Administrative code legal citations have also been updated. Policy Guide 6220 is **MANDATED**

**6311 – Contracts for Goods or Services Funded by Federal Grants (New)**

Chief School Administrators received a Memorandum dated October 4, 2010 from the Acting Commissioner regarding common American Recovery and Reinvestment Act of 2009 (ARRA) monitoring findings. One of the common administrative findings is verification of vendor status and district's lack of controls to prevent contracting with disbarred vendors for goods or services paid from Federal grant funds. The Memorandum indicates any "vendor providing goods or services funded by a Federal grant needs to be cleared for contract." This procedure requires the district check the vendor's status on the web-based Excluded Parties Lists System (EPLS) maintained by the General Services Administration. The detailed regulations come under Federal Acquisition Regulations (FAR) Subpart 9.4. Policy Guide 6311 has been developed requiring a check of the EPLS list before awarding a bid or contract for goods or services funded by a Federal grant. FAR Subpart 9.4 prohibits such contracts to vendors on the EPLS list. Policy Guide 6311 is **RECOMMENDED**

**6820 – Financial Reports (Revised)**

The entire chapter N.J.A.C. 6A:23 has been relocated to N.J.A.C. 6A:23A. Many of the administrative code sections were relocated with minor changes. N.J.A.C. 6:23-2.2, 2.10 and 2.11 were relocated to N.J.A.C. 6A:23A-16.2, 16.9 and 16.10 requiring revisions to Policy Guide 6820. The revised Policy Guide provides some additional details, updates the legal code citations, expands the Board Secretary's title to School Business Administrator/Board Secretary, and provides for a Treasurer of School Moneys designee in the event the district elects not to have a Treasurer of School Moneys position consistent with the recent legislation making this position no longer a requirement. The new code and this Policy Guide does not change any financial reporting requirements. Policy Guide 6820 is **MANDATED**

## Discussion:

Ms. Harrington asked about the process and timeline for the 2 year school level planning.

Dr. Forsthoffer responded that this year we have to do a 2 year plan which can be revised or modified next year.

Ms. Harrington commented on the Sept. 30 deadline for the planning, feels it would be more feasible to move date up to end of school year or in summer.

Ms. Fayer also spoke in regard to the school level planning process. She commented that we usually get most of our data in September/October and isn't school level planning based on that data.

Dr. Forsthoffer agreed that it would be better at end of school year. The September 30<sup>th</sup> deadline is mandated in the new code as dictated by revised policy. He added that he is agreeable to have planning done earlier than Sept. 30.

Ms. Harrington spoke on summer session. If we offer this program at what point will this be part of the policy or when will that decision be made.

Dr. Forsthoffer responded it depends on several factors, funds being one. We will try to make the decision as soon as possible. Announcing a decision too early could be problematic.

Mr. Laverty added his comments on the timing of the school level planning. Not sure how we can comply as the school report cards come out in February. We would not have some information specified by the DOE and would only have 2010 test data available to us.

Dr. Forsthoffer responded that the school report card data is produced by the State. The District has to provide all the information by Oct. 15. This is basic general statistical information for the report card. Agrees the report card is not timed to come out well as a planning document. It is a valuable tool for people are looking to move into an area for comparison of school districts but not a great planning tool.

ACTION: Mr. Paul moved seconded by Ms. Fayer to approve the above listed policies on first reading. On a roll call vote of the Board, motion to approve was carried unanimously.

#### **ITEM 9. FIRST READING OF BOARD REGULATIONS**

The following mandated REGULATIONS are being submitted to the Board for FIRST reading:

- A. Regulation 2461** – Special Education/Receiving Schools (Revised)
- B. Regulation 2461.01** –Special Education/Receiving Schools - IEP Implementation (Revised)
- C. Regulation 2461.02** –Special Education/Receiving Schools – Suspension (Revised)
- D. Regulation 2461.03** - Special Education/Receiving Schools – Pupil Records (Revised)
- E. Regulation 2461.04** –Special Education/Receiving Schools – Special Education & Related Services (New)
- F. Regulation 2461.05** –Special Education/Receiving Schools – IEP Compliance (Revised)
- G. Regulation 2461.06** –Special Education/Receiving Schools – Highly Qualified & Appropriately Cert. Staff (New)
- H. Regulation 2461.07** –Special Education/Receiving Schools –Termination of Placement (New)
- I. Regulation 2461.08** –Special Education/Receiving Schools In-Service Training (Revised)
- J. Regulation 2461.09** –Special Education/Receiving Schools –State/District –Wide Assessment Programs (New)
- K. Regulation 2461.10** –Special Education/Receiving Schools- Full Educational Opportunity (New)
- L. Regulation 2461.11** –Special Education/Receiving Schools – Staff Consultation (New)
- M. Regulation 2461.12** –Special Education/Receiving Schools – Length of School Day &Academic Year (New)

#### **BACKGROUND:**

On February 9, 2011, school districts received a Memorandum from the New Jersey Department of Education (DOE) dated February 4, 2011 with a model policy and procedures required for private schools and public schools who receive special education children. Policy Guide 2461 and Regulation Guides 2461 noted above have been revised to be consistent with the model policy and procedures. **Districts that accept out-of-district special education pupils are required to adopt this policy and these regulations.** These districts should present this revised Policy Guide and these revised or new Regulation Guides to the Board for approval. The February 4, 2011 Memorandum stated districts must submit an Assurance Statement to the County Office by April 1, 2011. Regulations 2461 through 2461.12 are **MANDATED**. Board approval is recommended.

ACTION: Mr. Paul moved, seconded by Ms. Fayer to approve the above listed Board regulations as submitted on first reading. On a roll call vote of the Board, motion to approve was carried unanimously.

#### **ITEM 10. 2011-12 East Windsor Regional School District Goals**

Mr. Paul moved seconded by Ms. Fallon to approve the EWRSD Goals for 2011-12.

##### **Goal 1. Assess and increase student achievement by challenging each student to reach his or her highest potential**

##### **Activities**

1. Utilize the NJSMART new Growth Data to evaluate student's growth on NJ standardized tests.
2. Integrate an assessment and data management platform that will allow for user friendly, seamless K-12 tracking and reporting of student performance in literacy, mathematics and other pertinent data.
3. Monitor and report progress made by at risk learners in accordance with last year's goal. Use data to identify at risk learners for 2011-12 school year.
4. Implement and monitor best practice literacy instructional programs to assure that all learners, especially at risk learners are receiving and benefitting from the most effective instruction.
5. Provide all at risk learners with the most appropriate instructional materials based on their individual needs.
6. Review curricula and best practices and make recommendations for changes as needed.
7. Measure the impact of implementing the *Foundations* program in grades one and two.
8. Analyze and ensure that all regular education curricula and program offerings are available to Special Education Students.
9. Make data driven decisions for SE placement or Intervention and Referral Services (I&RS) meetings.

10. Using assessment measures to identify areas of curriculum that need to be improved or emphasized.
11. Assess progress made by the magnet bilingual program by comparing student growth and success against preceding years.
12. Develop effective exiting criteria, from the bilingual program, so that students are prepared for the mainstream setting.
13. Align all district curricula with the State's movement toward the Common Core.
14. Increase Option II (dual enrollment for both high school and college credit) opportunities for high school students.
15. Work collaboratively with Mercer County College to add the high school as a satellite campus for college courses and secure a reduced tuition for current students, in lieu of building use fees.

### **Evaluation**

1. Increase the number of second graders that are reading at grade level by 10% on the Star reading assessment after completing 2 years of *Foundations* as compared to second graders from year 2009-2010 who had no *Foundations*.
2. 75% of at risk readers (6-11) will demonstrate accelerated growth as indicated by the multiple measure literacy rubric for at secondary risk readers.
3. 80% of non-risk readers (6-11) will demonstrate adequate growth as indicated by the multiple measure literacy rubric.
4. At least 80% of the students that pass the ACCESS or MAC II will pass the Oral Proficiency inventory as a basis for exiting the bilingual program.
5. There will be an increase of 20% in college credits earned while in high school.

### **Goal 2: Provide professional staff with the knowledge, skills and resources to promote student achievement.**

#### **Activities**

1. Provide in-service opportunities on changes in the curriculum.
2. Based on curriculum needs and teacher feedback, provide expert level training that is ongoing in nature. Emphasize teaching strategies in addition to content specific training.
3. Staff and administration will be surveyed on appropriate professional development offerings. This data will be used when making decisions of professional development.
4. Develop an instrument and implementation strategy for assisting the effectiveness of professional development.
5. As part of the supervisory process, walk-throughs, highlights in the lesson plans, self reporting, professional improvement plans, and other measures will be used to monitor professional development being utilized in instruction.
6. Provide technology and other resources (and effective related training) to support teaching and learning.

#### **Evaluation**

1. At the completion of district mandated professional development, participants will correctly answer 80% of the items on an evaluative instrument that is specifically created for each Professional Development session.
2. At least 80% of teachers will self-report that they are using the strategies from professional development opportunities in their classrooms.

#### Discussion:

Dr. Forsthoffer reported on the development of the goals. He and Ms. Harrington comprised the committee to revise and modify the goals. Commented that the new goals are streamlined from the first version and the two goal statements basically match our two vision statements that were approved years ago.

Ms. Harrington said she and Dr. Forsthoffer had productive conversations as they worked to incorporate a lot of the feedback received at the last meeting. The result is a smoother, cleaner way to capture all the information regarding the intent of the goals.

Mr. Ettman commented that he appreciates the effort but has concerns. One is the basis of the goals. The goals are supposed to measure the state of the district now, where we want to go and how to get there. We should know test results before determining what we are going to do about moving the district forward. Suggested we wait to evaluate and analyze testing data before adopting goals.

Ms. Harrington responded that we over emphasize the State's role in determining our goals. We are analyzing all available data on a regular basis. Feels that the two goals are very much in keeping with the spirit of what we are hoping for.

Ms. Fallon thanked Ms. Harrington and Dr. Forsthoffer for working on this project. The District evaluates and adjusts the programs throughout the school year. She is comfortable with way goals are written.

Dr. Forsthoffer commented that goals are usually required to be done prior to or during the beginning of the summer. We are very late. We do have lots of data we can use. The State testing is just one element.

Ms. Fayer commented that she is pleased that we are looking at the new programs and how they compare with the old programs.

Ms. Abel asked for clarification regarding the evaluation points listed under Goal 1.

Dr. Forsthoffer responded that numbers 2 and 3 are creating baselines/benchmarks and that we have created this rubric to measure accelerated growth and regular growth. Number 4 addresses the issues that face bilingual students who are not ready for exiting the bilingual program.

Mr. Lavery asked for explanation of accelerated growth.

Mr. Dzwonar explained the mechanics of this rating for student achievement.

Mr. Lavery commented we have to think long term regarding evaluations. It leads to district improvement and affects how our district performs, administration, faculty and students. This is what brings about change. This is an ongoing activity and not something we adopt now and talk about at the end of the Spring.

**ACTION:** On a roll call vote of the Board Motion to approve the 2011-12 District goals was carried as follows:  
 Voting Yes: Ms. Abel, Mr. Connolly, Ms. Fallon, Ms. Fayer, Ms. Harrington, Mr. Lavery Ms. Lloyd and Mr. Paul.  
 Voting No: Mr. Ettman. Abstaining: none.

Motion to approve was carried with 8 yes and 1 no vote.

#### **ITEM 11. ANNOUNCEMENTS**

Dr. Forsthoffer made the following announcements.

- Last April our concert choir performed at Disney World and pictures of our students performing are featured in the "Disney on Stage" magazine.
- The "Eat Right-Move More" program presentation took place at the high school. NY Jets player, Matthew Mulligan attended and spoke to the students about healthy eating and lifestyle. Diane Tomori, District Food manager for Chartwells, and Jill Niglio, representative from the NJ Dept of Agriculture were also in attendance. Dr. Forsthoffer congratulated Chartwells for its achievement in winning this contest for our District.
- Gave a summary presentation regarding test scores for the State Standardized NCLB and NJ ASK test and the HSPA test. Spoke about the annual AYP (Adequate Yearly Progress) targets. Under NCLB (No Child Left Behind) by the year 2014, 100% of the students in our country must be proficient in reading and math. This is measured by the State, using 40 indicators. Beginning this year the new target for language arts is 86% of students must be proficient. For math 84% in grades 3 to 5, 80% to be proficient in grades 6 to 8. Dr. Forsthoffer will provide a full presentation on the AYP data at the next meeting.

#### **ITEM 12. PRESENTATION AND PUBLIC HEARING ON VIOLENCE AND VANDALISM DATA FOR 2010-11 SCHOOL YEAR**

Dr. Forsthoffer gave his annual presentation and public hearing on the Violence and Vandalism Report for 2010-11. This information is reported to the State every year on the District's six schools. The State requires that District's identify incidents using 4 different categories: Violence, Vandalism, Weapons and Substance Abuse.

This evening's presentation provides data that compares incidents in the 2009-10 school year to the 2010-11 school year. For 2010-11 the total number of incidents has dropped from 75 to 66 from the year before (2009-10).

Under acts of Violence, there were two fewer incidents. The biggest change was a decrease in fights.

Acts of violence include simple assault, aggravated assault, fights, robbery extortion, sex offense, criminal threat, harassment intimidation and bullying, and kidnapping.

Under Vandalism there was an increase of one incident. Vandalism includes such sub categories as arson, burglary, damage to property, fireworks, theft, fake bomb, bomb threat and trespassing. Police notifications have decreased slightly from 23 to 20. There was also a decrease in school suspensions and in number of offenders and victims.

Under Weapons category, the District saw a decrease in possession of other weapon (knife).

Under Substance Abuse category, this year we do see a slight decrease in both areas of alcohol and marijuana use. We saw a decrease in possession of marijuana but an increase in possession of drug paraphernalia, also alcohol and prescription drugs. The District employs Student Assistance Counselors at the middle and high school who work with the students who have issues with substance abuse.

Dr. Forsthoffer stressed that obviously the goal is to have zero acts of violence and vandalism. He noted some of the programs and interventions that take place at all grade levels to help achieve that goal. Schools are addressing issues early to try and keep future acts from occurring.

Some of the things that are happening at the elementary schools are:

- Value of the month program where 10 values are highlighted during the school year;
- Character education assemblies;
- Individual student recognitions at Pride Assemblies;
- Guidance lessons by the counselors;
- Campfire safety programs;
- Puppets with a mission club;
- Peacemaker of the month recognition/ceremony.

At the middle school:

- The present 7<sup>th</sup> grade attended an anti-bullying production last year;
- Anti bullying lessons have been taught;
- Much greater parental involvement with bullying situations;
- Individual student contracts for behavior;
- Strict consequences in place at middle school such as time out room and lunch detention, students are made aware of the consequences and disciplinary measures for any infractions;
- Safeguards in place are video cameras throughout the school, and campus security.

At the high school,

- Increased parental involvement through electronic communication and face to face meetings;
- Proactive interventions based on information gathered by our security teams, counselors and teachers;
- Assistance from the guidance department in conflict resolution and peer mediation to prevent negative interactions;
- Clubs, activities and organizations such as the "O" Ambassadors, the "Friends of Rachel", and plan to restart the Allies of Diversity Club;
- The high school health curriculum addresses the issues of character development; HHS has been selected by the Verizon Foundation and NFL as one of 3 high schools to participate in the Domestic Violence Prevention Program. Four HS staff members have been trained to work with our students;
- A display of character education and anti-bullying themed posters in the hallways and the cafeteria;
- Student Council has advocated the phrase "Have Your Say" as this year's theme to invite students to voice their opinions and communicate in a respectful and non critical way;
- During "Week of Respect" played the Aretha Franklin song (Respect) during announcements and played motivational sayings from historical figures and celebrities;
- Use of digital cameras and campus security to monitor behavior and infractions;
- Continued excellent working relationship with both the East Windsor and Hightstown Police.

This ended the presentation of the Violence and Vandalism Report. Dr. Forsthoffer added that he will put the Report online for public view.

As this is a Public Hearing, Mr. Lavery asked if any Board members or any of the Public had any comments or questions. There were none.

### **ITEM 13. FIRST OPPORTUNITY FOR PUBLIC COMMENT**

Leslie Koppel, the executive director of "RISE" in Hightstown, read a letter from the RISE Board of Directors. The letter expressed thanks and appreciation to the District for its assistance in making the RISE 2011 summer camp its best ever, affording its staff and children the opportunity for high quality experiences. They thanked the District for the usage of the high school pool, and school buses in addition to usage of the WCB school. They look forward to working again next year with the District to provide another summer of enrichment and education for our community students.

**ITEM 14. FIRST OPPORTUNITY FOR BOARD MEMBERS' COMMENTS**

Ms. Fallon repeated her comment from a past meeting that she was very impressed to hear the story about how many of our students were being educated and enjoying the summer with the RISE program and we really appreciate it.

**ITEM 15. First EXECUTIVE SESSION - Not needed.****ITEM 16. MOTION TO APPROVE ROUTINE ITEMS BY EXCEPTION**

The following items are recommended for Board approval:

- A. Staffing
- B. Bullying Report – 9/26/11
- C. Out of District Placement
- D. Professional Services for Students
- E. Approve Supplemental Educational Services Provider Contracts
- F. Approve Impact Grant
- G. Travel and Related Expenses
- H. Winter Sports Schedules – Hightstown High School
- I. Donations to:
  - 1) WCB from Crate and Barrel
  - 2) HHS Marching Band from Parent
  - 3) HHS from Wal-Mart
- J. Annual Update to Uniform State Memorandum of Agreement
- K. 2012-2013 School Calendar
- L. Field Trip Locations
- M. Volunteers
- N. Resolution to Designate SONITROL Security of Central NJ the District's Sole Provider for Security Related Equipment & Services
- O. Resolution for the Reimbursement to Board Members for the Cost of Criminal History Background Check
- P. State of NJ Department of Children & Families Educational Services Contract Agreement
- Q. Resolution to Adopt a Flexible Spending Account Plan with Cigna
- R. Board Secretary's Report for August, 2011
- S. Treasurer's Report for August, 2011
- T. Transfer Report for August, 2011
- U. Bill and Claims Report – Oct. 10, 2011
- V. *Appointment of Attorney for Labor Negotiations (added at meeting)*

**A. Staffing – as submitted****B. Bullying Report for 9/26/11**

It is recommended that the Board approve the bullying Report as discussed at the September 26, 2011 meeting.

**C. Out of District Placement in Private & Public Schools****Delaware Valley School for Exceptional Children**

Tuition September 21, 2011 through June 14, 2012

1. Student:	400342 REG.	\$49,116.33
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**High Point**

Tuition September 8, 2011 through June 21, 2012

1. Student:	201055 REG.	\$61,200.00
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**Lamberts Mill Academy at New Pointe**

Tuition January 28, 2011 through June 28, 2011

1. Student:	#201055	REG.	\$47,206.00
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**Mercer County Special Services School District**Tuition September 6, 2011 through June 30, 2012

1. Student:	720296	REG.	\$42,042.00
2. Student:	720440	REG.	\$52,234.00
3. Student:	720481	REG.	\$42,042.00
4. Student:	701676	REG.	\$52,234.00
5. Student:	819502	REG.	\$42,042.00
6. Student:	720532	REG.	\$52,234.00
7. Student:	701656	REG.	\$52,234.00
8. Student:	101167	REG.	\$47,684.00
9. Student:	720500	REG.	\$52,234.00
10. Student:	850602	REG.	\$42,042.00
11. Student:	720107	REG.	\$52,234.00
12. Student:	720039	REG.	\$42,042.00
13. Student:	720244	REG.	\$52,234.00
14. Student:	9801234	REG.	\$47,684.00
Student:	9801234	AID	\$34,580.00
15. Student:	720323	REG.	\$42,042.00
16. Student:	602932	REG.	\$41,314.00
17. Student:	501035	REG.	\$42,042.00
18. Student:	200029	REG.	\$42,042.00
19. Student:	720021	REG.	\$42,042.00
20. Student:	8102241	REG.	\$42,042.00
21. Student:	720687	REG.	\$52,234.00
22. Student:	202165	REG.	\$52,234.00
23. Student:	101163	REG.	\$47,684.00
24. Student:	101155	REG.	\$47,684.00
25. Student:	720456	REG.	\$52,234.00
26. Student:	720685	REG.	\$42,042.00
27. Student:	720168	REG.	\$42,042.00
Student:	720168	AID	\$34,580.00
28. Student:	9801141	REG.	\$47,684.00
29. Student:	9800379	REG.	\$52,234.00
30. Student:	832595	REG.	\$42,042.00
31. Student:	720526	REG.	\$52,234.00
32. Student:	101515	REG.	\$47,684.00
33. Student:	720473	REG.	\$42,042.00
34. Student:	101162	REG.	\$47,684.00
35. Student:	720062	REG.	\$42,042.00
36. Student:	720025	REG.	\$42,042.00
37. Student:	720558	REG.	\$52,234.00
38. Student:	720263	REG.	\$42,042.00
39. Student:	720535	REG.	\$42,042.00
Student:	720535	AID	\$34,580.00
40. Student:	720116	REG.	\$52,234.00

41. Student:	720404	REG.	\$42,042.00
42. Student:	2292214	REG.	\$42,042.00
43. Student:	2271214	REG.	\$42,042.00
44. Student:	101144	REG.	\$47,684.00
45. Student:	101460	REG.	\$47,684.00
46. Student:	720471	REG.	\$42,042.00
47. Student:	720198	REG.	\$42,042.00
48. Student:	9800704	REG.	\$47,684.00
49. Student:	720082	REG.	\$42,042.00
50. Student:	720110	REG.	\$42,042.00
51. Student:	402501	REG.	\$42,042.00
52. Student:	720362	REG.	\$42,042.00
53. Student:	402092	REG.	\$41,314.00
54. Student:	401101	REG.	\$41,314.00
55. Student:	400602	REG.	\$41,314.00
56. Student:	720667	REG.	\$42,042.00
57. Student:	720251	REG.	\$42,042.00
58. Student:	600818	REG.	\$42,042.00
59. Student:	402912	REG.	\$52,234.00
60. Student:	720660	REG.	\$42,042.00
61. Student:	202065	REG.	\$52,234.00
62. Student:	101522	REG.	\$47,684.00
63. Student:	720675	REG.	\$52,234.00
64. Student:	101476	REG.	\$47,684.00
65. Student:	720114	REG.	\$47,684.00
66. Student:	500328	REG.	\$41,314.00
67. Student:	202054	REG.	\$41,314.00
68. Student:	799595	REG.	\$42,042.00
69. Student:	201999	REG.	\$42,042.00

### The Rugby School

Tuition October 3, 2011 through June 29, 2012

1. Student: #101663 REG. \$ 69,598.41

### D. Professional Services for Students

The special education department requires services of consultants to provide children with disabilities a free appropriate public education as defined by The Individuals with Disabilities Education Act (IDEA).

Name	Type of Service	Rate
Burlington County Special Services School District	Educational Services	Per Fee Schedule
Hampton Behavioral Health Center	In-Hospital School Services/Instructions	Per Fee Schedule
Preferred Home Health Care and Nursing Services, Inc.	Nursing Services	Per Fee Schedule
U.S. HealthWorks Medical Group	Student Testing	Per Fee Schedule

**E. Supplemental Educational Services Provider Contracts**

Board approval is recommended for the Supplemental Educational Services Provider contracts between the East Windsor Regional School District and the following educational providers as submitted.

- **Let Me Learn, Inc.**
- **ClubZ! Tutoring of Central NJ**
- **iSpace, Inc.**
- **Dean's Learning Center, L.L.C**
- **Nicholas Literacy Center**
- **ATS Project success**

A purchase order will be generated upon the full execution of these contracts and will be charged against NCLB Title 1 funds.

**F. \$45,705.00 Impact Grant**

Approval to participate in the IMPACT Grant Partnership with Monroe School District and Jamesburg School District to increase the number of middle school social studies and science teachers who possess additional Highly Qualified status in language arts, by passing the Praxis in Language Arts specialization in middle school. The Improving Partnerships and Active Collaboration for Teaching (IMPACT) grant project is designed to offer opportunities to eligible partnerships among institutions of higher education (IHEs), high-need local education agencies (LEAs) and Educational Technology Training Centers (ETTCs) to conduct professional development and other activities that will result in:

1. Expanding the number of teachers who are highly qualified;
2. Building capacity to meet state-adopted core standards (those adopted in 2009 and/or the Common Core State Standards adopted in June 2010) in Mathematics; and
3. Increasing the degree of integration of 21<sup>st</sup> century skills, technology and global perspectives into instruction.

The overarching goal is to raise student academic achievement in targeted core content areas based on the needs of each participating LEA. In keeping with the objectives stated above, East Windsor Regional School District is participating in the IMPACT grant partnership with Monroe School District and Jamesburg School district to increase the number of teachers who possess Highly Qualified status in language arts, by passing the Praxis in Language Arts specialization in middle school. For the 2011-2012 school year, intense professional development, cross district dialogue, and coaching will be provided to support teachers in transferring personal knowledge to student achievement in the classroom. Teachers will be provided with tools and training to create and implement activities in the classroom which maximize student exposure to literacy in the content area, and integrate technology to increase student engagement and participation in the process of science and social studies.

**G. Employee Travel and Related Expenses**

M. Dzwonar	Asst. Supt.	12/2/11	NJAFPA'S Winter Training Institute Sheraton Hotel, Eatontown NJ	149.00
T. Sherrod,	Stu Svs.	11/18/11	Member Reg. Rate for NJAPSA Writing Defensible IEPs Conference, Ocean Place Conf Center, Long Branch NJ	149.00
M. Beckman	Stu. Svs.	11/18/11		149.00
C. Comperatore	Stu. Svs.	11/18/11	Group of 3 Reg. Rate NJAPSA "Writing Defensible IEP's " Ocean Place Conf. Center, Long Branch NJ.	440.00
B. Johnson	Stu. Svs	11/18/11		
M. Tiedemann	Stu. Svs.	11/18/11		
Total for month:				887.00
YTD total:				6,870.80

**H. Winter Sports Schedule: Hightstown High School - on Sharepoint**

Board approval is recommended for the HHS Hightstown High School's Winter Sports Schedule\* for the 2011-2012 school year. As submitted. \*The Ice Hockey schedule is incomplete at this time due to the addition of Paul IV High School and the merger of the Allentown/Robbinsville programs. It should be complete in the very near future.

**I. Donations****1. School Supplies to WCB**

Ms. Susan Kanopka, Crate & Barrel, 315 Half Acre Road, Cranbury, NJ 08512 would like to donate three boxes of school supplies to the Walter C. Black School. The supplies include backpacks, pens, pencils, markers, crayons, folders, and notebooks.

**2. To HHS Marching Band from Parent**

Ms. Denisse Maldonado-Bou, parent of a Hightstown High School student, 21 Wayne Way, East Windsor, NJ 08520 would like to donate \$200.00 to the HHS Marching Band. The donation will be used to help cover band expenses.

**3. To HHS from Wal-Mart**

Wal-Mart, 839 Route 130, East Windsor, NJ 08520 would like to donate gift cards of \$100.00 each to ten teachers at Hightstown High School. These gift cards will be used to purchase classroom supplies.

**J. Annual Update to Uniform State Memorandum of Agreement Between Education & Law Enforcement**

The East Windsor Regional School District has agreements with the East Windsor Township Police Department and the Hightstown Borough Police Department regarding procedures to be followed by the police departments and the school district when a police presence is required or is requested by the school district. The Uniform State MOA is provided by the NJ Office of the Attorney General, Department of Law and Public Safety, Division of Criminal Justice. Each year the chief school administrator and the representatives of police departments are required to meet to discuss the agreement to determine if any changes are needed. The meeting with the Chief of Police for East Windsor took place on September 26, 2011 and the meeting with the Acting Director of Police for Hightstown took place on September 22, 2011. The 2011 MOA is accepted and no changes are being recommended.

It is recommended that the Board approve the submission of the Uniform State Memorandum of Agreement with East Windsor Township Police Department and Hightstown Borough Police Department to the Mercer County Superintendent of Schools stating that the 2011 MOA agreement remain unchanged and procedures have been developed, with contact people identified, to implement specific provisions of the Memorandum of Agreement.

**K. 2012 - 2013 SCHOOL CALENDAR**

The 2012-2013 School Calendar is submitted for board approval.

**L. Field Trip Locations**

Field Trips planned for Walter C. Black School:

10/24/11                      Grade 2 to Windsor Farms, Windsor, NJ

Field Trips planned for Hightstown High School:

11/12/11                      African American Awareness Club  
 Mother Bethel African Methodist Episcopal Church & AA Museum  
 419 S. 6<sup>th</sup> St. (Mother Bethel), Philadelphia PA  
 701 Ach St. (AA Museum), Philadelphia, PA

TBA                              French Club to a Broadway Show, NYC, NY

TBA                              French Club to a NJ Devils Hockey Game Prudential Center, Newark, NJ

Field Trips planned for Kidcare:

11/10/11                      Liberty Science Center, Jersey City, NJ

**M. Volunteers/Chaperones**

The Board of Education approves all volunteers who serve in the East Windsor Regional School District. A list of volunteers /chaperones has been submitted to the Board and recommended for approval. All names of Board approved volunteers and chaperones are kept on file in the respective principal's office, with the Superintendent, and Board Secretary's office.

**N. RESOLUTION to Designate Sonitrol Security of Central NJ as Sole Provider for Security Related Equipment and Services**

The District recognizes the need for security related equipment and services. As there are concerns related to allowing site inspections of our existing security related infrastructure, it is advisable to designate a sole source provider for this equipment and services by resolution.

**RESOLUTION****Designation of Sole Source Provider for Security Related Equipment and Services**

**Whereas**, the District has extensive current installations of security related equipment from our existing provide Sonitrol Security of Central New Jersey, Inc. (Sonitrol), and

**Whereas**, The District receives ongoing maintenance and support for this equipment from Sonitrol, and

**Whereas**, greater operational efficiency is obtained by limiting the number of vendors involved with security equipment and services, and

**Whereas**, there is limited financial incentives to seek open public bidding since the installation is governed by the prevailing wage laws, and

**Whereas**, there is a legitimate concern that District Security could be compromised by allowing site inspections of our security related infrastructure as a part of open public bidding,

**Now Therefore the Board Resolves** to designate the firm of Sonitrol Security of Central New Jersey, Inc, as the sole source for security related equipment and related services for the 2011-12 school year.

It is recommended that the Board approve the Resolution, to authorize our existing provider Sonitrol of Central NJ as the District's sole source for security related equipment and services for the 2011-12 school year.

**O. Reimbursement to Board Members for Cost of Criminal History Background Check**

The East Windsor Regional School District Board of Education is required to approve by Resolution the reimbursement to Board Members for the cost of their criminal history background investigation per Assembly Bill 444, signed into law on May 26, 2011. It is recommended that the Board approve the attached Resolution for the Reimbursement of Cost for Criminal History Background Check and to adopt the language within the resolution into its bylaws under File Code 0142: " Board Member Qualifications, Prohibited Acts and Code of Ethics."

**RESOLUTION**

**WHEREAS**, Assembly Bill 444, signed into law on May 26, 2011, disqualifies members of boards of education or members of charter school boards of trustees from serving in office if they have been convicted of certain crimes; and

**WHEREAS**, The statute also requires members to undergo criminal history background checks and to pay the cost of such investigations; and

**WHEREAS**, Assembly Bill 444 permits local boards of education to reimburse individual members for the cost of criminal history background investigations; and

**WHEREAS**, State law (N.J.S.A. 18A:12-4) prohibits the compensation of local board of education members; and

**WHEREAS**, Members of the East Windsor Regional Board of Education devote significant time and substantial effort to the governance of the district's public schools; and

**WHEREAS**, The East Windsor Regional Board of Education believes that individual school board members, who are uncompensated, should be reimbursed for the cost the criminal history background investigations, which are necessary to continue serving in office.

**Therefore be it RESOLVED**, That the East Windsor Regional Board of Education authorizes reimbursement of individual members for the cost of the criminal history background investigations required by Assembly Bill 444; and,

**Be it also RESOLVED**, That the East Windsor Regional Board of Education through its policy adoption process will add the following language to its Bylaws as a Qualification of Office at File Code 0142, "Board Member Qualifications, Prohibited Acts and Code of Ethics" -

- *A Board member has not been disqualified due to the conviction of a crime or offense listed in N.J.S.A. 18A:12-1. In order to fulfill this requirement, Each member of the Board of Education, within 30 days of the election or appointment to the Board, shall undergo a criminal history background check investigation for the purpose of ensuring that the member is not disqualified for membership due to a conviction of a crime or offense pursuant to the statute listed above; and the Board shall reimburse the member for the cost of the criminal history record check, including all costs for administering and processing the check.*

**Be it further RESOLVED**, That a copy of this resolution be attached to Bylaws File Code 0142 as proposed for amendment.

**P. Approval of Contract with State of NJ Department of Children & Families Education Services**

Students who are eligible under the State Facilities Education Act and /or who are determined to be State responsible by the NJ Department of Education shall be provided an approved and appropriate educational program in accordance with pertinent statutes and regulation such as NJSA,18A, NJAC 6!:14 and NJAC 6A:17.

The East Windsor Regional School District currently has a student enrolled who has been placed by the Department of Children and Families in a resource home within the District. As this student is a State responsible and residing within District boundaries, the Office of Education/Dept. of Children and Families will pay the District tuition for this student per the Board approved tuition rate for the 2011-12 school year.

Board approval is recommended of the Educational Services Contract Agreement for the EWRSD to be reimbursed for the provision of educational services to a State responsible student that is currently enrolled and residing within the District in accordance with applicable NJ Statutes and Regulations, as submitted.

**Q. Resolution to Adopt a Section 125 Flexible Spending Account (FSA)**

A flexible Spending Account plan would allow employees the option to set aside a portion of their earnings to pay for qualified medical expenses established in the current cafeteria plan. The Board of Education has received a proposal from Cigna to administrate the Section 125 FSA for the District. It is recommended that the Board approve the attached Resolution for a flexible Spending Account plan with Cigna effective January 1, 2012.

**RESOLUTION**  
**SECTION 125 FLEXIBLE SPENDING ACCOUNT (FSA)**

**Whereas**, the EAST WINDSOR REGIONAL BOARD OF EDUCATION desires to adopt a Section 125 Flexible Spending Account plan effective January 1, 2012 to allow employees to set aside a portion of their earnings to pay for qualified medical expenses as established in the cafeteria plan to comply with P.L. 2011, Chapter 78; and

**Whereas**, EAST WINDSOR REGIONAL BOARD OF EDUCATION has received a proposal from Cigna to administrate the Section 125 Flexible Spending Account plan.

**Now Therefore Be It Resolved**, that the District adopt the Section 125 Flexible Spending Account plan with Cigna effective January 1, 2012.

**R. Board Secretary's Report: August, 2011**

**WHEREAS**, the Board of Education has received the report of the Board Secretary and Treasurer for the month of August, 2011 submitted pursuant to N.J.S.A 18A:17-9, and

**WHEREAS**, in compliance with N.J.A.C. 6:20-2A.10 (d) the Secretary has certified that, as of the date of the reports, no budgetary line item account has obligations and payments (contractual orders) which in total exceed the amount appropriated by the District Board of Education;

**NOW, THEREFORE BE IT RESOLVED**, the Board of Education accepts the above referenced reports and certifications and certifies that after review of the Secretary's monthly financial report (appropriation section), to the best of its knowledge, no major account or fund has been over expended in violation on N.J.A.C.6:20-2A.10(a)(1), and that sufficient funds are available to meet the district's financial obligations for the remainder of the year.

**S. Treasurer's Report – August, 2011**

The Report of the Treasurer of School Monies for the month of August, 2011 is submitted for approval. The Treasurer's report is in agreement with the Board Secretary's reports.

**T. Transfer Report – August, 2011**

The East Windsor Regional School District submits to the County School Business Administrator an updated report of budget transfers and changes in revenue and appropriations on a monthly basis. The EWRSD Board of Education certifies to the best of its knowledge that no major account or fund has been over expended in violation of N.J.A.C. 6A:23-2.11 and that sufficient funds are available to meet the District's financial obligations for the remainder of the fiscal year.

**RESOLVED**, that the Board of Education ratifies the attached transfers between budget line items that have been approved by the Superintendent of Schools and reported to them pursuant to Board policy and State regulation, as submitted.

**U. Bill List for October 10, 2011**

The Bill and Claims Report must be approved by the Board of Education before being submitted for payment.

**RESOLVED**: That the Board of Education approves the payment of bills and claims as submitted in the attached reports for the grand total amount of \$1,671,595.39 as submitted.

**V. Appointment of Attorney for Labor Negotiations**

The District has identified a need for the services of a labor negotiations attorney for the upcoming round of collective negotiations with our bargaining units. It is recommended that the Board approve the appointment of Mark Blunda, Esquire, as Board attorney for the purpose of labor negotiations.

**ACTION**: Mr. Paul moved seconded by Ms. Fallon to approve the routine exception items as submitted.

Discussion:

Mr. Stumbaugh commented that there will be separate bill lists for Board member's reimbursement.

Mr. Ettman asked for clarification on the Board action on the bullying report.

Dr. Forsthoffer responded that the action reflects approval of the report which informs what the administrator classified it as and what the consequences were.

Mr. Coates, Board Attorney, clarified that you are accepting what is presented to you, not judging what's happened at a different level creating a record that proper procedure has been followed.

Mr. Connolly thanked all donors to the District and asked if we have ever disapproved any volunteers.

Dr. Forsthoffer responded that he is not aware of this ever occurring at least while he has been Superintendent, and that the list of volunteers are approved initially by the school principal.

Mr. Lavery responded that if one has a concern about a volunteer's approval it should be immediately discussed with the principal.

Mr. Ettman commented that requiring a background check of Board of Education members but not District volunteers and chaperones that have close contact with our students is an aberration. We really have no idea who these people are that are volunteering with our students.

Ms. Fallon commented that it is good that volunteers have to sign up and know that that they will go on public record and require Board approval; this is more than we used to do.

**ACTION**:

Mr. Stumbaugh polled the Board. On a roll call vote, motion to approve the routine items by exception was carried unanimously.

**17. SECOND OPPORTUNITY FOR PUBLIC COMMENT**

No one spoke.

**18. SECOND OPPORTUNITY FOR BOARD MEMBERS' COMMENTS**

Mr. Lavery commented on the need for a Board QSAC representative. Depending on the scheduling, Ms. Abel or Ms. Harrington will fulfill this obligation.

Mr. Lavery expressed his thanks to all involved in working on the District Goals.

**19. EXECUTIVE SESSION**

Board went into closed session to discuss the following matters:

1. Contract Negotiations
2. Attorney/Client Privilege – Settlement Agreements for two Special Education cases
3. Student Matters-Bullying

**On the matter of the Special Education settlements Board reviewed and discussed the agreements in closed session and were signed accordingly.**

**20. OPEN SESSION**

**21. ADJOURN**

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**Kurt Stumbaugh, Board Secretary**