

**HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION
NONPUBLIC SERVICES AGREEMENT
New Jersey Nonpublic School Textbook Program**

2017-2018 SCHOOL YEAR

THIS AGREEMENT made the first day of July 2017 between the Hunterdon County Educational Services Commission, County of Hunterdon, State of New Jersey, hereinafter referred to as HCESC, and the **FRANKLIN (Hunterdon)** Board of Education in the County of Hunterdon, State of New Jersey, hereinafter referred to as the Public School District.

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

-The terms and conditions of this Agreement shall be in effect from July 1, 2017 through and including June 30, 2018. This contract is renewable for the 2018-2019 school year.

-In the event a Public School District fails to remit funds to the HCESC within the time schedule set forth above, HCESC shall have the right to discontinue services without further notice.

- The District will require the nonpublic school(s) to forward all State required reports, forms and applications directly to the HCESC to assure timely service to eligible students.

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

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

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

THEREFORE, BE IT RESOLVED that the **FRANKLIN** Board of Education enters into an agreement with the HCESC whereby the HCESC will administer a nonpublic textbook program for those eligible students attending nonpublic schools located within the district for the 2016-2017 school year, in accordance with 18A:58-37-1 et seq.

BE IT FURTHER RESOLVED that the **FRANKLIN** Board of Education agrees to pay the total amount allocated by the State for the New Jersey Nonpublic School Textbook Program to the HCESC on or before July 31, 2017. An administrative fee of 10% of the total allocation to the district is due upon receipt of the invoice. The 10% fee is not, as per state law, to be withheld or paid by, any state textbook allocation. Any unexpended funds will be refunded and returned to the local district no later than June 30, 2018.

INDEMNIFICATION: FRANKLIN Board of Education agrees to indemnify, defend and hold harmless HCESC from and against any and all claims, penalties, demands, causes of actions, damages, losses. Liabilities, costs, expenses, including reasonable attorney's fees, in law or in equity, of any kind or nature whatsoever, arising out of or in any manner directly or indirectly related to District's obligations pursuant to this Agreement, except to the extent attributable to the gross negligence or willful misconduct of HCESC, its agents, representatives, officers, or employees. This section shall survive the termination of this Agreement and the completion of the parties' duties under this Agreement.

IN WITNESS WHEREOF, the Board of Directors of the Hunterdon County Educational Services Commission and the **FRANKLIN** Board of Education has, by resolution, directed their Presidents and Secretaries to set their signature and affix their seal. A certified copy of the Public School District resolution is annexed hereto.

FRANKLIN (Hunterdon) BOARD OF EDUCATION

Attest:

BA/Board Secretary

Date

President

Date

HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION

Attest:

HCESC BA/Board Secretary Corinne Steinmetz

Date

HCESC Board President Charles Miller

Date

APPROVAL:

EXECUTIVE COUNTY SUPERINTENDENT OF SCHOOLS

Date