

**HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION
NONPUBLIC SERVICES AGREEMENT
New Jersey Nonpublic School Technology Initiative 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 Somerset, 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, the board of education in a public school district in NJ is required to provide technology to all students attending a nonpublic school located in the public school district, who are residents of New Jersey enrolled in grades kindergarten through 12; and,

WHEREAS, no Board of Education is required to expend funds for the purchase and loan of 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 technology 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 (H)** Board of Education enters into an agreement with the HCESC whereby the HCESC will administer a nonpublic technology initiative program for those eligible students attending nonpublic schools located within the district for the 2016-2017 school year for the purpose of enhancing the instructional process for nonpublic school students.

BE IT FURTHER RESOLVED that the **Franklin (H)** Board of Education agrees to pay the total amount allocated by the State for the New Jersey Nonpublic School Technology Initiative Program to the HCESC on or before September 30, 2017. An administrative fee of 5% of the total allocation to the district is due upon receipt of the invoice, which is permitted to be deducted from the allocation amount. Any unexpended funds will be refunded and returned to the local district no later than June 30, 2018.

INDEMNIFICATION: Franklin (H) 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 (H)** 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/Secretary Corinne Steinmetz Date

HCESC President Charles Miller Date

APPROVED:

Executive County Superintendent of Schools Date