

SPRINGFIELD BOARD OF EDUCATION

NOVEMBER 16, 2020

REGULAR MEETING

The Springfield Board of Education is committed to providing high quality, efficient educational programs through which all students achieve the New Jersey Core Curriculum Contents Standards. Every effort is made to ensure that the district's certificated and support personnel are among the best in their fields.

The staff and Board of Education are dedicated to maintaining excellence in the delivery of child-centered educational programs. Very simply stated, in Springfield...SCHOOLS ARE FOR KIDS!

A Regular Meeting of the Board of Education of the Township of Springfield in the County of Union, New Jersey, was held via electronic media through zoom on Monday, November 16, 2020 at 7:05 P.M.

President's Statement: Pursuant to the New Jersey Open Public Meetings Act, Public Law 1975, Chapter 231, the Board Secretary caused notice of the meeting to be given to the public and the press on January 6, 2020 and revised on October 30, 2020. The public comment format for this meeting is as follows – attendees wishing to comment during the public sessions will enter their name and address in the Q&A. The President of the Board of Education will recognize the attendee at the appropriate time by allowing the attendee to use audio or audio and video function to ask a question or make a comment.

1. CALL TO ORDER

The meeting was called to order by Board President, Mr. Marc Miller.

Present: Mr. Anthony Delia, Mrs. Laura Gamarekian, Mr. Hector Munoz, Mrs. Meredith Murphy, Mrs. Kristy Rubin, Mrs. Paula Saha, Mr. Scott Silverstein, Mrs. Hilary Turnbull, Mr. Marc Miller

Also Present:

Mrs. Rachel Goldberg, Superintendent

Mr. Matthew Clarke, Business Administrator/Board Secretary

Mrs. Erica Scudero, Assistant Superintendent for Curriculum, Instruction & Assessment

Mrs. Dana Kelly, Director of Human Resources

2. PLEDGE OF ALLEGIANCE

3. EMERGENCY REGULATIONS

Moved by Mrs. Gamarekian, seconded by Mr. Silverstein, approval of the resolution regarding emergency regulations:

**WHEREAS**, the New Jersey Department of Community Affairs enacted emergency regulations that require public bodies (e.g., municipalities, boards of education, etc.) to meet certain criteria if the public body is holding a remote public meeting during a state of emergency; and

**WHEREAS**, the Springfield Board of Education ("Board") is required by the aforementioned regulations to adopt procedures for public comment made during remote meetings during a state of emergency.

**NOW THEREFORE**, be it resolved that:

1. The Board Secretary shall announce publicly, and shall cause to be entered in the minutes of the meeting, an accurate statement to the effect that either: (1) both adequate and electronic notice of the meeting has been provided, specifying the time, place, and manner in which such notice was provided; or (2) only electronic notice of the meeting has been provided, specifying the time, place, and manner in which such notice was provided, and that discussion and effectuation of public business shall be limited to the matters included in *N.J.A.C. 5:39-1.5(g)*;
  2. In the event the Board conducts a remote meeting during a state of emergency, the Board shall allow members of the public to make comments via audio or audio and video. Individuals will be prompted to enter their name and address in the Q&A function, and the Board shall hear the comments in the order received. All of the Board's Policies and Regulations related to public participation in board meetings shall remain in effect, including, but not limited to, the presiding officer's ability to limit each statement made by a participant to a 3 minute duration;
  3. If a member of the public becomes disruptive during any portion of the remote public meeting, the Board President shall mute, or direct appropriate staff to mute, the disruptive member of the public. The disruptive individual shall receive a warning that continued disruption may result in the individual being removed from the remote meeting or muted at future remote meetings. Disruptive conduct includes, but is not limited to, shouting, interruption, or use of profanity. If time permits, the Board may allow the disruptive individual to make a public comment at the conclusion of the public comment portion, but reserves the right to continue muting or remove the disruptive individual if the disruptive behavior persists.
  4. These procedures and requirements for making public comment, along with an explanation of the audio muting function of the electronic communications platform being used, shall be announced by the Board President at the beginning of each remote public meeting during a state of emergency.
4. COMMUNICATIONS
- a. NJSBA
    - i. NJSBA Virtual Assembly is November 21<sup>st</sup> at 9AM.
    - ii. Spotlight your student filmmakers – Submission deadline is January 8<sup>th</sup>.
    - iii. Education Groups encourage schools to hold Military Opportunities Day.
    - iv. School Board Notes- November 4<sup>th</sup> and 10<sup>th</sup>.
    - v. Mandated Training FY 2020 – you should have received an email from the Call Center regarding your online training for either governance II, III, or IV. Needs to be completed by 12/31.
  - b. GSCS – News and Notes – November 2<sup>nd</sup> and 9<sup>th</sup>.
  - c. TOS Zoning Board Notice – applicant seeking a variance approvals (Brook Street).

5. MINUTES

Moved by Mrs. Gamarekian, seconded by Mr. Silverstein, to approve the following minutes:

Regular Meeting - November 2, 2020

Present: Mr. Anthony Delia, Mrs. Laura Gamarekian, Mr. Hector Munoz, Mrs. Meredith Murphy, Mrs. Kristy Rubin, Mrs. Paula Saha, Mr. Scott Silverstein, Mrs. Hilary Turnbull, Mr. Marc Miller

MOTION CARRIED

6. SUPERINTENDENT'S REPORT

Moved by Mrs. Gamarekian, seconded by Mrs. Rubin, to accept and approve the Superintendent's Report as presented –

1. 2019-2020 HIB Self-Assessment scores
2. District Goals
3. Student/Staff Recognitions
4. HIB Report (The Board will go into closed session at the end of the meeting if specific clarification is needed.)
5. Building Usage Request
6. Fund Raiser Request

Yeas: Unanimous by all Members present.

MOTION CARRIED

7. PUBLIC SESSION (7:29 PM – 7:30 PM)

The following member of the public had questions or comments regarding the Superintendents Report on Cultural Diverse classes for younger students.

- Anderson Blair

8. BILLS LIST

Moved by Mrs. Rubin, seconded by Mr. Delia, approval of check numbers 047206 through 047349 and wire transfers 800192 and 888552 through 888562 for a total of \$3,688,320.16 minus voided check numbers 047155 and 047205 in the amount of \$6,653.09 for a total of \$3,681,667.07.

Yeas: Unanimous by all Members present.

MOTION CARRIED

9. TRANSFERS

Moved by Mrs. Rubin, seconded by Mr. Delia, approval of the transfer of funds from and to the following line item accounts as designated. (Attachment A)

Yeas: Unanimous by all Members present.

MOTION CARRIED

10. PERSONNEL APPOINTMENTS

Moved by Mrs. Gamarekian, seconded by Mr. Silverstein, at the recommendation of the Superintendent, approval of the appointment of personnel on the attachment all such contracts being subject to future action on account of substantial reductions in State School Aid by virtue of the state of emergency and resulting Statewide Financial dislocation. (Attachment B)

Yeas: Unanimous by all Members present.

MOTION CARRIED

11. SPECIAL EDUCATION PLACEMENTS

Moved by Mrs. Gamarekian, seconded by Mr. Silverstein, at the recommendation of the Superintendent, that the Board of Education approve Special Education request for Related Services/Placements on the attachment. (Attachment C)

Yeas: Unanimous by all Members present.

MOTION CARRIED

12. HIB REPORT

Moved by Mrs. Gamarekian, seconded by Mr. Silverstein, at the recommendation of the Superintendent, that the Board of Education affirms the HIB Report previously presented at the following Board meeting: November 2, 2020.

- a. HIB Case # 010-2021-01

Yeas: Unanimous by all Members present.

MOTION CARRIED

13. SCHOOL SECURITY GRANT – ALYSSA’S LAW

Moved by Mr. Delia, seconded by Mrs. Saha, at the recommendation of the Superintendent, approval to authorize the Business Administrator/Board Secretary to submit an application for School Security Grant (Alyssa’s Law) in the amount of \$119,757.

Yeas: Unanimous by all Members present.

MOTION CARRIED

14. FIRST READING - BY LAW

Moved by Mr. Silverstein, seconded by Mrs. Gamarekian, to approve the first reading of the following bylaw (Attachment ( D1):

- a. 0164.6 - Remote Public Board Meeting During a Declared Emergency

Yeas: Unanimous by all Members present.

MOTION CARRIED

15. 2<sup>nd</sup> AND FINAL READING - POLICY AND REGULATION

Moved by Mr. Silverstein, seconded by Mrs. Gamarekian, to approve the second and final reading of the following policy and regulation (Attachment D2):

- b. 8561 - Procurement Procedures for School Nutrition Programs

Yeas: Unanimous by all Members present.

MOTION CARRIED

16. PUBLIC SESSION

The public did not have any questions or comments at this time.

17. NEW BUSINESS

- a. Election results have not been finalized as we await official notification from the Board of Elections.

18. ADJOURNMENT

Moved by Mrs. Gamarekian, seconded by Mr. Silverstein, to adjourn the regular meeting at 7:45 PM.

Yeas: Unanimous by all Members present.

MOTION CARRIED

Upcoming Meetings:

1. Regular Meeting – December 7, 2020 at 7:30 PM in the IMC at JDHS
2. Regular Meeting – December 21, 2020 at 7:30 PM in the IMC at JDHS

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Matthew A. Clarke  
Business Administrator/Board Secretary

**Transfer  
October 2020**

Attachment (A)

<b>Account Code</b>	<b>Description</b>	<b>To</b>	<b>From</b>
11-110-100-101-00-10	SALARIES OF TEACHERS KINDERGARTEN		1,000.00
11-110-100-101-01-10	SUBSTITUTES K	1,000.00	
11-120-100-101-00-10	SALARIES TEACHERS 1-5		5,000.00
11-120-100-101-01-10	SUBSTITUTES 1-5	5,000.00	
11-190-100-610-13-07	TEACHER AIDES HEALTH TLS	25.00	
11-190-100-610-20-08	TEACHERS SUPPLIES MUSIC JC		72.00
11-190-100-610-21-08	TEACHER SUPPLIES PE JC	72.00	
11-190-100-610-22-14	TEACHER SUPPLIES SCIENCE JDHS	2,476.00	
11-190-100-610-80-04	TEACHER SUPPLIES CUR+STAFF DEV		2,476.00
11-190-100-610-82-07	TEACHER SUPPLIES OFFICE TLS		25.00
11-204-100-106-40-11	EXTEND SALARY NI AIDES		500,000.00
11-204-100-106-50-10	SALARIES OF AIDES N.I.	500,000.00	
11-215-100-101-40-11	SAL.EXTENDED SUMMER PSH		10,000.00
11-215-100-101-57-10	SALARIES TEACHERS PSH	10,000.00	

Last Name	First Name	Position	Location	Guide/Step	Salary	Replacement/ Renewal/New	Additional Information	Effective Date
<b>Certificated Staff</b>								
Mortensen	Jen	Rescind Volunteer Club Advisor	JDHS	---	As per Schedule E	---	---	10/16/2020 - 06/23/2021
Mortensen	Jen	Co-Advisor Volunteer Club Advisor	JDHS	---	As per Schedule E	---	split stipend with JM	10/16/2020 - 06/23/2021
Maged	Jillian	Co-Advisor Volunteer Club Advisor	JDHS	---	As per Schedule E	---	split stipend with JM	10/16/2020 - 06/23/2021
Paolino	Cheryl	1 period full year	JDHS	---	\$2,625.52	---	---	11/02/2020 - 06/22/2021
Gabriel	Len	6th period all year	JDHS	---	\$17,349.00	---	---	09/10/2020 - 06/22/2021
Cugliari	Mark	Crowd Control/Event Staff	JDHS	---	As per Schedule E	Renewal	---	9/1/2020 - 12/31/2020
White	Christopher	Crowd Control/Event Staff	JDHS	---	As per Schedule E	Renewal	---	9/1/2020 - 12/31/2020
Stearns	Lindsay	Crowd Control/Event Staff	JDHS	---	As per Schedule E	Renewal	---	9/1/2020 - 12/31/2020
O' Brien	Michael	Crowd Control/Event Staff	JDHS	---	As per Schedule E	Renewal	---	9/1/2020 - 12/31/2020

Last Name	First Name	Position	Location	Guide/Step	Salary	Replacement/ Renewal/New	Additional Information	Effective Date
<b>Substitute/Home instructor/Volunteer</b>								
Martin	Brian	Substitute Teacher	District	---	---	Renewal	County Sub Cert	11/17/2020 - 6/30/2021
Athan	Lisa	Substitute Teacher	District	---	---	Renewal	County Sub Cert + BA	11/17/2020 - 6/30/2021
Robinson	Aaron	Substitute Teacher	District	---	---	New	Teaching Cert	11/17/2020 - 6/30/2021
Calvey	Christopher	Leave Replacement Phys Ed./Health Teacher	FMG	---	---	New	Teaching Cert	11/17/2020 - 1/28/2021

Last Name	First Name	Position	Location	Guide/Step	Salary	Replacement/ Renewal/New	Additional Information	Effective Date
<b>Non-Certificated</b>								
Proto	Teresa	Secretary to Technology Supervisor	Central Office	---	---	---	Retirement	1/1/2021
Campos	Mary Jo	Crowd Control/Event Staff	JDHS	---	As per Schedule E	Renewal	---	9/1/2020 - 12/31/2020
Limma	Catherine	Crowd Control/Event Staff	JDHS	---	As per Schedule E	Renewal	---	9/1/2020 - 12/31/2020
Pocaro	Jessica	Clerk	FMG	---	---	---	Resignation	***

Last Name	First Name	Position	Location	Guide/Step	Salary	Replacement/ Renewal/New	Additional Information	Effective Date
<b>Before and After School Program/Childcare</b>								

**" A school district or charter school .....may employ....for a period not to exceed 90 days pending review by the school district providing all the following are satisfied:**  
**Applicant complied with providing list**  
**School district has no knowledge or information that the applicant would be required to disclose under the law**  
**School district determines special or emergent circumstances exist that justify the temporary employment of this applicant"**  
*Springfield Board of Education Regular Meeting 11/16/2020*  
**\*\*\*Resignation subject to the requirements provided by law**

**Special Education Request  
Related Services/OOD Placements**

Attachment ( C )

**RELATED SERVICES REQUEST**

<u>Vendor</u>	<u>Related Service</u>	<u>Rate</u>	<u>Hours/days/week</u>	<u>Term</u>	<u>Student</u>
Union County Ed Services Westfield, NJ	Home Instruction	\$70.00/hour		20-21SY	0810

**OF DISTRICT PLACEMENT REQUEST**

<u>School/Placement</u>	<u>Student</u>	<u>Tuition</u>	<u>Term</u>	<u>Comments</u>
Rutgers Day School Piscataway, NJ	0802	\$85,620.00	20-21SY	
Summit Public School Summit, NJ	0720	\$64,497.00	20-21SY	



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0164.6 REMOTE PUBLIC BOARD MEETINGS DURING  
A DECLARED EMERGENCY

A. Purpose – N.J.A.C. 5:39-1.1

1. The purpose of N.J.A.C. 5:39-1.1 et seq. and Bylaw 0164.6 is to ensure a Board of Education or Board of Trustees of a charter school can conduct official public business in an open and transparent manner whenever a declared emergency requires a local public body to conduct a public meeting without physical attendance by members of the public.
2. Nothing in N.J.A.C. 5:39-1.1 et seq. prevents a local public body from holding a remote public meeting under such other circumstances as may be permitted by the Open Public Meetings Act, N.J.S.A. 10:4-1 et seq.

B. Definitions – N.J.A.C. 5:39-1.2

For the purpose of this Bylaw and in accordance with N.J.A.C. 5:39-1.2, the following words and terms have the following meanings, unless the context clearly indicates otherwise:

"Adequate notice" shall have the same definition as at N.J.S.A. 10:4-8; however, for the purpose of N.J.A.C. 5:39-1.1 et seq., and to the extent not otherwise set forth at N.J.S.A. 10:4-8, the notice transmitted to at least two newspapers for publication may occur through electronic mail or other electronic means that is accepted or requested by the newspaper.

"Annual notice" means a schedule of regular meetings of the public body to be held in the succeeding year noticed pursuant to N.J.S.A. 10:4-8 and 10:4-18. For the purpose of N.J.A.C. 5:39-1.1 et seq., the annual notice may be transmitted through electronic mail to newspapers and persons requesting an annual notice pursuant to N.J.S.A. 10:4-18. If the declared emergency prevents the local public body from mailing an annual notice to individuals requesting notice pursuant to N.J.S.A. 10:4-18, it shall be mailed to individuals for whom the local public body does not have an electronic mail account as soon as practicable.



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“Board” or “Board of Education” means a Board of Education or a Board of Trustees of a charter school as defined as a “local public body” or “public body” as per N.J.A.C. 5:39-1.2.

"Declared emergency" means a public health emergency, pursuant to the Emergency Health Powers Act, P.L. 2005, c. 222 (N.J.S.A. 26:13-1 et seq.), or a state of emergency, pursuant to P.L. 1942, c. 251 (N.J.S.A. App.A.9-33 et seq.), or both, or a state of local disaster emergency that has been declared by the Governor and is in effect.

"Electronic notice" means advance notice available to the public via electronic transmission of at least forty eight hours, giving the time, date, location and, to the extent known, the agenda of any regular, special, or rescheduled meeting, which shall accurately state whether formal action may or may not be taken at such meeting.

"Internet" means the international computer network of both Federal and non-Federal interoperable packet switched data networks.

"Live streaming" means the live audio and video transmission of a remote public meeting over the Internet.

"Local public body" means any "public body," as that term is defined in N.J.S.A. 10:4-8, with territorial jurisdiction equal to or less than a county. This term shall include Boards of Education, counties, municipalities, boards and commissions created by one or more counties or municipalities, and any authorities subject to N.J.S.A. 40A:5A-1 et seq., including fire districts and other special districts, along with joint meetings or regional service agencies as defined in N.J.S.A. 40A:65-3.

"Public business" means and includes all matters which relate in any way, directly or indirectly, to the performance of the public body’s functions or the conduct of its business.

"Public meeting" means and includes any gathering whether corporeal or by means of communication equipment which is attended by, or open to, all of the members of a public body, held with the intent, on the part of the members of the body present, to discuss or act as a unit upon the specific



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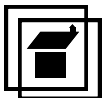
public business of that body. Meeting does not mean or include any such gathering (1) attended by less than an effective majority of the members of a public body, or (2) attended by or open to all the members of three or more similar public bodies at a convention or similar gathering.

"Remote public meeting" means a public meeting that is conducted by any means of electronic communication equipment permitted pursuant to N.J.A.C. 5:39-1.1 et seq.

- C. Circumstances Under Which a Board of Education May Hold a Remote Public Meeting During a Declared Emergency for Conducting Public Business – N.J.A.C. 5:39-1.3
1. In addition to any circumstances under which public meetings held by means of communication equipment may be authorized pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-1 et seq., the Board may hold a remote public meeting to conduct public business during a declared emergency if the emergency reasonably prevents the Board from safely conducting public business at a physical location with members of the public present.
  2. If, during a declared emergency, the Board holds a physical meeting in a location where, pursuant to State and/or Federal guidelines meant to mitigate the risk of a contagious infection, the declared emergency necessitates capacity restrictions reducing the number of individuals that can be present in the meeting room to an amount below that reasonably expected for the public meeting by the Board, the Board must either hold the public meeting at another location with adequate capacity for the reasonably expected attendance by the public or hold the public meeting as both an in-person meeting and a remote public meeting.
    - a. As set forth at N.J.A.C. 5:39-1.4(c), no in-person meeting shall proceed if the room capacity does not permit any member of the public to attend.

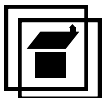


3. Nothing in N.J.A.C. 5:39-1.3 shall be interpreted to prevent the Board from broadcasting the audio and/or video of, or taking remote public comment during, a public meeting that the public can physically attend without being subject to public health-related capacity restrictions.
- D. Minimum Technological and Procedural Requirements for Remote Public Meetings Necessitated by a Declared Emergency – N.J.A.C. 5:39-1.4
1. If a declared emergency requires the Board to hold a remote public meeting to conduct public business, the Board shall use an electronic communications technology that is routinely used in academic, business, and professional settings, and can be accessed by the public at no cost.
    - a. Participant capacity on the selected platform should be consistent with the reasonable expectation of the public body for public meetings of the type being held and shall not be limited to fewer than fifty public participants (beyond those persons required to conduct business at the meeting).
  2. Remote public meetings may be held by means including, but not limited to, audio-only teleconferencing, electronic communications platforms with video and audio, and Internet-accessible technology, such as live-streaming.
    - a. If an electronic communications platform or Internet-accessible technology is being utilized for a remote public meeting, a telephonic conference line shall also be provided to allow members of the public to dial-in by telephone to listen and provide public comment as otherwise required by law.
    - b. The Board shall require members of the public to state, prior to providing public comment, whether they wish to speak and to identify themselves prior to speaking.



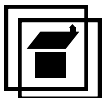
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3. The Board shall provide the public with similar access to a remote public meeting as members of the Board, staff of the Board, and any individuals seeking one or more approvals from the Board.
  - a. If a remote public meeting is held by audio and video, the public shall also have the opportunity to participate in the meeting in both audio and video capacities.
  - b. The Board meeting held in-person shall not prohibit members of the public from attending in-person.
4. Any remote public meeting where sworn testimony is being taken shall be broadcast by video, as well as by audio.
  - a. All individuals giving sworn testimony at a remote public meeting shall appear by video in addition to audio.
5. Any presentations or documents that would otherwise be viewed or made available to members of the public physically attending the Board meeting shall be made visible on a video broadcast of the remote public meeting or made available on the Internet website or webpage of the entity governed by the Board, or the Internet website or webpage of the entity responsible for appointing the members of the Board.
  - a. If a document would be made available to individual members of the public in hard copy while physically attending the meeting, the document shall be made available in advance of the meeting for download through an internet link appearing either on the meeting notice, or near the posting of the meeting notice, both on the website and at the building where the meeting would otherwise be held.
  - b. If the Board does not have its own website, such documents shall be available upon request ahead of the meeting and provided through an official social media account if one exists.



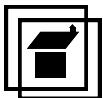
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6. The Board holding a remote public meeting shall allow members of the public to make public comment by audio, or by audio and video, if the remote public meeting is held over both audio and video, during the meeting.
  - a. The Board shall not accept text-based public comment received during a remote public meeting held through an electronic communications platform or Internet-accessible technology. Public comments submitted before the remote public meeting through electronic mail or by written letter shall be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public.
  - b. The President of the Board may impose a reasonable time limit, where permitted by law, on individual public comments and the same limits shall be placed on the reading of written comments. Each comment shall be read from the beginning, until the time limit is reached. The Board may pass over duplicate written comments; however, each duplicate comment shall be noted for the record with the content summarized. If the Board elects to summarize duplicative comments, the Board must not summarize certain duplicative comments while reading other duplicative comments individually.
7. The electronic communications technology used for a remote public meeting must have a function that allows the Board to mute the audio of all members of the public, as well as allow members of the public to mute themselves.
  - a. Any electronic communications platform or Internet-accessible technology used for a remote public meeting shall also allow the Board to regulate participation by individual members of the public.



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- b. A telephonic audio conference call line must have a queueing or similar function for regulating public comment.
8. Subject to D.5. and D.6. above, the Board shall adopt, by resolution, standard procedures and requirements for public comment made during a remote public meeting, as well as for public comments submitted in writing ahead of the remote public meeting.
- a. Such procedures and requirements shall include standards of conduct to be followed by members of the public when making comment.
  - b. The procedures and requirements for making public comment, along with an explanation of the audio muting function of the electronic communications platform being used, shall be announced at the beginning of the remote public meeting.
  - c. Regulation of conduct by members of the public on a remote public meeting shall be consistent with law and practices followed if a member of the public disrupts an in-person meeting. The following procedures shall be incorporated:
    - (1) The Board shall facilitate a dialogue with the commenter to the extent permitted by the electronic communications technology;

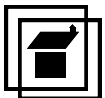


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### Remote Public Board Meetings During a Declared Emergency

- (2) If a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the member of the Board charged with running the remote public meeting shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn that continued disruption may result in being prevented from speaking during the remote public meeting or removed from the remote public meeting.
    - (a) Disruptive conduct includes sustained inappropriate behaviors, such as, but not necessarily limited to, shouting, interruption, and use of profanity.
  - (3) A member of the public who continues to act in a disruptive manner after receiving an initial warning may be muted while other members of the public are allowed to proceed with their questions or comments.
    - (a) If time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make their comment. Should the person remain disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed from the remote public meeting.
9. Electronic communications platforms and Internet-accessible technologies used for remote public meetings shall be hosted on FedRAMP Moderate Impact Level Authorized dedicated servers or in a FedRAMP Moderate Impact Level Authorized Cloud, unless the host of the dedicated servers or cloud provides annual evidence of satisfactory cybersecurity internal controls through a SOC2 audit report.





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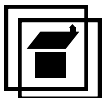
#### Remote Public Board Meetings During a Declared Emergency

- a. When using cloud services, the technology vendor shall check provider credentials and contracts to ensure FedRAMP Moderate Impact compliance unless annual evidence of satisfactory internal controls is provided through a SOC2 audit report.
- E. Notice of Remote Public Meetings; Statement in Minutes – N.J.A.C. 5:39-1.5
1. Adequate notice of a remote public meeting must include, in addition to the content required pursuant to N.J.S.A. 10:4-8, clear and concise instructions for accessing the remote public meeting, the means for making public comment, and where relevant documents, if any, will be made available.
  2. In addition to adequate notice, the Board shall also provide electronic notice of a remote public meeting, except as may be permitted pursuant to N.J.S.A. 10:4-9.3 and E.3. below.
    - a. The electronic notice shall contain the content required pursuant to N.J.S.A. 10:4-8 and 10:4-9.1 and E.1. above, and shall be posted on the Internet website or webpage of Board and/or school district, or the entity responsible for appointing the members of the Board.
      - (1) If the Board does not have a website, electronic notice shall be provided on an official social media platform of the Board; however, electronic notice is not required if the Board does not have an internet presence.
      - (2) Unless otherwise prohibited by the declared emergency, the content of the electronic notice shall also be posted on the main access door of the building where the public would routinely attend public meetings of the Board in-person. The notice must be viewable from the outside.



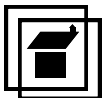
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3. If during a declared emergency the Board elects to issue electronic notice of a remote public meeting in lieu of, rather than in addition to, adequate public notice, as permitted pursuant to N.J.S.A. 10:4-9.3, the Board shall limit public business discussed or effectuated at the meeting to matters:
  - a. Necessary for the continuing operation of government and which relate to the emergency declaration connected with the declared emergency; or
  - b. Requiring decision during the remote public meeting due to imminent time constraints.
4. Nothing in N.J.A.C. 5:39-1.5 prohibits the Board from holding a remote public meeting, notwithstanding the failure to provide adequate notice and electronic notice where permitted pursuant to N.J.S.A. 10:4-9.
5. If the Board expects to conduct remote public meetings for a series of regularly scheduled meetings advertised in its annual notice, the annual notice shall be revised at least seven days prior to the next regularly scheduled meeting, indicating which meeting(s) will be held as a remote public meeting and shall contain clear and concise instructions for accessing those remote public meetings, the means for making public comment, and where relevant documents, if any, will be made available.
  - a. In addition to the means of notice transmission required pursuant to N.J.S.A. 10:4-18, the revised annual notice shall be posted on the Internet website or webpage of the Board and/or school district, or the entity responsible for appointing the members of the Board.
  - b. If the Board does not have its own website, the revised notice shall be provided on an official social media platform unless the Board does not have an Internet presence.



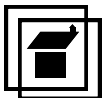
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- c. Unless otherwise prohibited by the declared emergency, the content of the electronic notice shall also be posted on the door of the main public entrance to the building where the public would routinely attend public meetings held by the Board.
  - (1) Notice must also be posted on the door for any designated and clearly delineated handicap accessible entrance. These notices must be viewable from the outside.
  
- 6. If a previously scheduled Board meeting was to allow public attendance without a public health-related restriction as to capacity, but the Board intends to hold the same meeting as a remote public meeting due to a declared emergency and the change is not reflected in a revised annual notice issued pursuant to E.5. above, the Board shall issue adequate and electronic notice for said meeting pursuant to E.1. and E.2. above as if the meeting were not included in the annual notice.
  
- 7. At the commencement of every remote public meeting of the Board, the person presiding shall announce publicly, and shall cause to be entered in the minutes of the meeting, an accurate statement to the effect that:
  - a. Both adequate and electronic notice of the meeting has been provided, specifying the time, place, and manner in which such notice was provided;
  
  - b. Only electronic notice of the meeting has been provided, specifying the time, place, and manner in which such notice was provided, and that discussion and effectuation of public business shall be limited to only those matters:
    - (1) Necessary for the continuing operation of government and that relate to the applicable emergency declaration; or



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- (2) Requiring decision during the remote public meeting due to imminent time constraints; or
  - c. That adequate notice and electronic notice was not provided, in which case such announcement shall state:
    - (1) The reason(s) why the matter(s) discussed are of such urgency and importance, as contemplated pursuant to N.J.S.A. 10:4-9(b)(1), and the nature of the substantial harm to the public interest likely to result from a delay in the holding of the meeting;
    - (2) That the remote public meeting will be limited to discussion of, and acting with respect to, such matters of urgency and importance;
    - (3) The time, place, and manner in which notice of the meeting was provided; and
    - (4) Either that the need for such meeting could not reasonably have been foreseen at a time when adequate notice and/or electronic notice could have been provided, in which event, such announcement shall specify the reason why such need could not reasonably have been foreseen; or that such need could reasonably have been foreseen at a time when adequate notice and/or electronic notice could have been provided, but such notice was not provided, in which event the announcement shall specify the reason why adequate notice and/or electronic notice was not provided.
8. Where the Board is required by law to provide a meeting agenda, or otherwise provides a meeting agenda by practice at its regularly scheduled meetings, prior to the commencement of the remote public meeting, the Board shall also make a copy of the agenda available to the public for download through an Internet link appearing either on the meeting notice, or near the posting of the meeting notice on the website.



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- a. The notice shall also be posted at the building where the meeting would otherwise be held prior to the commencement of the remote public meeting.

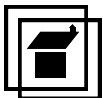
F. Executive or Closed Session During Remote Public Meetings

1. A Board entering into an executive or closed session shall ensure that audio or video of the session cannot be accessed, except by those individuals that are participating in the session.
  - a. A separate non-public conference line or e-platform session may be employed for this purpose.
2. The secretary of the Board should take roll call with each individual affirmatively identifying themselves prior to commencing the closed session.
3. If a closed session is held through a telephonic conference call a separate call-in line should be made available to ensure confidentiality.
4. For closed sessions during remote public meetings held through video conferencing, audio recording should be muted and video recording blocked by a graphic labeled "Executive Session".
5. As with in-person meetings, the Board shall have read into the record the reason(s) for entering into executive session.

N.J.A.C. 5:39-1.1 et seq.

Adopted:

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## 8561 PROCUREMENT PROCEDURES FOR SCHOOL NUTRITION PROGRAMS

The Board of Education adopts this Policy to identify their procurement plan for the United States Department of Agriculture's (USDA) School Nutrition Programs. School Nutrition Programs include, but are not limited to: the National School Lunch Program (NSLP); School Breakfast Program (SBP); Afterschool Snack Program (ASP); Special Milk Program (SMP); Fresh Fruit and Vegetable Program (FFVP); Seamless Summer Option (SSO) of the NSLP; Summer Food Service Program (SFSP); the At-Risk Afterschool Meals component of the Child and Adult Care Food Program (CACFP); and the Schools/Child Nutrition USDA Foods Program.

The Board of Education is ultimately responsible for ensuring all procurement procedures for any purchases by the Board of Education and/or a food service management company (FSMC) comply with all Federal regulations, including but not limited to: 7 CFR Parts 210, 220, 225, 226, 245, 250; 2 CFR 200; State procurement statutes and administrative codes and regulations; local Board of Education procurement policies; and any other applicable State and local laws.

The procurement procedures contained in this Policy will be implemented beginning immediately, until amended. All procurements must maximize full and open competition. Source documentation will be maintained by the School Business Administrator/Board Secretary or designee and will be available to determine open competition, the reasonableness, the allowability, and the allocation of costs.

The Board of Education intentionally seeks to prohibit conflicts of interest in all procurement of goods and services.

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A. General Procurement

The procurement procedures will maximize full and open competition, transparency in transactions, comparability, and documentation of all procurement activities. The school district's plan for procuring items for use in the School Nutrition Programs is as follows:

1. The School Business Administrator/Board Secretary will ensure all purchases will be in accordance with the Federal Funds Procurement Method Selection Chart – State Agency Form #358 - Appendix. Formal procurement procedures will be used as required by 2 CFR 200.318 through .326 and any State and local procurement code and regulations. Informal procurement procedures (small purchase) will be required for purchases under the most restrictive small purchase threshold.
2. The following procedures will be used for all purchases:

Product/ Services	Estimated Dollar Amount	Procurement Method	Evaluation	Contract Award Type	Contract Duration/ Frequency

B. Micro-Purchase Procedures

1. Public/Charter Schools

Purchases of supplies or services, as defined by 2 CFR 200.67, will be awarded without soliciting competitive price quotations if the price is reasonable in accordance with N.J.S.A. 18A:18A-37(a) and below thresholds established by the State Treasurer for informal receipt of quotations. Purchases will be distributed equitably among qualified suppliers with reasonable prices. Records will be kept for micro-purchases.

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### Procurement Procedures for School Nutrition Programs

#### 2. Non-Public Schools

Purchases of supplies or services, within the Federal micro-purchase threshold (the aggregate amount does not exceed the Federal micro-purchase threshold as set by 2 CFR 200.67 will be awarded without soliciting competitive price quotations if the price is reasonable. Purchases will be distributed equitably among qualified suppliers with reasonable prices. Records will be kept for micro-purchases.

#### 3. Formal bid procedures will be applied on the basis of:

- centralized system;
- individual school;
- multi-school system; and/or
- State contract.

#### 4. Because of the potential for purchasing more than public or non-public informal/small purchase threshold amount, or the Board approved threshold if less, it will be the responsibility of the School Business Administrator/Board Secretary to document the amounts to be purchased so the correct method of procurement will be followed.

#### C. Formal Procurement

When a formal procurement method is required, the following competitive sealed bid or an Invitation for Bid (IFB) or competitive proposal in the form of a Request for Proposal (RFP) procedures will apply:

1. An announcement of an IFB or a RFP will be placed in the Board designated official newspaper to publicize the intent of the Board of Education to purchase needed items. The advertisement for bids/proposals or legal notice will be published in the official newspaper for at least one day in accordance with the provisions of N.J.S.A. 18A:18A-21.



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### Procurement Procedures for School Nutrition Programs

2. An advertisement in the official newspaper for at least one day is required for all purchases over the school district's small purchase threshold as outlined in Appendix – Federal Funds Procurement Method Section Chart. The advertisement will contain the following:
  - a. A general description of items to be purchased;
  - b. The deadline for submission of questions and the date written responses will be provided, including addenda to bid specifications, terms, and conditions as needed;
  - c. The date of the pre-bid meeting, if provided, and if attendance is a requirement for bid award;
  - d. The deadline for submission of sealed bids or proposals; and
  - e. The address of the location where complete specifications and bid forms may be obtained.
3. In an IFB or RFP, each vendor will be given an opportunity to bid on the same specifications.
4. The developer of written specifications or descriptions for procurements will be prohibited from submitting bids or proposals for such products or services.
5. The IFB or RFP will clearly define the purchase conditions. The following list includes requirements, not exclusive, to be addressed in the procurement document:
  - a. Contract period for the base year and renewals as permitted;
  - b. The Board of Education is responsible for all contracts awarded (statement);
  - c. Date, time, and location of IFB/RFP opening;

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- d. How the vendor is to be informed of bid acceptance or rejection;
- e. Delivery schedule;
- f. Requirements (terms and conditions) the bidder must fulfill in order for bid to be evaluated;
- g. Benefits to which the Board of Education will be entitled if the contractor cannot or will not perform as required;
- h. Statement assuring positive efforts will be made to involve small and minority businesses, women's business enterprises, and labor surplus area firms;
- i. Statement regarding the return of purchase incentives, discounts, rebates, and credits under a cost reimbursement FSMC contract to the Board of Education's nonprofit school food service account;
- j. Contract provisions as required in Appendix II to CFR 200;: 2
  - (1) Termination for cause and convenience – contracts in excess of \$10,000;
  - (2) Equal Opportunity Employment – “federally assisted construction contracts”;
  - (3) Davis-Bacon Act – construction contracts in excess of \$2,000;
  - (4) Contract work Hours and Safety Standards – contracts in excess of \$100,000;
  - (5) Right to inventions made under a contract or agreement – if the contract meets the definition of a “funding agreement” under 37 CFR 401.2(a);

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- (6) Clean Air Act – contracts in excess of \$150,000;
  - (7) Debarment and Suspension – all Federal awarded contracts;
  - (8) Byrd Anti Lobbying Amendment – contracts in excess of \$100,000; and
  - (9) Contracts must address administrative, contractual , or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
- k. Contract provisions as required in 7 CFR 210.21(f) for all cost reimbursable contracts;
  - l. Contract provisions as required in 7 CFR 210.16(a)(1-10) and 7 CFR 250.53 for food service management company contracts;
  - m. Procuring instrument to be used are purchase orders from firm fixed prices after formal bidding;
  - n. Price adjustment clause for renewal of multi-year contracts as defined in N.J.S.A. 18A:18A-42. The “index rate” means the annual percentage increase rounded to the nearest half percent in the implicit price deflator for State and local government purchases of goods and services computed and published quarterly by the U.S. Department of Commerce, Bureau of Economic Analysis;
  - o. Method of evaluation and type of contract to be awarded (solicitations using an IFB are awarded to the lowest responsive and responsible bidder; solicitations using a RFP are awarded to the most advantageous bidder/offeror with price as the primary factor among factors considered);

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### Procurement Procedures for School Nutrition Programs

- p. Method of award announcement and effective date (if intent to award is required by State or local procurement requirements);
- q. Specific bid protest procedures including contact information of person and address and the date by which a written protest must be received;
- r. Provision requiring access by duly authorized representatives of the Board of Education, New Jersey Department of Agriculture (NJDA), United States Department of Agriculture (USDA), or Comptroller General to any books, documents, papers, and records of the contractor which are directly pertinent to all negotiated contracts;
- s. Method of shipment or delivery upon contract award;
- t. Provision requiring contractor to maintain all required records for three years after final payment and all other pending matters (audits) are closed for all negotiated contracts;
- u. Description of process for enabling vendors to receive or pick up orders upon contract award;
- v. Provision requiring the contractor to recognize mandatory standards/policies related to energy efficiency contained in the Energy Policy and Conservation Act (PL 94-163);
- w. Signed statement of non-collusion;
- x. Signed Debarment/Suspension Certificate, clause in the contract or a copy of search results from the System for Award Management (SAM);

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### Procurement Procedures for School Nutrition Programs

- y. Provision requiring “Buy American” as outlined in CFR Part 210.21(d) and USDA Guidance Memo 38-2017, including specific instructions for prior approval and documentation of utilization of non-domestic food products only; 7 SP
  - z. Specifications and estimated quantities of products and services prepared by the school district and provided to potential contractors desiring to submit bids/proposals for the products or services requested-; and
  - aa. The Board of Education’s Electronic Signature Policy.
6. If any potential vendor is in doubt as to the true meaning of specifications or purchase conditions, questions may be sent to the School Business Administrator/Board Secretary. The School Business Administrator/Board Secretary or designee’s and will specify the deadline for all questions.
- a. The School Business Administrator/Board Secretary will be responsible for providing responses to questions and securing all bids or proposals.
  - b. The School Business Administrator/Board Secretary will be responsible to ensure all Board of Education procurements are conducted in compliance with applicable Federal, State, and local procurement regulations.
  - c. The following criteria will be used in awarding contracts as a result of bids/proposals. Price must be the highest weighted criteria. Examples of other possible criteria include quality, service, delivery, and availability.

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### Procurement Procedures for School Nutrition Programs

7. In awarding a RFP, a set of award criteria in the form of a weighted evaluation sheet will be provided to each bidder in the initial bid document materials. Price alone is not the sole basis for award, but remains the primary consideration among all factors when awarding a contract. Following evaluation and negotiations, a firm fixed price or cost reimbursable contract is awarded.
  - a. The contracts will be awarded to the responsible bidder/proposer whose bid or proposal is responsive to the invitation and is most advantageous to the Board of Education, price as the primary, and other factors considered. Any and all bids or proposals may be rejected in accordance with the law.
  - b. The School Business Administrator/Board Secretary or designee is required to sign on the bid tabulation of competitive sealed bids or the evaluation criterion score sheet of competitive proposals signifying a review and approval of the selections.
  - c. The School Business Administrator/Board Secretary shall review the procurement system to ensure compliance with applicable laws.
  - d. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product specified was received.
  - e. Any time an accepted item is not available, the School Business Administrator/Board Secretary will select the acceptable alternate. The contractor must inform the School Business Administrator/Board Secretary within one workday if a product is not available. In the event a nondomestic agricultural product is to be provided to the Board of Education, the contractor must obtain, in advance, written approval for the product. The School Business Administrator/Board Secretary must comply with the Buy American Provision.

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### Procurement Procedures for School Nutrition Programs

- f. Full documentation regarding the reason an accepted item was unavailable, and the procedure used in determining acceptable alternates, will be available for audit and review. The person responsible for this documentation is the School Business Administrator/Board Secretary.
- g. The School Business Administrator/Board Secretary is responsible for maintaining all procurement documentation.

#### D. Small Purchase Procedures

If the amount of purchases for items is less than the school district's small purchase threshold as outlined in the Federal Funds Procurement Method Selection Chart – See Appendix, the following small purchase procedures including quotes will be used. Quotes from a minimum number of three qualified sources will be required.

1. Written specifications will be prepared and provided to all vendors.
2. Each vendor will be contacted and given an opportunity to provide a price quote on the same specifications. A minimum of three vendors shall be contacted.
3. The School Business Administrator/Board Secretary or designee will be responsible for contacting potential vendors when price quotes are needed.
4. The price quotes will receive appropriate confidentiality before award.
5. Quotes/Bids will be awarded by the School Business Administrator/Board Secretary. Quotes/Bids will be awarded on the following criteria. Quote/Bid price must be the highest weighted criteria. Examples of other possible criteria include quality, service, delivery, and availability.
6. The School Business Administrator/Board Secretary will be responsible for documentation of records to show selection of vendor, reasons for selection, names of all vendors contacted, price quotes from each vendor, and written specifications.

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7. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product specified is received.
8. Any time an accepted item is not available, the School Business Administrator/Board Secretary will select the acceptable alternate. Full documentation will be made available as to the selection of the acceptable item.
9. The School Business Administrator/Board Secretary or designee is required to sign all quote tabulations, signifying a review and approval of the selections.

E. Noncompetitive Proposal Procedures

If items are available only from a single source when the award of a contract is not feasible under small purchase, sealed bid or competitive negotiation, noncompetitive proposal procedures will be used:

1. Written specifications will be prepared and provided to the vendor.
2. The School Business Administrator/Board Secretary will be responsible for the documentation of records to fully explain the decision to use the noncompetitive proposal. The records will be available for audit and review.
3. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product or service specified was received.
4. The School Business Administrator/Board Secretary will be responsible for reviewing the procedures to be certain all requirements for using single source or noncompetitive proposals are met.



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### Procurement Procedures for School Nutrition Programs

5. The noncompetitive micro-purchase method shall be used for one-time purchases of a new food item if the amount is less than the applicable Federal or State micro-purchase threshold to determine food acceptance by students and provide samples for testing purposes. A record of noncompetitive negotiation purchase shall be maintained by the School Business Administrator/Board Secretary or designee. At a minimum, the record of noncompetitive purchases shall include: item name; dollar amount; vendor; and reason for noncompetitive procurement.
6. A member or representative of the Board of Education will approve, in advance, all procurements that result from noncompetitive negotiations.

#### FE. Miscellaneous Provisions

1. New product evaluation procedures will include a review of product labels and ingredients; an evaluation of the nutritional value; taste tests and surveys; and any other evaluations to ensure the new product would enhance the program.
2. The Board of Education agrees the reviewing official of each transaction will be the School Business Administrator/Board Secretary.
3. Payment will be made to the vendor when the contract has been met and verified and has met the Board of Education's procedures for payment. (If prompt payment is made, discounts, etc., are accepted.)
4. Specifications will be updated as needed.
5. If the product is not as specified, the following procedure, including, but not limited to, will take place: remove product from service; contact vendor for approved alternate product; or remove product from bid.

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G. Emergency Purchases

1. If it is necessary to make a one-time emergency procurement to continue service or obtain goods, and the public exigency or emergency will not permit a delay resulting from a competitive solicitation, the purchase must be authorized using a purchase order signed by the School Business Administrator/Board Secretary. The emergency procedures to be followed for such purchases shall be those procedures used by the school district for other emergency purchases consistent with N.J.S.A. 18A:18A-7. All emergency procurements shall be approved by the School Business Administrator/Board Secretary. At a minimum, the following emergency procurement procedures shall be documented to include, but not be limited to: item name; dollar amount; vendor; and reason for emergency.

H. Purchasing Goods and Services – Cooperative Agreements, Agents, and Third-Party Services (Piggybacking)

1. When participating in intergovernmental and inter-agency agreements the Board of Education will ensure that competitive procurements are conducted in accordance with 2 CFR Part 200.318 through .326 and applicable program regulations and guidance.
2. When utilizing the services of a co-op, agent, or third party the Board of Education will ensure that the following conditions have been met and considered as one source of pricing in addition to other prices:
  - a. All procurements were subject to full and open competition and were made in accordance with Federal/State/local procurement requirements;
  - b. The existing contract allows for the inclusion of additional Board of Educations that were not contemplated in the original procurement to purchase the same supplies/equipment through the original award;

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- c. The specifications in the existing contract meets their needs and that the items being ordered are in the contract;
- d. The awarded contract requires all the Federally required certifications; e.g. Buy American, debarment, restrictions on lobbying, etc.;
- e. The agency will confirm the addition of their purchasing power (goods or services) to the procurement in scope or services does not create a material change, resulting in the needs to re-bid the contract;
- f. Administrative costs (fees) for participating in the agreement are adequately defined, necessary and reasonable, and the method of allocating the cost to the participating agencies must be specified;
- g. The Buy American provisions are included in the procurement of food and agricultural products; and
- h. The agreement includes the basis for and method of allocating each discount, rebate, or credit and how they will be returned to each participating agency when utilizing a cost-reimbursable contract.

I. Records Retention

- 1. The Board of Education shall agree to retain all books, records, and other documents relative to the award of the contract for three years after final payment. If there are audit findings that have not been resolved, the records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit. Specifically, the Board of Education shall maintain, at a minimum, the following documents:
  - a. Written rationale for the method of procurement;

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- b. A copy of the original solicitation;
  - c. The selection of contract type;
  - d. The bidding and negotiation history and working papers;
  - e. The basis for contractor selection;
  - f. Approval from the State agency to support a lack of competition when competitive bids or offers are not obtained;
  - g. The basis for award cost or price;
  - h. The terms and conditions of the contract;
  - i. Any changes to the contract and negotiation history;
  - j. Billing and payment records;
  - k. A history of any contractor claims;
  - l. A history of any contractor breaches; and
  - m. Any other documents as required by N.J.S.A. 18A:18A – Public School Contracts Law.
- J. Code of Conduct for Procurement
- 1. All procurements must ensure there is open and free competition and adhere to the most restrictive Federal, State, and local requirements. The Board of Education seeks to conduct all procurement procedures in compliance with stated regulations and to prohibit conflicts of interest and actions of employees engaged in the selection, award, and administration of contracts. All procurements will be in accordance with this Policy and all applicable provisions of N.J.S.A. 18A:18A – Public School Contracts Law.

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### Procurement Procedures for School Nutrition Programs

2. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal, State, or local award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent; any member of his or her immediate family, his or her partner; or an organization which employs or is about to employ any of the parties indicated herein has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
  3. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.
  4. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity. Based on the severity of the infraction, the penalties could include a written reprimand to their personnel file, a suspension with or without pay, or termination.
  5. All questions and concerns regarding procurement solicitations, contract evaluations, and contract award, shall be directed to the School Business Administrator/Board Secretary.
- K. Food Service Management Company (FSMC)
1. In the operation of the school district's food service program, the school district shall ensure that a FSMC complies with the requirements of the Program Agreement, the school district's Free and Reduced School Lunch Policy Statement, all applicable USDA program policies and regulations, and applicable State and local laws. In order to operate an a la carte food service program, the FSMC shall agree to offer free, reduced price, and full price reimbursable meals to all eligible children.

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2. The school district shall monitor the FSMC billing invoices to ensure compliance with Federal and State procurement regulations.
3. In accordance with N.J.S.A. 18A:18A-5a.(22), RFPs are required in all solicitations for a FSMC.

N.J.S.A. 18A:18A – Public School Contracts Law  
New Jersey Department of Agriculture  
“Procurement Procedures for School Food  
Authorities” Model Policy – September 2018

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## APPENDIX

FEDERAL FUNDS PROCUREMENT METHOD SELECTION CHART		
THERE ARE TWO (2) PROCUREMENT METHODS, FORMAL AND INFORMAL. THE METHOD THE SCHOOL FOOD AUTHORITIES (SFA) NEEDS TO USE DEPENDS ON TWO (2) FACTORS, THE AMOUNT OF THE CONTRACT AND WHETHER THE SFA IS A PUBLIC/CHARTER OR NON-PUBLIC SCHOOL.		
NEW JERSEY PUBLIC/CHARTER SCHOOLS PURCHASING THRESHOLDS		
AMOUNT	ACTIVITY	PROCUREMENT METHOD
INFORMAL PROCUREMENT		
Below \$4,350 without QPA	N.J.S.A 18A:18A-3	Sound Business Practice *
Below \$6,000 with QPA	APPLIES TO PURCHASES BELOW THE QUOTATION THRESHOLDS	
SMALL PURCHASE QUOTATION PROCEDURES		
\$4,351 OR \$6,001 up to \$29,000 or \$40,000	N.J.S.A. 18A:18A-37 ANY PURCHASE EXCEEDING QUOTATION THRESHOLDS REQUIRES A QUOTE UP TO THE APPLICABLE N.J.S.A. BID THRESHOLDS OF \$29,000 (without a QPA*) OR \$40,000 (with a QPA*)	Quotation using SFA Internal Procurement Procedures
NOTE: ANNUAL AGGREGATE AMOUNTS		
FORMAL PROCUREMENT		
\$29,000 or \$40,000 and above	N.J.S.A. 18A:18A-37 Bid Threshold without a QPA* - \$29,000 Bid Threshold with a QPA* - \$40,000 * QUALIFIED PURCHASING AGENT	Bid - Invitation for Bid (IFB) OR Request for Proposal (RFP)
NEW JERSEY NON-PUBLIC SCHOOL PURCHASING THRESHOLDS		
AMOUNT	ACTIVITY	PROCUREMENT METHOD
INFORMAL PROCUREMENT		
Below \$10,000 *	Micro - purchases 2 CFR 200.320(a) Single Transaction aggregate cost less than \$10,000	Sound Business Practice *
* Or LESS than \$10,000 if local SFA Procurement Policies are more restrictive		
\$10,001 - \$249,999	Small purchase procedures 2 CFR 200.320(b)	Quotation using SFA Internal Procurement Procedures
FORMAL PROCUREMENT		
\$250,000 and above	As per Federal requirements in 2 CFR Parts 200.317 - 200.326	Bid - Invitation for Bid (IFB) OR Request for Proposal (RFP)

Note: The Federal Funds Procurement Method Selection Chart is subject to change in accordance with the schedule set forth in N.J.S.A. 18A:18A-3 “Public School Contracts Law”. A “Qualified Purchasing Agent” must be qualified in accordance with N.J.S.A. 40A:11-9. In order to track updates to this Chart, the source document can be located on the New Jersey Department of Agriculture’s website under “Forms and Publications” it is titled, “State Agency Form #358.”

# POLICY

**SPRINGFIELD  
BOARD OF EDUCATION**

Adopted: November 16, 2020

DRAFT