

SILVER GROVE INDEPENDENT SCHOOL DISTRICT

108 West Third Street

P.O. Box 444

Silver Grove, KY 41085

Phone: (859) 441-3894

Website: www.silvergrove.kyschools.us

Mrs. Julie Kaeff, FRYSC Director

Ms. Jennifer Stewart, Director of Exceptional Children
& Pupil Personnel

Mr. Dennis Maines, Superintendent

Mr. Wesley Murray, Principal

November 29, 2018

Marlene Jones
Southgate Public School
6 William F. Blatt Avenue
Southgate, KY 41071

Dear Marlene,

Enclosed you will find a copy of the Memorandum of Understanding for student enrollment of 2120766292. Please return to us a signed copy from your Board Chairperson.

Sincerely,



Jennifer Stewart
Director of Exceptional Children &
Pupil Personnel

MEMORANDUM OF UNDERSTANDING

Whereas, the Silver Grove Independent Board of Education and Southgate Board of Education both Independent School Districts in the Commonwealth of Kentucky, and

Whereas, it is financially beneficial for the District to share in responsible overhead where joint operations are better financially; and

Whereas, each District has certain students that require additional educational services and this agreement is entered into for instances in which Silver Grove is able to provide special education to certain students in the Southgate District.

Therefore, it is agreed and understood as follows:

1. That Silver Grove Board of Education (hereinafter "Silver Grove") and Southgate Board of Education (hereinafter "Southgate"), agreed that upon mutual agreement, certain children may be enrolled at Silver Grove who are in need of special education services. Southgate is not required to end, nor Silver Grove required to accept certain students and each placement is a case-by-case decision, at the sole discretion of each party, requiring mutual agreement.
2. That for each student placed pursuant to this Agreement, Southgate agrees to pay Silver Grove the sum of \$16,000 per school year, in addition to assignment of all ADA and/or other funding received for the student. The amount set forth herein shall be prorated for a monthly amount and Southgate shall only pay for months in which each student placed was enrolled at Silver Grove. Southgate shall pay for services rendered pursuant to this Agreement at the end of each quarter: December 31, 2018, March 31, 2019, June 30, 2019.
3. That for each student placed pursuant to this Agreement, Southgate agrees to pay Silver Grove the sum of \$10.00 per day for transportation cost to and from Southgate and Silver Grove. Additional transportation costs will be paid by Silver Grove.
4. This agreement shall become effective November 8, 2018, regardless of the date executed and expire June 30, 2019, unless extended in writing by each District.
5. The Southgate Board of Education shall agree to indemnify and hold harmless the Silver Grove Board of Education for any claims asserting negligence against Silver Grove Personnel while performing services solely for the Southgate Board of Education.
6. **Waiver of Conflict.** Both Parties acknowledge that Zachary M. Lotspeich, and the lawfirm of Wolnitzek & Rowekamp, PSC represents Silver Grove and Southgate, and therefore, represents both Parties. Pursuant to SCR 3.130(1.7) there is a concurrent conflict of interest. There is a significant risk that the representation provided to each party is materially limited given that the lawyer is responsible for each client's interest, especially considering the attorney's firm has represented each Party for a number of years. A conflict may arise where a Party wishes to terminate the Contract to the detriment of the other Party, or where a Party wishes to sue on the Contract where a breach of the Contract has occurred. Both Parties' interests would be better served by seeking outside counsel regarding this matter. However, given that both Parties are in agreement with these terms, and both Parties have been explained the implications of the

common representation and the advantages and risks involved, the Parties agree to waive the conflict.

Melanie Pelle

Melanie Pelle, Chairperson
Silver Grove Board of Education

11-26-18

Date

Diane Hatfield, Chairperson
Southgate Board of Education

Date