

**BOARD OF EDUCATION  
Ellicottville Central School**

**Regular Meeting  
Page 1**

**Sht. No. 1997  
January 9, 2024**

**OFFICIAL MINUTES**

**Members Present:** Debra Golley, Kristen Pearl, Shana Chudy,  
William Murphy, Karl Northrup, Jenna O'Connell

**Members Absent:** None

**Staff Present:** Robert Miller, Melissa Sawicki, Aimee Kilby, Katie Mendell, Erich Ploetz

**Staff Absent:** None

**Others Present:** Schavon Byroads

**Call to order of meeting**

President Golley called the regular meeting of January 9, 2024, of the Ellicottville Central School Board of Education to order at 6:00 p.m. The Pledge to the Flag of the United States of America was recited.

**Roll Call**

All Present

**Changes, Additions and Deletions to the Agenda**

None

**Approve Agenda**

Moved by Pearl, seconded by Northrup, upon the recommendation of Robert Miller, Superintendent of Schools, to adopt the agenda of January 9, 2024, Board of Education Meeting.

**Yes – 6  
No – 0  
Carried**

**Public Comment**

Public Comment

- The Public Comment section is a time set aside for the community to speak directly to the Board of Education.
- Please refer to Policy # 3220 – Public Expression at Meetings.
- Any person may make a public comment by placing their name, address, and topic on the sign-in sheet.
- When called, please stand up and state your name and address.
- Please be respectful in your comments and do not divulge any personal or confidential information. The speaker will be stopped if any Board member or district employee is mentioned by name.
- Please demonstrate respect by speaking to the issues, sharing ideas and opinions, but not engaging in personal attacks. At a public Board meeting, no person may orally initiate charges or complaints against individual District employees or Board members.
- Board members, the superintendent and administrators will not answer specific questions or engage in dialogue.
- The information shared will be carefully considered and the appropriate person may contact you.
- Rest assured, we are listening carefully, and take seriously what you have to say.
- The Board appreciates your willingness to share your concerns/celebrations.

**Presentations & Reports**

None

**Communications, Commendations**

CA BOCES – Ellicottville Campus: Open House on January 25, 2024 (12:00 – 6:00 pm)

**Informational Items**

None

**BOARD OF EDUCATION  
Ellicottville Central School**

**Regular Meeting  
Page 2**

**Sht. No. 1997  
January 9, 2024**

**Superintendent's Report – Robert Miller**

1. Building Condition Survey – met virtually with Brad Moreland & Mike Ebertz (from SEI) to clarify some questions. Superintendent Miller handed out a summary sheet outlining the preliminary budget for the BCS and what it entailed. He stated that replacing the entire unit and lights in the gym was more cost effective than replacing the bulbs. The cost of that project is around \$100,000 and could be done with the repair reserve. Submission of the BCS to New York State is due by March. ECS is right on schedule.
2. Aid estimates – no changes. More info expected next week (by 1/16/2024).
3. Civil Rights Data Collection report due soon.
4. Workplace Violence Prevention Plan due by May 3, 2024. Safety Committee will work on the plan.
5. Social Media Awareness Program will be held on Wednesday, January 17, 2024. Presenters for students in grades 6-12 from 12:45 – 2:45 pm. Informal networking dinner for presenters, administration and board members from 4-5:30 pm. Parent/Community presentation beginning in the Ward at 6:00 pm. A presenter will also attend the faculty meeting that day.  
**Discussion:** President Golley thanked Superintendent Miller and Principals, Ploetz and Mendell for taking the time to put the presentations together. She stated that it is very timely to have the presentations now. She stated that they did a great job putting it all together. She added that she knows they are doing a lot and to put this together on top of everything, she was very appreciative.
6. ARP/ESSER – Superintendent Miller stated that he has to give a lot of credit to Aimee Kilby, as she has been overseeing the funds. He stated that Mrs. Kilby advises him on what the money can be used for. Information regarding the funds will be posted for the public.
7. Social Mediation Litigation Lawsuit – the lawsuit started before the situation at ECS. Hodgson & Russ reached out to ECS to see if we would want to be part of the lawsuit. There is no cost to the district. If the suit goes through and is settled, ECS may get some money.

**Principals Reports:**

**Katie Mendell – Elementary Principal/Director of Curriculum**

1. Extremely grateful to have new 12:1:1 teacher, Karen Romance, at ECS. Looking at curriculum maps we created with two retirees.
2. PreK expansion grant – using direct feedback from last time (when denied) to apply for next year.
3. No Tier 3 students for math. Intervention is working.
4. Work continues with Casa Trinity.
5. Partnering with Homeland Security for Tech Safety in grades 3-5.
6. Health Department updates – presentations in the elementary. Erin's Law presentation.

**Erich Ploetz - MS/HS Principal**

1. Thank you to all (across the board) for help in getting through the last month. Sincere thank you. Rocky December, nice start to January.
2. Anticipate revamping cell phone policy. Will form a committee and dive deep to evaluate the current cell phone policy.
3. Academics: Wrapping up semester one on January 26<sup>th</sup>. Report cards will be mailed on January 29<sup>th</sup>. Beginning the process of master schedule for next year.
4. Arts: Solo Fest January 26. 36 students signed up for Elementary, Middle School and High School chorus and band. All County Festivals March 1 & 2 and 15 and 16. HS Musical March 22 & 23, auditions this week.
5. Athletics: Winners of the Fall All-WNY Scholar Athlete Award – Brooke Butler and Sam Edwards. Honorable Mention – Layla Kerns, Cameron Kaleta, Keelin Finn, Abby Chudy, Evan Bauer, William Benatovich. Alpine Skiing starts this week, basketball and bowling off to a good start.
6. Winter Weekend Dance – February 3<sup>rd</sup>. SAT School day – March 14<sup>th</sup>
7. Matt Finn being inducted as a Master Teacher at Buffalo State on Wednesday, January 10, 2024.

**BOARD OF EDUCATION  
Ellicottville Central School**

**Regular Meeting  
Page 3**

**Sht. No. 1997  
January 9, 2024**

**Consent Items:**

Moved by Murphy, seconded by Pearl, upon the recommendation of Robert Miller, Superintendent of Schools, approval to adopt the following Consent Agenda items:

- a. That the board approve the minutes of the meeting of December 12, 2023
- b. Acknowledgement of the December 19, 2023, Claims Auditor Report

**Yes – 6  
No – 0  
Carried**

**Committee Reports:**

Buildings, Grounds & Transportation – Building Condition Survey (BCS) – covered in Superintendent’s Report.

Budget – Superintendent Miller stated that it will be a lean year 2024-2025 (budget wise). He stated that the district needs to start thinking about the shift to electric buses. Starting in 2027 you won’t be able to lease diesel buses. He stated that the district needs to look ahead and have a plan and figure out if we should start buying our leased buses.

Looking at the unassigned fund balance and transferring of money into transportation, EMBLR and capital project reserves. If the district has a surplus, start putting money into the reserves. He stated that the district needs to start balancing out and see if we can purchase the leases. Big ticket item for 2024-2025 will be the sealing of the blacktop in the u-drive and parking lots. Superintendent Miller stated that he and Mrs. Kilby will start to look at the budget, stating that they will know more after the state releases figures on 1/16/2024. The budget committee will meet in late January and there will be a budget workshop on March 12<sup>th</sup>.

**Discussion Items:**

ARP/ESSER Funding – covered in Superintendent’s Report.

**Old Business:**

None

**New Business:**

Moved by Northrup, seconded by O’Connell, upon the recommendation of Robert Miller, Superintendent of Schools, approval of an MOA with the ETA regarding basketball scorers & timers and rates of pay.

**Yes – 6  
No – 0  
Carried**

Moved by Chudy, seconded by Pearl, upon the recommendation of Robert Miller, Superintendent of Schools, approval of the September thru December 2023 fire drills, lock down drills and go home early drill at ECS.

**Yes – 6  
No – 0  
Carried**

Moved by Northrup, seconded by O’Connell, upon the recommendation of Robert Miller, Superintendent of Schools, approval of the following proposed resolution: That the Ellicottville Central School District approves the proposed basis of service charges of the Cattaraugus-Allegany-Erie-Wyoming BOCES for the 2024-2025 school year.

**Yes – 6  
No – 0  
Carried**

Moved by Chudy, seconded by Pearl, upon the recommendation of Robert Miller, Superintendent of Schools, approval of Sabrina Gilman (Grand Canyon University) to complete her student teaching experience at ECS from January 8 – May 6, 2024. Ms. Gilman will be supervised by Mrs. Colleen Bower and Mrs. Katie Mendell.

**Yes – 6  
No – 0  
Carried**

**BOARD OF EDUCATION  
Ellicottville Central School**

**Regular Meeting  
Page 4**

**Sht. No. 1997  
January 9, 2024**

Moved by Murphy, seconded by Northrup, upon the recommendation of Robert Miller, Superintendent of Schools, approval of a resolution and inter-firm agreement regarding retaining Hodgson Russ LLP and the Frantz Group to provide advice, counsel and representation pertaining to Social Media Litigation.

**RESOLUTION OF THE BOARD OF EDUCATION ON PARTICIPATION IN SOCIAL MEDIA LITIGATION**

WHEREAS, this Board of Education is aware that for many years interactive technologies have been made available to the public to facilitate the creation and sharing of content, ideas, interests and other forms of expression through virtual communities and networks; and

WHEREAS, this Board has also come to learn that over time social media platforms can become addictive, particularly among our youth; and

WHEREAS, this Board has become aware that certain Big Tech companies have intentionally created addictive platforms specifically designed to hook student audiences by designing algorithms to maximize company revenues by increasing usage without regard to the harm suffered by students as a result of such usage; and

WHEREAS, these tech products, designed to hook young users into compulsive use, have taken a heavy toll on today's youth, whereby they face unprecedented levels of severe mental health issues like anxiety, depression, eating disorders and suicidal ideation, and with so many students in turmoil, schools have had to divert crucial resources to help them; and

WHEREAS, on May 23, 2023, the U.S. Surgeon General issued a public advisory that social media could have a profound risk of harm on the health of children and adolescents; and

WHEREAS, the American Academy of Pediatrics, the American Academy of Child and Adolescent Psychiatry and the Children's Hospital Association have all declared child and adolescent mental health a national emergency; and

WHEREAS this School District and other School Districts around the country have had to hire additional counselors, develop resources and train staff to handle the burgeoning number of students succumbing to what best can be described as a youth mental health crisis; and

WHEREAS, a number of other school districts have filed or will be filing legal claims in the Northern District of California against a number of social media companies, such as TikTok, Snapchat, YouTube, Google and their parent companies, seeking restitution for expenses incurred and the funds necessary to provide ongoing student support and changes to the platforms to make them less addictive;

NOW, THEREFORE, this Board of Education hereby authorizes the following:

1. That this School District file and join claims in the Multi-District Litigation pending in the Northern District of California to recoup damages against students and the district inflicted by social media companies;
2. That this Board appoint the following law firms to represent the district's interests in this matter;
  - a. The Frantz Group ALPC (San Diego, California); and
  - b. Hodgson Russ LLP (Buffalo, New York)
3. That the Superintendent of Schools and Administrative Staff of this District be and hereby are directed to cooperate with the appointed attorneys to gather the necessary data and take other required actions needed to assist the law firms in representing the foregoing interests of the District; and
4. This District will expend no resources or funds for its participation in this litigation, other than the personnel time necessary to gather the data needed to participate in this litigation.

**Yes – 6  
No – 0  
Carried**

Moved by Chudy, seconded by Pearl, upon the recommendation of Robert Miller, Superintendent of Schools, approval of the 2024-2025 Budget Preparation Calendar.

**Yes – 6  
No – 0  
Carried**

Moved by Northrup, seconded by Murphy, upon the recommendation of Robert Miller, Superintendent of Schools, accept a letter of resignation from Mr. Robert Van Wicklin from the Ellicottville Central School Board of Education effective January 4, 2024.

**Yes – 6  
No – 0  
Carried**

**BOARD OF EDUCATION  
Ellicottville Central School**

**Regular Meeting  
Page 5**

**Sht. No. 1997  
January 9, 2024**

**Personnel:**

Moved by O'Connell, seconded by Northrup, upon the recommendation of Robert Miller, Superintendent of Schools, approval of the following advisor for the 2023-2024 school year:

9-12 Musical (Drama Club)

•Assistant Director (Choreographer)

•Michelle Sundeen

**Yes – 6**

**No – 0**

**Carried**

Moved by Pearl, seconded by O'Connell, upon the recommendation of Robert Miller, Superintendent of Schools, approval to accept a letter of resignation, for retirement purposes, from Deborah Stokes effective December 22, 2023.

**Yes – 6**

**No – 0**

**Carried**

Moved by Northrup, seconded by Chudy, upon the recommendation of Robert Miller, Superintendent of Schools, approval of an unpaid leave of absence (so she can complete her student teaching) for Sabrina Gilman retroactive to January 8, 2024 until tentatively May 6, 2024.

**Yes – 6**

**No – 0**

**Carried**

**Policy**

None

**CSE/CPSE Recommendations**

Moved by Pearl, seconded by Murphy, upon the recommendation of Robert Miller, Superintendent of Schools, to approve the following resolution: BE IT RESOLVED by the Board of Education of the Ellicottville Central School District: That the Ellicottville Central School District has reviewed the recommendations of the District's Committee on Special Education (#900500437, 900500354, 900500810, 900500878, 900500895, 900500777, 900501590, 900501576, 900500878, 900500080, 900501391, 900500581, 900501376, 900501515, 900501513, 900501504, 900501232, 900500969, 900500387, 900500555) at its meeting on January 9, 2024, and approves all necessary arrangements as the most reasonable and appropriate special service(s) and/or program(s) for the implementation of those recommendations December 2, 2023 - January 3, 2024.

**Yes – 6**

**No – 0**

**Carried**

**BOARD OF EDUCATION  
Ellicottville Central School**

**Regular Meeting  
Page 6**

**Sht. No. 1997  
January 9, 2024**

**Executive Session**

The New York Public Officers Law states a board may enter into executive session to discuss:

1. Matters which will imperil the public safety if disclosed.
2. Any matter which may disclose the identity of a law enforcement agent or informer.
3. Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed.
4. Proposed, pending or current litigation.
5. Collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law).
6. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.
7. The preparation, grading or administration of examinations.
8. The proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value of the property.

**Executive Session**

Moved by Murphy, seconded by Northrup, to move into Executive Session at 6:43 p.m. for the purpose of:

3. Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed.
4. Proposed, pending or current litigation.
5. Collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law).

**Yes – 6  
No – 0  
Carried**

Moved by Pearl, seconded by Murphy, to come out of Executive Session at 7:45 p.m. and return to the regular meeting.

**Yes – 6  
No – 0  
Carried**

**Adjournment of Meeting**

Moved by Chudy, seconded by Northrup, to adjourn the regular meeting of January 9, 2024, at 7:45 p.m.

**Yes – 6  
No – 0  
Carried**

---

District Clerk

---

Deputy District Clerk