



**Minutes of the Barker Central School District
Board of Education Meeting
Monday, September 9, 2024, 7:00 p.m.
Board Room**

Present	R. Atwater, D. Carnes, E. Gow, J. Harris, J. Sweeney, Jr., V. Voss
Excused	C. Gancasz
Also Present	J. Reimer, M. Carter, C. Cornwell, M. Eadie, M. Learo, M. Love Public – 15
Call to Order	Mr. Atwater called the meeting to order at 7:00 PM. The pledge to the flag was done.
Agenda	Mr. Atwater brought forward a clarification to Item 10B, requesting that the word “and” be added to “Capital Reserve and Capital Fund”. Motion by Mr. Sweeney, Jr., seconded by Mrs. Carnes, to approve the Board Meeting agenda for September 9, 2024, as amended. Yes: 5, No: 0 Motion carried.
Minutes	Motion by Mrs. Carnes, seconded by Mr. Sweeney, Jr., to approve the August 12, 2024 regular meeting minutes and the special meeting minutes of August 22, 2024 as presented. Yes: 5, No: 0 Motion carried.
Public Forum	Ms. Peggy Zaepfel came forward but said, as the item she was planning to speak about follows the public forum section, she was not prepared to speak for Mrs. Wilson.
Presentations	<u>Title IX and Student Speech Presentation - S. Visingard</u> Ms. Visingard from Bond, Schoeneck & King, the District’s Attorney firm, presented information regarding protections related to student identity and expression and applicable laws for schools. She discussed the New York State Human Rights Law. In particular, Section 296(4) – “It shall be an unlawful discriminatory practice for an educational institution to deny the use of its facilities to any person otherwise qualified, or to permit the harassment of any student or applicant, by reason of his race, color, religion, disability, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, age, marital status, or status as a victim of domestic violence...” She noted that there are also rights for staff too. She also reviewed the Gender Expression Non-Discrimination Act (“GENDA”). She noted that in 2019,



GENDA amended the Human Rights Law (Executive Law) and the Education Law to expressly add “gender identity or expression” as a protected category. She noted that the New York State Division of Human Rights has the right to enforce the rights. The NYS Division of Human Rights expressly states in its guidance pursuant to GENDA that unlawful discrimination because of gender identity or expression can include acts such as denying use of facilities consistent with a person’s gender identity; asking a transgender person to use a single-occupancy restroom because of someone else’s concerns; requiring individuals to show medical or other documents in order to use facilities, such as restrooms and locker rooms consistent with their gender identity; and/or refusing to use an individual’s requested name or pronouns. She referred the Board to the website for more detailed information:
<https://dhr.ny.gov/sites/default/files/pdf/nysdhr-GENDA-guidance-2020.pdf>

She commented that the State Division of Human Rights will “vigorously” enforce the protections and the State Division stated that it is not a defense to a discrimination claim that a discriminatory action was taken based on the preferences or prejudices of employees or others with regard to any protected characteristic. She noted it is also not a defense that a discriminatory action was taken because of the personal religious beliefs of an employer or others, as they are not an excuse. She commented that as such, the State Division stated it will continue to vigorously enforce the rights of transgender and gender non-conforming people on the basis of gender identity or expression, sex, and disability, and will liberally construe the provisions of the Human Rights Law as mandated by the statute. N.Y. Exec. L. § 300. If the District fails to do what is required by these, she commented that this could mean monetary damages for non-compliance. She reviewed what the State Division may award which includes: money damages, compensatory damages for mental pain and suffering, attorney’s fees, civil fines and/or penalties.

The Dignity for All Students Act (“DASA”) is a separate requirement under Education Law which states that no student shall be subjected to harassment or bullying by employees or students on school property or at a school function; nor shall any student be subjected to discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex (or otherwise) by school employees or students on school property or at a school function. Ms. Visingard continued and noted definitions of the following:

- School Property means “[i]n or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus...”



- “School Function” means “school-sponsored extra-curricular event or activity.”

DASA is intended to make sure all students are comfortable in their learning environment and addresses more than the Human Rights Law and GENDA. DASA affords protection to transgender and gender non-conforming students. She noted that the regulations under DASA include examples of incidents which require an investigation. 8 NYCRR § 100.2(kk)(1)(x). She commented that DASA is equal opportunity for students. She reviewed the types of incidents which require an investigation under DASA if reported:

- Denial of access to school facilities, functions, opportunities or programs, including but not limited to, restrooms, changing rooms, locker rooms and/or field trips.
- Application of a dress code, specific grooming or appearance standards.
- The use of name(s) and pronouns(s) or the pronunciation of name(s).
- Any other form of harassment, bullying and/or discrimination.

Ms. Visingard then discussed that in June of 2023, NYSED issued more extensive guidance relating to this subject. Some of which included creating a safe, supportive, and affirming school environment for transgender and gender expansive students; reminds us that “New York State Education Law §3201-a prohibits discrimination based on sex, including gender identity and expression, with respect to inclusion in physical education classes and athletics; states that separating classes by gender can be eliminated, as most sports have the same rules for all participants, even if there are slight differences in equipment (e.g., golf, basketball, volleyball, soccer, handball, ice skating, track and field, gymnastics, swimming, etc.); and provides that teachers should only run gender-segregated activities after careful consideration and students should be allowed to participate in a manner most consistent with their gender identity without penalty.

Ms. Visingard reviewed the New York State Public High School Athletic Association Transgender Guidelines. She highlighted some of guidance which noted that the student’s home school will determine the eligibility of a student seeking to participate in interscholastic athletics in a manner consistent with his/her gender identity where the student’s gender identity does not correspond to his/her sex assigned at birth; once a member school has rendered a determination of eligibility to try out for an interscholastic sports team or teams which corresponds to the student’s gender identity the eligibility is granted for the duration of the student’s participation in interscholastic athletics; the student must meet all NYSPHSAA standards for eligibility for practice and competition; the Athletic Director should notify the NYSPHSAA if any accommodations are needed; and all appeals go directly to the Commissioner of Education.



With regard to Title IX protections of transgender and gender-nonconforming students, she noted that schools must comply with Title IX to receive federal funding. She commented that although there has been back and forth on the federal level with regard to laws and guidance, state laws unequivocally afford protections for transgender and gender-nonconforming student. In 2021, the Federal Office for Civil Rights (OCR) stated that it interprets Title IX to prohibit discrimination on the basis of sexual orientation and gender identity. The OCR has stated that not allowing a transgender or gender non-conforming student to use the restroom they prefer may constitute sex discrimination. Ms. Visingard referenced the following website for the Board for additional information: <https://www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-tix-202106.pdf>.

She noted that effective August 2024, Title IX regulations made it clear the rights of transgender and gender-nonconforming students. She noted the following two items in particular: (a.) “Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.” § 106.10, and (b.) “Adopting a policy or engaging in a practice that prevents a person from participating in an education program or activity consistent with the person’s gender identity subjects a person to more than de minimis harm on the basis of sex.” § 106.31. She then reviewed what non-compliance with Title IX by districts, staff, board member could result in. Some of which were the violation of oath of office and several laws and regulations by a board, staff, and/or school; potential report to OSPRA (certification in question); the potential loss of state aid; the potential liability (district and individual); the potential board member removal (official misconduct, willful violation, neglect of duty), and/or monetary damages if non-compliance of the law is determined.

Ms. Visingard discussed student speech and censorship, and the limitations and parameters of censorship. She highlighted some cases as examples including: *Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503 (1968) for which the Supreme Court applied free speech rights to students noting students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.” In that case, the school district impermissibly disciplined students who wore armbands to school in protest of Vietnam War when the student conduct was a “silent, passive expression of opinion, unaccompanied by any disturbance or disorder” and the court determined the students may generally express their opinions if done “without materially and substantially interfering” with school operations and without intruding on the rights of others. Post *Tinker* cases included: *Bethel v. Fraser*, 478 U.S. 675 (1986) which the court stated that schools may regulate speech that is “vulgar, offensive, lewd and indecent” regardless of substantial disruption. In *Hazelwood School District v. Kuhlmeier*, 484 U.S. 260 (1988) determined schools may regulate school sponsored speech. Ms. Visingard noted that a district must



be careful to avoid viewpoint discrimination. In the Hazelwood case the court stated that school officials “do not offend the First Amendment by exercising editorial control over the style and content of student speech in school-sponsored expressive activities so long as their actions are reasonably related to legitimate pedagogical concerns.” In *Morse v. Frederick*, 551 U.S. 393 (2007), the court determined that schools may regulate speech that promotes illegal activity such as illegal drug use. She noted that with regard to the Tinker standard, schools should consider when making a determination if the school may reasonably forecast the student’s speech/expression will substantially disrupt the educational environment; that schools do not have to show actual disruption; whether the student’s speech/expression demeans certain individuals or groups; and/or special considerations for student speech when related to race.

She spoke about rulings of cases pertaining to schools and the Gay-Straight Alliance Club (GSA) which the court ordered a school board, under the Equal Access Act, to grant official recognition and all privileges given to other clubs to the schools GSA Club, and that a school violated the Equal Access Act when it denied the application to form a Gay-Straight Alliance student club. The courts have said that LGBT speech cannot be classified as presumptively sexual in nature.

Ms. Visingard responded to a question from Mrs. Voss regarding parents’ rights if a child identifies different than at birth and does not want parents to know. Ms. Visingard noted that the guidance has evolved over the years. She noted that the state currently says we defer to the child’s preferences, safety and wellness. The school should look at each on a case-by-case basis to verify the child feels comfortable in schools and reasonably involve parents and support providers in the discussions unless a safety risk is determined.

Ms. Visingard thanked the Board and noted that the information provided was intended as general background information when it comes to students’ speech and identity protections. Situations are different, and should to be reviewed and treated on a case-by-case basis, and that the laws can change often.

Dr. Reimer noted that as this is a complicated issue, the District consults with its attorneys with regard to Title IX and related matters. Bond, Schoeneck & King represent the District as a whole and look at circumstances to guide the District’s decisions to stay in compliance. They provide guidance, determination about compliance with the law, and advice as to what is the best in each situation as they are all different and can be difficult, and because of the potential bigger picture implications, the attorneys are consulted to best protect the District and the tax payers.

Ms. Visingard and Ms. Zaepfel were excused from the meeting at 7:30 p.m.



Principal's Update - Dr. Love

Dr. Love provided an update on events since the students came back to school. She was excited to see the students back and engaged in learning. She noted that Seniors are working on a community project with volunteering at the light house. Mr. Sosnowski and Mrs. Gow are working with students preparing for the GSA's presentation of the musical Firebringer to be held September 13 and 14 at 7:00 p.m. Julia Kalynycz made Conference All-State Chorus which is one of the highest choral honors for a high school student and she has applied to the All-Eastern Chorus. The first football home opener was held Friday, September 6th, and it was exciting to be in the new stadium on the turf, albeit the weather was a bit wet. She discussed that the District is working to have the students continue to provide more of a voice in District-related items to have them be more engaged in the conversations, consequences, and take ownership in the school. Student leadership have been working with administration and teachers on Homecoming plans. The students also provided feedback about dress code and hats/hoods last year and this year as it relates to the dress code. They also provided feedback used when finalizing Code of Conduct survey to get stakeholder feedback on current policies.

Based on a question from Mrs. Voss, Dr. Love noted that the Homecoming theme this year will be based on Pixar.

Director of Instructional Services/AP's Update - Mr. Learo

Mr. Learo commented that it was a strong start to the school year. The school year began with staff on August 28th and 29th which allowed time to work together and gear up for the students return. On August 29th, Mr. Learo held a Special Education Department Meeting, bringing together the SPED teachers, related service providers, school counselors, aides, and teaching assistants. This provided time to introduce new staff, discuss the department direction for the school year, including the goals and expectations, attend to some housekeeping items such as: IEP writing days, Gen Ed teacher dissemination and acknowledgement of student IEPs, reports and evaluations, monthly evaluation meetings to prepare for upcoming CSE and CPSE meetings, and Disability Awareness. The focus as a department this year will be teamwork with a specific focus on patience, grace, and communication.

Since students have returned, Mr. Learo said he has been meeting with staff on individual student needs and planning to ensure students are receiving everything they need to be successful. The related service providers met with classroom teachers to complete their schedules and arrange student services and the department is working on scheduling its Annual Reviews and Reevaluations for all classified students.

Mr. Learo reviewed the enrollment figures for Special Education as of September 8, 2024. There are a total of 137 active IEPs for Barker



students, of which 103 are in District, with 34 Out-Of-District students with active IEPs. There are also 12 active CPSE students and 50 students with an active 504 with one pending.

With regard to meetings, on August 28th, the District-level TIG team meet to review our District Crisis Plan and discuss its in-district response to TIG. He will be attending the TIG Coordinators meeting tomorrow at the O/N BOCES conference center in Sanborn. As the coordinators for each component districts, they will be discussing an overview of TIG; TIG infrastructure; the current state of Orleans/Niagara TIG network; TIG planning including the Leadership Meeting Schedule, CCSI consultation/technical assistance scheduling, additional foundational training; and next steps. Mr. Learo stated he would report more on TIG at the October Board meeting.

Coor. of Curriculum & Prof. Learning/AP's Update - Mr. Cornwell

Mr. Cornwell provided an update since the last meeting. As mentioned previously, Opening Day for the staff included professional development time. Mr. Cornwell stated that the main focus of this time with faculty and staff was the data driven instructional improvement process for the District. These sessions were facilitated by Christina Lesh and led by members of the Instructional Cabinet. Overall goals and directions for the year were reviewed and the various departments/grade level bands began to work on their first short cycle data review process. This work will continue at the October 11th Professional Development Day. Mr. Cornwell noted that the faculty who were trained in TIG over the summer also met as a large group and the departments/grade level bands had additional time to meet and work. Teachers also had time in their classrooms to get ready for Welcome Back Night and the school year in general.

Progress continues with regard to curriculum mapping. This summer, a great deal of curriculum was written by the teachers of Barker. Units continued to roll in, even last week. Mr. Cornwell noted he would provide an updated spreadsheet with the Board at a future meeting. Over the summer around 285 units were completed in a variety of subjects and grade levels. He gave a huge shout out to the Physical Education Department who mapped their entire curriculum PreK-12. Several other grade levels (K, 5, 6) are done, with a few others close behind. The Secondary Science and Social Studies Departments have also largely mapped their entire curriculum for all courses. Based on a question from Mr. Atwater, Mr. Cornwell estimated that the mapping is 80-90% complete, even though it will be a continuous update process.

Mr. Cornwell then provided some preliminary data on the 3-8 state assessment data in ELA, Math and Science. Overall, the 2023-2024 state assessment proficiency rate averages (statewide) in Grades 3-8 ELA were 46% and in Grades 3-8 Math they were 52%. The new Science



assessments in Grades 5 and 8 came in at 35% proficiency. At Barker, for ELA the results were generally below the state average proficiency rate for the 2023-2024 school year which is concerning and thus a focus for the District. In Math, the District exceeded the state average proficiency in all grade levels except one, and for Science, Barker exceeded the state average of proficiency at both grade levels by 10%.

Based on public comments from the August meeting, Mr. Cornwell wanted to provide the following information on Home School Students within the Barker Central School District. In 2022-2023 school year, 22 families homeschooled a total of 42 students (26 at the elementary level, and 16 at the secondary level). In 2023-2024 school year, 18 families homeschooled a total of 39 students (22 at the elementary level, and 17 at the secondary level). In the current school year (2024-2025), 17 families are homeschooling a total of 33 students (22 at the elementary level, and 11 at the secondary level).

Mr. Cornwell commented that he will be attending a Blue Ribbon Commission Forum at BOCES tomorrow (Tuesday, September 10) that will focus on understanding the NYS Education Department's proposed vision for implementing the recommendations of the Blue Ribbon Commission on Graduation Measures, to provide feedback on the four proposed transformations, and identify the opportunities and challenges related to each proposed transformation. He noted he would share the information that results from this forum, and that more information should be available from the Board of Regents after its November meeting, which may include information on the sunseting of regents and what it means for students and school districts.

Financial Update - Mr. Carter

Mr. Carter provided a financial update. He noted there was a request to review and approve 2023-2024 budget transfers which is necessary for year-end as budget lines cannot be left in the negative. He noted that the transfers were in line with the prior year. Some of the reasons for accounts being over budget were due in part to the name and logo change to Bulldogs, increased BOCES services for data process and Business Office services which are coded to BOCES, increased training expenses, door and camera security work and upgrades, etc. He commented that the District saved on the utilities expense side of the 2023-2024 budget due to the solar panels. Monies left in the 2023-2024 budget will be transferred to the capital reserve fund and capital fund which is estimated to be approximately \$177,000 which he noted is an agenda item this month. Mr. Carter then also noted the Business Office is working on the State Ed data input for the year which is reviewed by State Ed as well as the State Comptroller. Mr. Carter also noted that foundation aid is used by a district at their discretion and other funds have restrictions on their usage. Mr. Carter also discussed that there is a commission at the state level reviewing the foundation aid formula. There have been multiple listening



sessions with stakeholders around the state, but nothing has been officially announced. Currently, aid was \$11,000 per student in 2024-2025.

Regarding investments, Mr. Carter noted he invested \$2 million in CDs at a rate of 5.1% for 12 months and will most likely invest more in 12-18 month terms if the rates remain favorable with 18 month terms currently ranging from 4.1–4.5%. By locking up at higher rates, it protects the revenues but if the District were to need funds, the Treasury bills could be sold.

With regard to school taxes, approximately \$300,000 has been received to date, and Mr. Carter estimates the next two to three weeks will see the bulk of the payments being received.

Mr. Atwater inquired about the solar production and savings to date. Mr. Carter noted that the District has saved approximately \$48,000 in energy production as it has made as much as it has used. He said he would provide an additional update after the next billing cycle.

Mr. Reimer reported that the Tax Credit Inflation Reduction Act reporting is prepped to get ready for filing online for the tax credit and needs to be file but the software to E-file is not ready yet. The amount expected will be approximately 10% higher due to the plant closure. He noted that this increase in revenue only improves the District's ROI for the project.

Superintendent's Information

Dr. Reimer provided an update on the electric busses, noting there may be something in the local paper about the busses. He stated that the busses have not been delivered yet as once they are, the warranty period begins. He noted that the delay in the receipt is due to the charging substations not being hooked up yet by National Grid. The current timeline has the hookup set to hopefully start running the busses in early October.

The first football game was Friday and successful even though not all the work has been completed yet in the stadium area. The weather during the game was a sheet of rain at one point, but the field performed as expected and drained even with the volume of rain that came down. There was a lot of positive comments. The one negative received was that the bleachers were only on one side of the field but Dr. Reimer noted that was by design. With regard to outstanding work, the approval from NYSED for the work on the press box was received today. Dr. Reimer outlined the timeline to complete the press box. The windscreen designs are approved and will be put up in the next few weeks. The scoreboard worked well and Dr. Reimer noted there is still a lot to learn about it with regard to lights, sounds, etc. The District is waiting on the sound equipment. The tennis courts push-button lighting is working. The button will allow the lights to stay on for one hour, with a yellow light warning the lights will



turn off soon for players to reset the timer to keep the lights on if they so choose. There is a hard set 10:00 p.m. shut off.

Potential Capital Improvement Project/Scope of Work

Phase II of the 2022 Capital Improvement Project is pending the final approval and then the bids, which are currently being drafted in anticipation for the approval, will be issued. The full bid process will take approximately one month. Dr. Reimer noted that there could be the need for a special meeting to approval bids to enable work to begin as soon as possible due to the winter months will be approaching quickly.

Dr. Reimer noted that this meeting commences the third cycle of policy review and therefore there will be less edits than has been suggested in prior years for each policy, unless a new law or regulation warrants a change, or a new policy is needed. He noted 5633: Gender Neutral Single-Occupancy Bathrooms, which is being presented, was something the District already was doing according to New York State policy but a policy needed to document it. He reviewed the process of having staff associated with a policy, administration, and Ms. Pattison review for changes, new laws, and regulations to be considered. Feedback is then given to Ms. Pattison who has the lead role to set the schedule of policy review and coordinates the recommendations received. She then makes recommendations to Dr. Reimer, and pulls together the review the Board.

Dr. Reimer discussed the potential 2024 Capital Improvement Project. He noted that the building condition survey was revised last fall and the Facilities Committee reviewed the scope of work and put a packet of ideas together at their last meeting which is represented by the information provided for consideration this evening by the Board

Dr. Reimer then continued with a summary of the work that was determined by the Facilities Committee to be most critical to address in the proposed capital improvement plan to ensure the continued needs of the students and District are met. The work was broken down into components of alterations which included general construction and incidentals which he noted is fees, bonds, insurances, architectural fees, etc., as well as additions and related incidentals. He noted that of the \$73 million in the building condition survey, the Facilities Committee selected a total of \$17,656,000 and rounded up to address other items that could arise for to a proposed \$17,750,000 project. The report within the Board package broke down all the proposed adjustments by area, category, cost, etc.

Dr. Reimer walked the Board through the breakout of the areas and recommended improvements. The Central Building recommended work consisted of \$5,218,600 of general construction alterations and \$3,054,100 of incidentals. The work included exterior walls and column masonry restoration, windows, exterior steps, stairs, and raps repairs, renovations to



High School and Middle School interior walls, flexible classrooms in the High school, replacing hard flooring corridors, plastering walls in the Auditorium, and interior door replacement. It also included maintenance to the fire suppression system, adding additional exit lights and emergency egress lighting in numerous locations, adding a dedicated generator for the Central Building and two transfer switches for the Central Building, and replacement of the PA system which has reached end of life. Outside work included storm system adjustments which are not addressed with the current project, additional pavement, parking lot and sidewalks not addressed due to costs with the current project, as well as replacing the track, installed in 2009, which is at the end of life, and checking the older bleachers as part of a safety audit.

With the 1911 building, the work totaled \$3,395,300 for general construction and \$815,200 for incidentals. Dr. Reimer noted this would include the replacement of windows which are more expensive due to the age of the building than other replacement windows. Work would be done to seal exterior walls and columns, replace and upgrade doors for enhanced security. Recommendations also included internal wall renovations for upgraded classrooms, flushing and testing of the sprinkler system, replacement the emergency panels and the standby power system, and work on the communications/PA system which is at end of life.

Mrs. Gow joined the meeting at 8:20 p.m.

Pratt Elementary work included \$3,573,500 in general construction and \$1,034,700 in incidentals. The work included exterior wall and column repairs as the precast wall panels are showing wear, and determine what is the cause of the wall cracking. The panels also need to be cleaned and re-sealed. There is also the replacement of doors, frames, and hardware of some exterior doors. Interior wall work to change areas to 21st century classrooms, floor replacement, walls for large group instructional space, as well as renovations to other rooms. As with the other locations, electrical system work included the PA system, emergency and standby power systems, a dedicated generator for Pratt, and additional emergency egress lights at exit doors, exit lights in boiler room and kitchen, and emergency exit lights in certain rooms. Drainage work is also proposed for the athletic and play fields on the west side of the school.

The Maintenance Building alterations include \$240,600 in general construction and \$233,000 in incidentals. This work includes repairing walls and doors as it relates to minor step cracks, sanding, priming and sealing window lintels, re-caulking expansion joints and sealing bricks, replacement of weather stripping and bottom seals of overhead doors, repairing rust at jambs on overhead doors, as well as sanding, priming, and painting of overhead door jambs and heads. It also includes a replacement of hot water tanks, and addition of emergency and exit light systems throughout the building which were installed in 1955. The Facilities



Committee also suggested pavement of parking lot adjacent to the building.

The Board discussed the proposed repairs and Mr. Atwater noted his surprise at the cost of the repairs but understanding it was unlikely prices will decrease in the coming years and the forementioned work would position the District for the next 20 years. Dr. Reimer noted that just the windows run on average of \$10,000 per window to replace. With regard to air conditioning, he noted it would be approximately \$27 million to do this in the campus so that was taken off consideration by the Facilities Committee. Dr. Reimer noted that the District is currently testing stand-alone units to see if it would address the cooling needs of the District as the units cost approximately \$750 each, with 60 spaces being looked at, the expense is approximately \$45,000 vs. \$27 million. If the units do what is needed of them, it would be a much more manageable solution. Mr. Sweeney noted it would be worth bringing forward the proposed capital improvement project to the community. Mrs. Carnes agreed. Mrs. Voss agreed but noted it was important to provide that the work done by the Facilities Committee for this recommendation, included representation of the community. It is a lot of work she noted to bring the District forward for the next 15-20 years and good communication is important. Mrs. Harris and Mrs. Gow also agreed it was important to continue down this path. Upon conclusion of the discussion and with concurrence of the Board to move forward, Dr. Reimer discussed the next steps and a proposed timeline for a possible referendum vote on December 18, 2024. The final scope of work would be confirmed at the October 7th Board meeting, then a special meeting might be needed around October 16th to approve the necessary resolutions and SEQRA, there would then be a 45 + day public notice and comment period through November 30th, a public presentation on the project around November 5th, followed by a public hearing potentially December 9th with the vote to take place December 18th. Based on a question from Mr. Sweeney, Jr., Dr. Reimer noted that if the vote passes design work would take about one year and would include bids, and work would commence about four to six months after the current project ends (currently schedule to end Phase II at the end of November) so around the summer of 2026 this proposed project would begin. Dr. Reimer noted that this would mean the District will undergo 4-5 years of straight construction.

Dr. Reimer noted that he felt people were now seeing the positive impact of the changes from the current project, and as the District has the money to address the proposed project and use some of its capital reserves to cover the local share with no increase to taxpayers. He is hoping the community would vote in favor of doing a second capital project. This project would address 85% of the future building needs to help the students continue to learn and move forward by addressing the needs of the students and District.



Policies/Plans

The first review of Policies: 1110, 1120, 1210, 1220, 1230, 1310, 1320, 1330, 1335, 5633 were presented and there were no comments raised.
1110: School District and Board of Education Legal Status and Authority
1120: Board of Education: Qualifications, Numbers, and Terms of Office
1210: Board of Education Members: Nomination and Election
1220: Reporting of Expenditures and Contributions
1230: Resignation and Dismissal
1310: Powers and Duties of the Board
1320: Nomination and Election of Board Officers and Duties of the President and Vice President
1330: Appointments and Designations by the Board of Education
1335: Appointment and Duties of the Claims Auditor
5633: Gender Neutral Single-Occupancy Bathrooms

Out-of-District Students

Dr. Reimer brought forward, as a continuation from last month's meeting discussion, the one topic relating to the subject of ways to expand enrollment, in particular as a number of non-resident families have inquired about their child(ren) attending Barker, and how the cost to attend based on the calculation by NYS is prohibitive. Policy #7132: Non-resident Students outlines the general conditions of allowing non-resident students to attend Barker Central School District. The discussion tonight was to determine if the Board would like to look at the policy further or leave as is. Dr. Reimer noted there were pros and cons to both sides of this topic. Some of the pros including some families who would like their children to attend Barker due to the quality of education received, and some have had family here that want to help and family members may pay taxes here. Bringing in students could help maintain programs such as electives and higher-level classes. It could also result in an increase in revenue. It could help athletics and other programs if the incoming student(s) are interested. Mrs. Love noted that a lot depends on the type of students. It could increase data scores and attendance if high achievers. Mr. Atwater concurred the pros were significant but noted that the District could not discriminate either. The Board discussed the cons of letting out-of-district students to attend. Some include if the child is considered to fall under Special Education, if out-of-district placement is needed it could range from \$30,000-60,000 per student which the tax payer would pay if the foundation aid did not cover the expense. Potential behavioral concerns were noted as a possibility. The issue of potential need to add staff as an additional expense was discussed. The Board discussed the idea of amending the policy that would say if the addition of the student(s) does not result in additional expense to the District allowing admittance. The importance of not discriminating against families/students was reiterated throughout the discussion of the pros and cons. If a student opts to attend BOCES, that would be an additional expense of the District. General Ed students receive about \$12,000-13,000 per year in aid, and Special Education is approximately \$20,000 currently. Mrs. Gow noted the concern of what impact it would have on taxpayers which the Board



subsequently talked about. Another matter discussed was with children coming into the District, it could make programs better, but it also could take away opportunities from students within the District now whose parents are paying taxes. Grade level section additions and related pros/cons and expenses due to enrollment numbers was also discussed. After discussion, the Board concurred, that at this time, the cons outweighed the pros for letting Out-Of-District non-resident students attend school tuition free. Mr. Atwater noted it was a good conversation to have. The Board agreed that and noted it could also be brought forward another time should circumstances change.

Education

Motion by Mrs. Voss, seconded by Mrs. Carnes to approve the resolution for Q. A. to attend school during the 2024-2025 school year as a Foreign Exchange Student under a J1 visa as per Policy 7132 tuition free.

Yes: 6, No: 0

Motion carried.

Motion by Mrs. Voss, seconded by Mrs. Carnes to approve the transportation agreement between Barker Central School District and Matthew Draper for the 2024-2025 school year.

Yes: 6, No: 0

Motion carried.

Motion by Mrs. Voss, seconded by Mrs. Carnes to approve the following tests and publications as listed within be declared excess property and that the Superintendent, or his designee, be authorized to dispose of said items.

Yes: 6, No: 0

Motion carried.

Motion by Mrs. Voss, seconded by Mrs. Carnes to approve the attendance of Jacob L. Reimer, Superintendent at the 2024 Fall Leadership Summit September 22-24, 2024, at the Saratoga Hilton & Saratoga Springs City Center Saratoga Springs, NY.

Yes: 6, No: 0

Motion carried.

Personnel Items

Motion by Mrs. Harris, seconded by Mrs. Gow to approve the probationary appointment of Jacqueline Stephan as a 10-Month Clerical I, effective date of August 26, 2024, at a rate of \$18.00 per hour, with a probationary period from August 26, 2024 to August 25, 2025.

Yes: 6, No: 0

Motion carried.

Motion by Mrs. Harris, seconded by Mrs. Gow to approve the revised appointment of Kimberly Roberto as a Full-time Teaching Assistant effective August 28, 2024 based of the BTU Agreement at Teaching Assistant, BA, Step 2 - \$24,807, with a probationary period from August



28, 2024 - August 27, 2028 from the Step 1, \$24,224 as approved August 12, 2024, all other terms and conditions remain the same.

Yes: 6, No: 0

Motion carried.

Motion by Mrs. Harris, seconded by Mrs. Gow to approve the appointment of Stephanie Gooding as a Full-time Teaching Assistant effective August 28, 2024, based on the BTU Agreement as Teaching Assistant, BA, Step 3, \$25,427, with a probationary period from August 28, 2024 to August 27, 2028.

Yes: 6, No: 0

Motion carried.

Motion by Mrs. Harris, seconded by Mrs. Gow to approve the acceptance of the resignation of Stephanie Gooding as a Full-time Teacher Aide effective September 5, 2024.

Yes: 6, No: 0

Motion carried.

Motion by Mrs. Harris, seconded by Mrs. Gow to approve Tina Muff as a probationary Full-time Cleaner effective September 9, 2024, at a rate of \$15.30 per hour as per the Central Services Association Agreement, probationary period from September 9, 2024 to September 8, 2025.

Yes: 6, No: 0

Motion carried.

Motion by Mrs. Harris, seconded by Mrs. Gow to approve the acceptance of the resignation of Tina Muff as a Part-time Teacher Aide and Part-time Cleaner effective September 9, 2024.

Yes: 6, No: 0

Motion carried.

Motion by Mrs. Harris, seconded by Mrs. Gow to approve the permanent appointment of Timothy Clay as a Full-time Cleaner effective September 5, 2024.

Yes: 6, No: 0

Motion carried.

Motion by Mrs. Harris, seconded by Mrs. Gow to approve the permanent appointment of Kristina Nagel as a Full-time Clerical I effective September 15, 2024.

Yes: 6, No: 0

Motion carried.

Motion by Mrs. Harris, seconded by Mrs. Gow to approve the appointment of Mary Eadie as the Community Ed Director for the 2024-2025 school year with a stipend of \$8,000.



Yes: 6, No: 0
Motion carried.

Motion by Mrs. Harris, seconded by Mrs. Gow to approve the appointment of Mallory Stodolka to shadow and present as part of her teacher certification as a Teaching Assistant with Niagara University with Mrs. Donovan for the 2024 Fall Semester commencing September 23, 2024 - December 12, 2024.

Yes: 6, No: 0
Motion carried.

Motion by Mrs. Harris, seconded by Mrs. Gow to approve the appointment of Molly Bielak as a Student Teacher as part of her teacher certification in Childhood Education, Grades 1-6 and Students with Disabilities, Grades 1-6, with SUNY Brockport with Mrs. Ober for the 2024 Fall Semester commencing September 3, 2024 - December 13, 2024.

Yes: 6, No: 0
Motion carried.

Motion by Mrs. Harris, seconded by Mrs. Gow to approve the following as community/parent volunteers: Emily Lunde, Kathleen Schmitt, Joseph Wisniewski, and Nicole Wisniewski.

Yes: 6, No: 0
Motion carried.

Business & Financial Items

Motion by Mr. Sweeney, Jr., seconded by Mrs. Gow, to approve the budget transfers for fiscal year-end 2023-2024.

Yes: 6, No: 0
Motion carried.

Motion by Mr. Sweeney, Jr., seconded by Mrs. Gow, to approve the resolution for the authorization to transfer funds from Unappropriated Fund Balance to Reserve Funds.

BE IT RESOLVED, that the Board of Education of the Barker Central School District hereby authorizes and directs the transfer of \$1,283,260 from the 2023-2024 unappropriated fund balance to the Capital Reserve Fund established by the voters pursuant to Education Law Section 3651 on May 16, 2023 (known as the "2023 Capital Reserve Fund"); and

BE IT RESOLVED, that the Board of Education of the Barker Central School District hereby authorizes and directs the transfer of \$683,500 to the Capital Projects Fund; and



BE IT FURTHER RESOLVED, that the Superintendent is authorized to take any and all action necessary to effectuate the transfer, as described herein.

Yes: 6, No: 0
Motion carried.

Motion by Mr. Sweeney, Jr., seconded by Mrs. Gow, to approve the year-end 2023-2024 Financial Audit performed by the external auditors, Lumsden McCormick.

Yes: 6, No: 0
Motion carried.

Motion by Mr. Sweeney, Jr., seconded by Mrs. Gow, to accept the School Safety Excellence Award at the Titanium with Honors level in the amount of \$500.00 from Utica National Insurance Group.

Yes: 6, No: 0
Motion carried.

Motion by Mr. Sweeney, Jr., seconded by Mrs. Gow, to approve the agreement for contract services between Thomas Wenhold PT and Barker Central School District for the academic school year of 2024-2025 and the summer session of July-August 2025.

Yes: 6, No: 0
Motion carried.

Motion by Mr. Sweeney, Jr., seconded by Mrs. Gow, to approve the amended agreement between Barker Central School District and FSST. Corp. for Athletic Trainer services for the 2024-2025 school year with the reduced fee of \$20,000.

Yes: 6, No: 0
Motion carried.

Mr. Atwater congratulated the Administrative team on a clean audit and the safety award from Utica Insurance.

ADJOURNMENT Motion by Mrs. Gow, seconded by Mrs. Carnes, to end the Public Session and adjourn the meeting at 9:05 p.m.

Yes 6, No 0
Motion carried.

Respectfully Submitted,

Mary H. Eadie, District Clerk