



**BOARD OF COOPERATIVE EDUCATIONAL SERVICES
SOLE SUPERVISORY DISTRICT
ST. LAWRENCE-LEWIS COUNTIES**

P.O. Box 231, 40 W. Main Street
Canton, New York 13617

BOARD MEETING AGENDA

Wednesday, April 5, 2023 – 4:00 pm

**Board of Education Goals
2022-2023**

St. Lawrence-Lewis BOCES is committed to work successfully with component districts across the region:

- To increase student performance and enhance opportunities to access advanced coursework essential for a successful preparation for college, career, and citizenship including alternative and technology-based platforms
- To promote regional sharing and delivery models through inter-BOCES as well as intra-BOCES arrangements
- To continuously evaluate BOCES services for quality, efficiency, and potential improvement, including input from our component school district partners
- To provide financial and operational solutions to our component school districts helping them maximize new revenue sources.

St. Lawrence-Lewis BOCES will:

- Work with our Regional Partners, including SUNY Potsdam, to build and refine regional pipelines that will produce teachers and future educational leaders for the region, including the Ed Leadership Program at SUNY Potsdam and the Advanced Certificate in Special Education Program.
- Work with component districts to provide professional development for the implementation of instructional tools and strategies needed for effective instruction, including a multi-year implementation of The Science of Reading.
- The BOCES will support models of Social/Emotional/Learning (SEL) for implementation across the region, which will increase both the cognitive capacity of all students and their physical, mental well-being, and health.
- Continue to provide school districts and BOCES staff the information, resources, and training necessary to protect digital information, including Personally Identifiable Information (PII) of staff/students, and to protect our technology platforms.
- Develop resources to support BOCES and SLL component districts as they raise awareness and build capacity toward the implementation of the New York State Education Department's Culturally Responsive Sustaining Education Framework and the embedded components of Diversity, Equity, and Inclusion.

AGENDA

Opening Activities

(In accordance with [Board Policy #1432](#) – Order of Business at Regular Board Meetings)

- I. Call to Order by President
- II. Pledge of Allegiance
- III. Roll Call and Quorum Check

Action Items

- IV. Personnel – Attachment “A”
(In accordance with Board Policy #5150 – Recruitment, Selection, and Appointment of Personnel)

This motion will include the entire personnel section of the agenda.

A motion is needed to approve the Personnel as presented in Attachment “A”.

- V. Revenue Anticipation Note Resolution (RAN)
(In accordance with Board Policy #4510 – Facilities Planning)

*Rationale: The necessity of borrowing is due to the lack of revenue during the summer.
This is an annual request and the loan is repaid by fiscal year end, June 2023.*

A motion is needed to delegate the president of the Board of Education of the Board of Cooperative Educational Services of the Sole Supervisory District of St. Lawrence and Lewis Counties, New York, the power to authorize the issuance of and to sell not exceeding \$7,000,000 revenue anticipation notes of said B.O.C.E.S. in anticipation of the receipt of revenues from various sources during the fiscal year of said B.O.C.E.S. commencing July 1, 2023:

BE IT RESOLVED, by the Board of Education of the Board of Cooperative Educational Services of the Sole Supervisory District of St. Lawrence and Lewis Counties, New York, as follows:

Section 1. The power to authorize the issuance of and to sell revenue anticipation notes, including renewals thereof, of the Board of Cooperative Educational Services of the Sole Supervisory District of St. Lawrence and Lewis Counties, New York (the “B.O.C.E.S.”), in anticipation of the receipt of revenues from various sources during the fiscal year of said B.O.C.E.S. commencing July 1, 2023, including receipt of moneys from the State of New York and from component school districts, is hereby delegated to the President of said B.O.C.E.S., the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be determined by said President pursuant to the Local Finance Law.

Section 2. The deputy chief fiscal officer of said B.O.C.E.S. is hereby authorized to execute such revenue anticipation notes in the place of the chief fiscal officer, if the chief fiscal officer shall so designate.

Section 3. This resolution shall take effect immediately.

- VI. Settlement Offer for Claims Against JUUL Labs, Inc.

WHEREAS, in recent years the use and abuse of e-cigarettes and vaping devices increased dramatically among high school and middle school students, leading to significant risks of addiction and potentially life-threatening respiratory ailments; and

WHEREAS, students attending the St. Lawrence-Lewis BOCES (the “BOCES”) have not been immune to this phenomenon with the BOCES observing students using e-cigarettes and vaping devices in school and on school grounds; and

WHEREAS, the use of e-cigarettes and vaping devices by students has caused the BOCES to incur costs in the form of staff time, disciplinary proceedings, and other costs, with the expectation that these costs will only increase unless and until student use of these devices decreases and stops; and

WHEREAS, the BOCES authorized the law firms of Ferrara Fiorenza PC, and the Frantz Law Group, APLC, to initiate litigation against Juul Labs, Inc. and other parties by board resolution relating to the production, marketing, sale, and distribution of e-cigarettes and vaping devices; and

WHEREAS, the litigation involved more than 1400 U.S. public BOCESs across more than 25 states; and

WHEREAS, a tentative settlement has been reached with Defendant Juul Labs, Inc. and certain individual board members, directors, executives and parties with whom Juul Labs, Inc. has indemnity agreements; and

WHEREAS, litigation against Altria and remaining defendants will continue; and

WHEREAS, partial settlement means the BOCES would forever release all claims against Juul Labs and the other released entities; and

WHEREAS, in return, the BOCES would receive certain cash payments; and

WHEREAS, the amount that the BOCES receives will be based on a final allocation framework recommended by the court-appointed Special Master Thomas Perrelli with the allocation framework for all governmental entities including factors such as population and litigation risk and be no less than \$22,085 for the BOCES; and

WHEREAS, an initial payment of approximately 54% of the settlement amount is anticipated to be paid by late 2023; and

WHEREAS, the remaining payments will be made in four installments anticipated in late 2023, 2024, 2025 and 2026; and

WHEREAS, the Board of Education (the "Board") has determined it is necessary, advantageous, desirable, and in the public interest and the best interests of the BOCES that it settle this litigation against Juul Labs, Inc. and continue the litigation against remaining other parties involved with e-cigarettes and vaping devices.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the BOCES, as follows:

- 1. The Board authorizes the partial settlement of the vaping lawsuit against defendant Juul Labs, Inc. and certain individual board members, directors, executives and parties with whom Juul Labs, Inc. has indemnity agreements.**
- 2. A Settlement with the substantive terms contained herein is hereby approved in substantially the form reviewed by the Board and together with such minor modifications as are deemed necessary by the BOCES's attorneys and administrators to protect the best interests of the BOCES.**
- 3. The Board President, Superintendent and their designee(s) are hereby authorized to finalize, sign and enter into the Settlement Agreement on behalf of the BOCES and take all actions and execute all documents necessary or appropriate to carry out the intent of this Resolution.**
- 4. This Resolution shall take effect immediately.**

VII. Consent Agenda Items for Action

- Minutes of Regular Board Meeting – [March 9, 2023](#)
(In accordance with [Board Policy #1432](#) – Order of Business at Regular Board Meetings)
- Treasurer’s Report for period ending March 31, 2023
(In accordance with [Board Policy #1432](#) – Order of Business at Regular Board Meetings)

A. Account Balances

| | |
|----------------------------|-----------------|
| General Fund | \$ 3,742,857.00 |
| Federal Fund | \$ 793,445.15 |
| Trust & Agency Fund | \$ 910.61 |
| Payroll Fund | 0.00 |
| Capital Renovation Project | \$ 1,314,644.29 |
| Capital Equipment Reserve | \$ 205,326.57 |

B. Current Budget Allocation

[Budget Report](#) [District Billing](#)

General Fund Budget \$ 74,421,733.83

- Staff Conference
(In accordance with [Board Policy #5211](#)– Travel Expenses/Conference Approval)
 - Thomas Burns to attend the Advocacy Conference with AASA The School Superintendents Association in Washington, DC from July 10-13, 2023.
- Donation
(In accordance with [Board Policy #4230](#) – Acceptance of Gifts, Grants, and Bequests to BOCES)
 - Exterior Door with side windows donated by Lowe’s in Potsdam to the Building Trades Program at Seaway Technical Center with a value of \$2,000.00.
- Administrator Handbook
(In accordance with [Board Policy #5230](#) – Negotiations)
- Intermunicipal Cooperation Agreement – Town of Gouverneur
(In accordance with [Board Policy #4310](#) – Purchasing Policy)

Approval of the Intermunicipal Cooperation Agreement between St. Lawrence-Lewis BOCES and the Town of Gouverneur or purposes of shared resources in the undertaking of public works or other municipal and/or education related projects and services for the period of April 17, 2023 – June 30, 2023.

A motion is needed to approve the above consent.

VI. Reports

- A. [Thomas R. Burns, District Superintendent](#)
- B. [Darin Saiff, Assistant Superintendent for Instruction](#)

VII. Information Items

- A. Update on Facilities – K. Perretta
- B. May Board meeting will be held at Southwest Technical Center at 6 pm

VIII. Discussion Items

- A. Annual Meeting Review
(In accordance with [Board Policy #1437](#) – Annual Meeting)

[Summary of Tentative Administrative, Capital, and Program Budgets for 2023-2024](#)

(In accordance with [Board Policy #1310](#) – Power and Duties of the Board and its Officer, in accordance with [Board Policy #4110](#) – Budget Planning and Preparation, and in accordance with [Board Policy #4120](#) – Budget Development and Adoption)

Action will be requested to adopt the BOCES Administrative, Capital, and Program Budgets for 2023-2024 at the May 11, 2023 meeting of the Board of Cooperative Educational Services. This action can be initiated after the component boards of education have voted on the BOCES Administrative Budget, as presented at the BOCES Annual Meeting. The voting date, April 18, 2023, was designated by the BOCES Board President, pursuant to §1950 subdivision 2-a (b) of the Education Law of the State of NY.

- B. [Claims Auditor's Quarterly Report](#)

IX. Presentations

X. Adjournment