

STATE OF NEW YORK
STATE EDUCATION DEPARTMENT

In the Matter of Cory and Sarah McMillan, Alex Dery Snider and David Snider, Sara Diane and Jason Nolan, and Deborah Jaffe and Edwin Schiele on behalf of our children as students of Cambridge Central School: PM, HS, AS, RN, WN, and AS, from the July 8, 2021, action of the Board of Education of the Cambridge Central School District rescinding the June 17, 2021, vote retiring the District’s race-based Native mascot and associated imagery AND the resolution to keep the Indians nickname as a mascot and review changes to the imagery.

**AFFIDAVIT OF
JEFFREY D. HONEYWELL**

Appeal No.: 21598

STATE OF NEW YORK)
) ss.:
COUNTY OF ALBANY)

Jeffrey D. Honeywell, Esq., being duly sworn, deposes and says:

1. I am the Managing Shareholder of Honeywell Law Firm, PLLC, attorneys for the Board of Education of the Cambridge Central School District (*hereinafter*, “Respondent,” “Board,” or “District”).
2. I submit this Affidavit for the purpose of opposing the Verified Petition and the application for a Stay or other interim relief sought in the Verified Petition of Cory and Sarah McMillan, *et al.*, received by the District on August 3, 2021 (*hereinafter* “Petition”).
3. As District counsel, I have reviewed the papers submitted by Petitioners and Affidavits and Exhibits attached thereto in support of their Appeal. I have also fully reviewed the circumstances surrounding the action taken by the Board on June 17, 2021 and on July 8, 2021, along with the Affidavits submitted by the Board in support of the District’s opposition to the Stay request. I was

also present during the Board's meetings on June 17, 2021 and July 8, 2021, when the Board took the actions referenced and complained of in the Petition. Thus, I am fully familiar with the facts and circumstances surrounding this Appeal.

4. The Petitioners request a stay whereby the Board's action during its meeting on July 8, 2021, when it voted to "rescind the retirement of the Indians mascot and to reinstate the Indians name, mascot, and associated imagery," (i.e. the Board resolution adopted on June 17, 2021) not be implemented during the pendency of the Petition. Without providing a legal justification, the Petitioners claim that a stay is appropriate in this proceeding due to "extraordinary circumstances, as Cambridge is the only NYS school district to retire a Native mascot and then reinstate it immediately." However, Petitioners fail to allege any legal or factual grounds upon which a Stay should be granted for the reasons described herein.

5. Commissioner's Regulation § 276.1(a) states that if a petitioner desires a stay, such application must be supported "by the facts and the law upon which such stay should be granted." The Application for a Stay Order submitted by Petitioners is patently insufficient to satisfy the requirements of the Commissioner's Regulations. Petitioner's papers do not contain any law, or reference to any applicable law, upon which such stay can be granted. Since the requirements of Regulation § 276.1 have not been satisfied, the Petitioners' Application for a Stay Order should be denied in its entirety.

6. Generally speaking, it has been established by the Commissioner of Education that the standard that a Petitioner must satisfy to obtain a stay is the customary three-part test of:

- A. Likelihood of success on the merits;
- B. Irreparable harm in the absence of a stay; and,

C. A balancing of the equities that favor the granting of a stay.

It is respectfully submitted that for the reasons which follow, Petitioners wholly fail to satisfy this test and the Commissioner's Regulation. Thus, the request for a stay must be denied.

6. Quite simply, as of the date of this Affidavit, there is no legal prohibition on the use of terms and imagery associated with Indigenous People as a nickname or mascot for a school district. Although there is proposed legislation concerning the use of "race-based mascots," that legislation has not been signed into law, even though it was proposed over a year ago. *See* Petition, Exhibit Bb, Mascot Packet #5.

7. More importantly the State Education Department has recognized that it is a local decision, not one to be mandated by SED. In former his memorandum on the topic dated April 5, 2001, as affirmatively stated and acknowledged by Petitioners (See paragraph "5" of the Petition), then Commissioner Mills was "asking" that Districts reexamine the use of Native American symbols as mascots. He was not ordering any change (See Exhibit "G" to the Petition). In fact, then Commissioner Mills specifically stated in his memorandum that school districts needed to "resolve this locally." It should be noted that Commissioner Mills' 2001 memorandum did, in fact, prompt a local exploration in the District about the "Indians" mascot and Native-American themed imagery. That review led to retaining the nickname of "Indians," but resulted in updated imagery to more closely honor the Native Americans who inhabited the Cambridge area (See Honyoust Affidavit, Exhibit "A", ¶¶ 20-21).

8. There is no Federal or State law or Commissioner's Regulation prohibiting the use of Native American mascots, it is, quite simply, a local board decision. Should any such legislation

be passed, obviously all school districts will have to honor it. Therefore, at this time there is no legal basis for Petitioners to rely upon and little likelihood of success on the merits.

9. Moreover, while the Petitioners have presented concerns about two newly elected Board members, Dillon Honyoust and Shay Price, voting on the resolution on July 8, 2021 to rescind the June 17, 2021 resolution of the Board concerning the use of the “Indians” mascot, and those same members’ vote concerning the continued use of the “Indians” mascot, Petitioners have not cited any law violated by the Board in the approval of such resolutions. Moreover, both Mr. Honyoust and Mr. Shay voted on several other resolutions during the July 8, 2021 Board meeting, none of which were objected to by the Petitioners.

10. Even if Petitioners had cited a law upon which the stay should be granted, they have not presented any facts supporting the stay request.

11. Petitioners allege in a speculative and, in fact, incorrect fashion that Board Members Honyoust and Price could not have been fully informed. Yet, the affidavits of each board member demonstrate the opposite (See Exhibits “A” and “B” to this Affidavit). Thus, there is no reason to find that their actions were arbitrary or capricious, or were lacking in some rational basis. The fact that Petitioners obviously disagree with their votes is not sufficient to prevail.

12. Petitioners simply disagree with the positions taken by Board President Ziehm, and Board Members Honyoust and Price, and accordingly have claimed in conclusory fashion that such positions must therefore be arbitrary and capricious. As was held by the Commissioner of Education in Appeal of Tobin (Decision No. 11,591), the fact that a petitioner may have a differing opinion on a team name or mascot does not entitle them to relief. It is, quite simply, a decision for a board of education to make.

13. Contrary to the Petitioners contention, the decisions by Board Member Honyoust, and Board Member Price, were well-researched, and within their legal authority as Board members.

14. Both Board Member Honyoust and Board Member Price considered hundreds of pages of background information procured by Superintendent of Schools Douglas Silvernell (this same information is actually provided as an Exhibit to the Petition and was publicly available on the District's website for all to see and read); consulted with members of the community; consulted with Native Americans, including those residing within the District, consulted with students currently attending school within the District, and considered whether the students, including their own children who attend District schools, had been harmed; attended and/or listened to Board meetings during which the issue was discussed; and participated in the mediation sessions facilitated by the District. See the Affidavits of Board Members Dillon Honyoust and David Shay Price for a more detailed recitation of the large basis of knowledge they had on this issue prior to their votes on July 8, 2021 (Attached hereto as Exhibits "A" and "B").

15. In addition, Petitioners have failed to present any factual evidence to prove that they will suffer immediate and irreparable harm should the stay not be granted and have failed to show that a balancing of the equities supports the issuance of a stay. Mere conclusory statements and speculation do not suffice.

16. As of the time of the filing of the Petition and this response, no District students are actually attending school.

17. Moreover, as of the time of the filing of the Petition, named Petitioners P.M., R.N., and W.N., are either not enrolled in the District, or are alleged to be attending private school outside

of the District during the upcoming school year. Thus, they cannot be “harmed” by the Board’s action on July 8, 2021 and have no standing in the instant Appeal.

18. Any alleged harm to Petitioners H.S., A.S., and A.S., is purely speculative in nature, with no tangible evidence of harm being caused by the District’s use of the “Indians” nickname and associated imagery alleged. Mere speculation of harm is insufficient to succeed on the alleged merits of the claim.

19. Concerning H.S. and A.S., the imagery complained of by Petitioners, albeit without providing any actual evidence of the negative impact on their children, has actually been addressed by the Board’s resolution of July 8, 2021 – the same resolution complained of by Petitioners. Specially, that resolution provides that the Board will “review for potential changes and/or updates to the current imagery associated with the [Indians nickname]. (See draft of meeting minutes from the July 8, 2021 Board of Education Meeting attached hereto as Exhibit “C”.) Moreover, while the Petitioners have claimed that the Board’s action on July 8, 2021 is antithetical to the Equity, Inclusivity, and Diversity in Education Plan (“Plan”) unanimously adopted by Respondent Board on February 11, 2021, the Plan, coupled with the Board’s focus on developing and implementing “a plan that will incorporate enhanced instruction in the curriculum of the School District that recognizes and teaches students in an informed and accurate way about the history of Native American culture, including as such culture has and continues to exist in the region of the School District,” directly counteracts any of the presumed reinforcement of “stereotyping,” inappropriate treatment of another’s symbols or sacred objects, and generally any negative view point concerning Native Americans or any other underrepresented populations. It will also counteract

any unsubstantiated presumption that the use of the Indian nickname or associated imagery will create “implicit bias” in Petitioners’ children.

20. Regarding the second A.S., though upon information and believe, she is rising senior at Cambridge Junior-Senior High School, the incidents complained of in that Affidavit occurred while she was in kindergarten, at a time when she and her classmates had only limited exposure to the “Indians” nickname and imagery, and during “junior high school,” which upon information and belief is during either seventh or eighth grade. No allegations of more recent direct harm were made, and the remaining allegations and inferences are speculative and conclusory in nature. There is no specific allegation that there is current likelihood of harm to A.S.

21. Since, Petitioners have failed to establish facts that demonstrate they will be irreparably harmed in the absence of a stay, Petitioners’ Application for a Stay must be denied in its entirety.

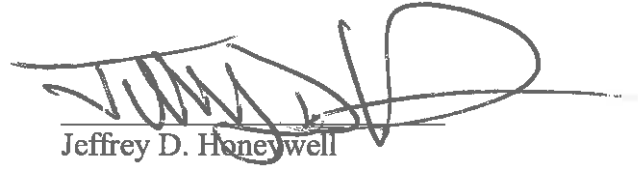
22. Finally, when balancing the equities of this case, it is the District that is likely to succeed on the merits of this case, as it is clear that no law has been violated by the action of the Board on July 8, 2021. The decision on a mascot is a local decision to be made by boards of education under existing law. It is, in fact, the District that will be irreparably harmed if the stay is granted as it will be forced to act hastily, including expending fiscal resources, to remove the Indians logo from its school buildings, and outfit its athletic teams in new uniforms. Thus, Petitioners’ Application for a Stay Order must be denied in its entirety as a balancing of the equities favors the District.

23. Unlike appeals to the Commissioner of Education involving students who have been suspended from school, are in a residency dispute, or there is a McKinney-Vento issue, there is simply no imminent harm present in this case. A careful and prudent review of all of the evidence by the Commissioner after all evidence and arguments are submitted is what should occur.

Therefore, there is no legally or factually sufficient basis for a stay to be issued in advance of the parties fully submitting on the Petition and the Commissioner rendering a final decision.

24. The Petitioner has failed to meet any of the procedural or substantive requirements for the issuance of a stay, therefore, such request must be denied in its entirety, and the Petition must be dismissed.

WHEREFORE, it is respectfully requested that the Application for a Stay be denied in all respects, the Petition be dismissed, and for such other and further relief to the District as the Commissioner deems appropriate.



Jeffrey D. Honeywell

Sworn to before me this 13th
day of August 13, 2021.



Notary Public - State of New York

SARAH F. KEEFER
Notary Public, State of New York
Qualified in Albany County
No. 01KE6222166
Commission Expires May 17, 2022

Exhibit A

STATE OF NEW YORK
STATE EDUCATION DEPARTMENT

In the Matter of Cory and Sarah McMillan, Alex Dery Snider and David Snider, Sara Diane and Jason Nolan, and Deborah Jaffe and Edwin Schiele on behalf of our children as students of Cambridge Central School: PM, HS, AS, RN, WN, and AS, from the July 8, 2021, action of the Board of Education of the Cambridge Central School District rescinding the June 17, 2021, vote retiring the District’s race-based Native mascot and associated imagery AND the resolution to keep the Indians nickname as a mascot and review changes to the imagery.

**AFFIDAVIT OF
DILLON HONYOUST**

Appeal No.: 21598

STATE OF NEW YORK)
) ss.:
COUNTY OF WASHINGTON)

I, DILLON HONYOUST, being duly sworn, deposes and says:

1. I am a member of the Board of Education of the Cambridge Central School District (“District”).
2. I submit this Affidavit in support of the Affidavit of Jeffrey D. Honeywell, in opposition to the stay requested by the Petitioners in the above-captioned matter.
3. I was elected to the Board on May 18, 2021, having received the most votes among the five candidates running.
4. Notably, in running for the school board, I embraced a platform of preserving the District’s “Indians” mascot.
5. Upon my election, I took my oath of office and was seated on the Board on May 19, 2021.

6. My actions, on July 8, 2021, voting to rescind the prior action of the Board of Education taken on June 17, 2021, and then to approve a resolution, enabling the nickname of Indians to remain, and requiring a review for potential changes and/or updates to the current imagery associated with it, have been referred to by the Petitioners in the Verified Petition as being “arbitrary and capricious” in nature.

7. To the contrary, unlike Petitioners, I believe I have a unique perspective on this matter that enabled me to make a well-informed decision on July 8, 2021. Not only am I a current District resident, but I am the father of three children attending District schools (grades 7, 4, and 3), an alumnus of the District having graduated in 2007, and I identify as Native American.

8. More specifically, I am of Onondaga Nation, of the Haudenosaunee Confederacy.

9. Prior to my election, both before and then while running as a candidate for the School Board, as well as following my election to the Board, I educated myself on the issue of whether to preserve the District’s “Indians” nickname and imagery.

10. I have been actively involved in the general District discussion concerning the Indians nickname and imagery since the Board of Education meeting held on or about November 12, 2020. At that meeting, during the time reserved for public comment, I spoke in support of keeping the Cambridge Indians name and logo.

11. On or about January 12, 2021, I e-mailed District Superintendent of Schools, Douglas Silvernell, on behalf of my family. I introduced to Dr. Silvernell a potential compromise position where the District would keep the “Indians” nickname, but the associated imagery used by the District would be subject to review.

12. On or about February 25, 2021, I met with Dr. Silvernell, two Board of Education members – then Board President and current Board member Neil Gifford, and then Board member

and current President Jessica Ziehm, and District resident Steve Luke, to discuss the “Indians” nickname and imagery. The conversation we had was very constructive and was focused upon how we can better educate our District students with respect to Indigenous studies, differentiating the instruction based upon students’ ages, and bring the community, where some residents were divided on this issue, back together and try to build consensus.

13. On or about May 2, 2021, I was part of a national panel with a dozen other Native Americans advocating on how to better educate school district about Native American history. The panel also discussed the continued use of Native American-themed mascots and imagery through proper representation and respect for Native American culture.

14. On or about May 8, 2021, I organized and participated in a community-wide rally, held within the District at Durrin Park, in effort to raise money for scholarships focused on Native American history, as well as to raise awareness and receive donations towards various Missing and Murdered Indigenous Women organizations. I also organized a panel of Native Americans from around the United States, who spoke to our community members about the use of Native American-themed mascots, and who expressed their support for the District’s continued use of the “Indians” nickname and logo.

15. During this time, in addition to the above, I reviewed some 346 pages of “Packet” information compiled by Dr. Silvernell, which has been posted on the District’s website. I also actively engaged in the mediation process facilitated by the Restorative Practices Team: Bridges, on behalf of the District.

16. I also closely followed all of the nickname information and exchanges of views shared in the community that occurred during the many months leading up to my votes. I spoke

with many citizens who were on either side of the issue to make sure I was fully informed of all views.

17. I also spoke with other Native Americans in the community, all of whom agreed with my sentiments that District's long-standing mascot and logo, represents Native American, strength, honor, pride, just as it is a source of identity, strength, honor, and pride for students and alumni of the District. To me and many Native Americans in the Cambridge community, the "Indians" nickname and logo has always been a positive symbol to portray the strength of Native American heritage.

18. I have been able to observe, firsthand, that the Indians nickname and supporting imagery, have in no way negatively impacted my children, who also identify as Native American.

19. Moreover, upon information and belief, during the 2019-20 school year, the District reported that 10 students enrolled as of "BEDS day" identified as American Indian or Alaskan Native. While I can not say with certainty who these students are, I can say that my three children, my brother's three children attending District schools, the six children of my two cousins attending District schools (the youngest enrolling in kindergarten this school year [2021-22]), are all Native American, and all support keeping the "Indians" nickname. In addition, during the mediation sessions, a then High School Senior (M.F.), who identified herself as bi-racial, half African American, half Native American, expressed complete support for the Indians mascot, and openly shared her positive perspective. These perspectives are important to me.

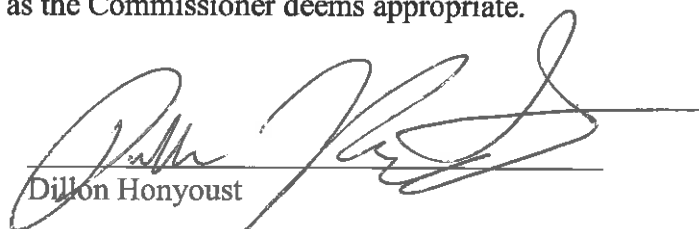
20. I am also keenly aware that previously, in 2001, in light of the memorandum issued by then Commissioner of Education, Richard P. Mills, on the subject, "Public School Use of Native American Names, Symbols, and Mascots, the District engaged in a review of the Indian mascot, and the correlating imagery employed by the District at that time.

21. Notably, shortly after Commissioner Mills authored that memorandum, my grandfather, David Honyoust, an Oneida War Chief, was consulted by District leaders, and he advised them that the use of the term “Indians” was not offensive but that the imagery then in use should be updated to more closely represent the Native Americans who inhabited the area around the District. His input was instrumental in the District’s decision to continue with the Indian mascot, while updating the Indian logo, developing the Eastern Woodland head currently in use by the District (and subject to this Appeal), as it was to honor those Native Americans that called the District’s geographical area home.

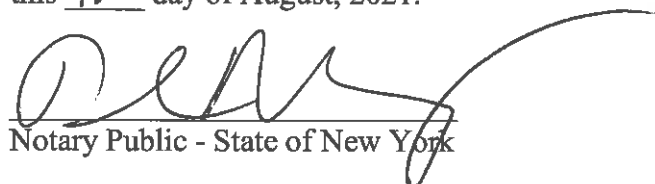
22. For these reasons, I made the informed, rational, decision to vote in favor of rescinding the Board’s action of June 17, 2021 (I originally voted against this action on June 17), and also voted in favor of keeping the “Indians” nickname, while conducting an ongoing review of any associated imagery.

23. I also voted in favor of a resolution directing the Superintendent to create a plan that will incorporate enhanced instruction in the curriculum of the School District that recognizes and teaches students in an informed and accurate way about the history of Native American culture, including as such culture has and continues to exist in the region of the School District. The Superintendent shall conduct such planning and include such participation, as he deems appropriate and return to the Board with his recommendations. I believe that the District taking this action, will effectively ensure that the use of the “Indians” nickname will continue to not be a barrier to building a safe, nurturing, and supportive learning environment for the District’s students. It will also ensure that the imagery used by the District will not be disparaging or disrespectful to Native Americans.

WHEREFORE, it is respectfully requested that the instant Petition and the Application for Interim Relief pending the determination of the underlying Petition be denied in all respects, and for such other and further relief to the District as the Commissioner deems appropriate.


Dillon Honyoust

Sworn to before me
this 12th day of August, 2021.


Notary Public - State of New York

PAUL M. ALOY
Notary Public, State of New York
No. 02AL6162337
Qualified in Albany County
Commission Expires April 28, 2023

Exhibit B

STATE OF NEW YORK
STATE EDUCATION DEPARTMENT

In the Matter of Cory and Sarah McMillan, Alex Dery Snider and David Snider, Sara Diane and Jason Nolan, and Deborah Jaffe and Edwin Schiele on behalf of our children as students of Cambridge Central School: PM, HS, AS, RN, WN, and AS, from the July 8, 2021, action of the Board of Education of the Cambridge Central School District rescinding the June 17, 2021, vote retiring the District's race-based Native mascot and associated imagery AND the resolution to keep the Indians nickname as a mascot and review changes to the imagery.

**AFFIDAVIT OF
DAVID SHAY PRICE**

Appeal No.: 21598

STATE OF NEW YORK)
) ss.:
COUNTY OF WASHINGTON)

I, DAVID SHAY PRICE, being duly sworn, deposes and says:

1. I am a member of the Board of Education of the Cambridge Central School District ("District").
2. I submit this Affidavit in support of the Affidavit of Jeffrey D. Honeywell, in opposition to the stay requested by the Petitioners in the above-captioned matter.
3. I was elected to the Board on May 18, 2021, having received the second most votes among the five candidates running.
4. Upon my election, I took my oath of office and was seated on the Board on July 8, 2021, the first regularly scheduled Board meeting of the 2021-2022 school year.
5. By the time I was seated on the Board, I had already completed my Board governance training.
6. My actions, on July 8, 2021, voting to rescind the prior action of the Board of Education taken on June 17, 2021, and then to approve a resolution, enabling the nickname of

Indians to remain, and requiring a review for potential changes and/or updates to the current imagery associated with it, have been referred to by the Petitioners in the Verified Petition as being “arbitrary and capricious” in nature.

7. My perspective on this matter is shaped in part on my many personal connections to the District, which helped enable me to make a well-informed decision on July 8, 2021. Not only am I a current District resident, but I am the father of two children currently attending District schools (a third recently graduated), an alumnus of the District having graduated in 1995, and I was also employed by the District as a tenured Science teacher from 2005 to 2013.

8. Currently, I am employed by the New York Air National Guard, stationed in Scotia, New York, as a Navigator. My current rank is major.

9. As a former teacher, and current National Guardsman, I take the responsibility of protecting the health, welfare, and safety of District students and the community very seriously. In addition, as a former teacher, I am well-aware of the educational needs of the District’s children.

10. Prior to my election, both before and then while running as a candidate for the School Board, as well as following my election to the Board, I educated myself on the issue of whether to preserve the District’s “Indians” nickname and imagery.

11. Based upon the considerations set forth Paragraph “9,” above, my desire to see schools become less political, with a renewed focus on education, and what I learned while educating myself about the District’s nickname and imagery issue, in running for the school board, I embraced a platform of preserving the District’s “Indians” nickname and imagery.

12. Prior to my voting on July 8, 2021, I became well-informed on the issue.

13. I reviewed some 346 pages of “Packet” information compiled by Dr. Silvernell, which has been posted on the District’s website.

14. On or about May 8, 2021, I attended a community-wide rally, held within the District at Durrin Park, organized by my colleague on the Board Dillon Honyoust (and then fellow Board candidate), to raise awareness and receive donations towards various Missing and Murdered Indigenous Women organizations. While attending, I was able to listen to a panel of Native Americans from around the United States, who spoke to our community members about the use of Native American-themed mascots, and who expressed their support for the District's continued use of the "Indians" nickname and logo.

15. I also actively engaged in the mediation process facilitated by the Restorative Practices Team: Bridges, on behalf of the District. More specifically, I attended three mediation sessions with the community.

16. I attended or, if out of District listened to, several Board meetings during which the issue of the District's Native American-themed nickname and imagery was discussed.

17. I also closely followed all of the nickname information and exchanges of views shared in the community that occurred during the many months leading up to my July 8, 2021 vote. I spoke with many citizens who were on either side of the issue to make sure I was fully informed of all views. Notably though, none of the Petitioners have sought me out personally to discuss their viewpoints or concerns with me.

18. Because of relationships with my children who have either attended, or continue to attend District schools, I had occasion to speak with numerous current District students, who provided me with their varied perspectives on the "Indians" nickname and imagery. The majority of these students favored keeping the "Indians" name and image. Importantly to me, these students

were comfortable with the fact that some of their peers had different opinions to them on the issue, and that their relationships would not suffer as a result of these differences in opinion.

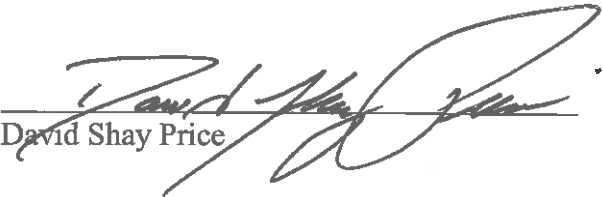
19. I have been able to observe, firsthand, that the Indians nickname and supporting imagery, have in no way negatively impacted my children.

20. Beyond that, as a proud alumnus and supporter of District sports teams, I have not noted any behaviors by our fans that I perceived to be as disrespectful of Native American culture. Our fans do not do the “Tomahawk Chop; they do not beat drums; they do not make “war cries,” or wear “war paint,” or engage in any other behavior that would denigrate Native Americans, or cast the District in a negative light.

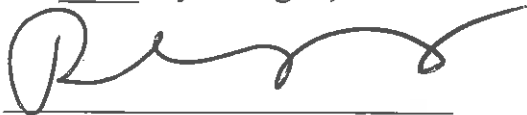
21. For these reasons, I made the informed, rational, decision to vote in favor of rescinding the Board’s action of June 17, 2021, and also voted in favor of keeping the “Indians” nickname, while conducting an ongoing review of any associated imagery.

22. I also voted in favor of a resolution directing the Superintendent to create a plan that will incorporate enhanced instruction in the curriculum of the School District that recognizes and teaches students in an informed and accurate way about the history of Native American culture, including as such culture has and continues to exist in the region of the School District. The Superintendent shall conduct such planning and include such participation, as he deems appropriate and return to the Board with his recommendations. I believe that the District taking this action, will effectively ensure that the use of the “Indians” nickname will continue to not be a barrier to building a safe, nurturing, and supportive learning environment for the District’s students. It will also ensure that the imagery used by the District will not be disparaging or disrespectful to Native Americans.

WHEREFORE, it is respectfully requested that the instant Petition and the Application for Interim Relief pending the determination of the underlying Petition be denied in all respects, and for such other and further relief to the District as the Commissioner deems appropriate.


David Shay Price

Sworn to before me
this 12th day of August, 2021.



Notary Public - State of New York

PAUL M. ALOY
Notary Public, State of New York
No. 02AL6162337
Qualified in Albany County
Commission Expires April 28, 2023

Exhibit C

REGULAR BOARD OF EDUCATION MEETING July 8, 2021

The Cambridge Central School Board of Education held their regular Board of Education meeting on July 8, 2021 in the Auditorium and via WebEx in Corolla, NC. Mrs. Ziehm called the meeting to order at 7:28PM. Board of Education members in attendance were President-Jessica Ziehm; Vice-President- David Shay Price; Caleb Breault; Neil Gifford, and Dillon Honyoust; Dr. Douglas Silvernell, Superintendent of Schools and Kate Canini, District Clerk. Also present were; Anthony Cammarata, School Business Administrator; Jerry Gibson, Associate Elementary Principal ; Caroline Goss, High School Principal; Ralph Harrington, Associate Principal; press and public.

Approval of Minutes:

Mrs. Ziehm made the motion, seconded by Mr. Gifford to approve the following minutes: Regular Meeting June 10, 2021, 2021; Special Board Meeting June 17, 2021. Vote 5 yes, 0 no; motion carried.

Public Comments: Numerous community members spoke in regard to the Mascot. Some spoke in favor of keeping it and others spoke about why we should retire it. There was a public comment period at the beginning and toward the end of the meeting.

Superintendent/Administrative Reports

Dr. Silvernell:

- Working on dates for a Board Retreat.
- Working on an OnBoarding process and will set up a day for Dillon and Shay to come in and meet with staff.

Mr. Cammarata:

- The auditors will be here in August to do an audit of the 2021-2022 school year.
- Still in need of two Board Members to review RFP's for auditing services.
- NYS guidelines for mask wearing for summer programs is conflicting at this point.
- Strategic Planning we will get back to it this school year. In September we will pull the Core Team back together and set up the Action and Measurement Teams.
- A draft of the communication plan will be sent to the Board in August.

Mr. Gibson for Ms. Lester:

- Summer Reading will take place from July 13th through August 12th and run three days a week.
- 6th grade moving up was done as a drive thru event this year due to COVID19.
- The following students received awards: **Triple C Award:** Gladys Dougherty, Gannon MacDougall; **Educational Excellence and Achievement Awards: Excellence Award:** Rowan Ossont, Sadie McMillan, Gannon MacDougall, Rylinn Dobbins; **Achievement Award:** Jordan Sartoris, Max Ungeheuer, Kira Mullin, Colin Woods, Carter Spiezio. We currently have 61 students that are registered for Kindergarten this coming school year. We will have Kindergarten Camp on August 31st. We have 38 Pre K students registered which is our capacity. If any others inquire about it they will be placed on a wait list.

Mrs. Goss:

- We made tremendous progress from January on getting students through their senior year. 67 out of 68 students graduated. Thank you to the teachers and support staff for getting them through.
- Summer school begins next week. It will be in person. We have 36 students from Cambridge and 19 from Salem attending.
- We will also be doing credit recovery classes and they will be done virtually.
- Some of the specialty enrichment summer classes we will be offering are: Archeology, Floating classroom, Cambridge Landmarks; Get outside and Journal, and Field Biology.
- 7th grade orientation will tentatively be held on August 31st.

BOE/Committee Reports:

Items for next month: A discussion about the Budget Vote and Election and process for voter verification.

New Business:

Mrs. Ziehm made the motion, seconded by Mr. Breault to approve the consent agenda and the consent agenda with regard to new business. Vote 5 yes, 0 no; motion carried.

Mrs. Ziehm made the motion, seconded by Mr. Price to appoint Jacqueline Hall to a probationary appointment as an Physical Education teacher in the Physical Education tenure area, effective September 1, 2021, for a three year term tentatively scheduled to conclude on June 30, 2024, contingent upon her successful completion of the probationary term and having received composite or overall APPR ratings of either "Effective" or "Highly Effective" in at least two of the three preceding years and a rating higher than "Ineffective" at the conclusion of the 2023-2024 school year. Vote 5 yes, 0 no; motion carried.

Mrs. Ziehm made the motion, seconded by Mr. Gifford to approve the merger with Mechanicville and Stillwater for Skiing for the 2021-2022 school year. Vote 5 yes, 0 no; motion carried.

Mrs. Ziehm made the motion, seconded by Mr. Breault to create a Cook Manager Position beginning with the 2021-2022 school year. Vote 5 yes, 0 no; motion carried.

Mrs. Ziehm made the motion, seconded by Mr. Gifford to appoint John Lybert to the position of Cook Manager and be a member of the Managerial Confidential Group effective August 1, 2021 with an annual salary of \$39,500. Vote 5 yes, 0 no; motion carried.

Mrs. Ziehm made the motion, seconded by Mr. Gifford to approve the following resolution: BE IT RESOLVED, that the Board of Education directs the Superintendent of Schools to create a plan that will incorporate enhanced instruction in the curriculum of the School District that recognizes and teaches students in an informed and accurate way about the history of Native American culture, including as such culture has and continues to exist in the region of the School District. The Superintendent shall conduct such planning and include such participation,

as he deems appropriate and return to the Board with his recommendations. Vote 5 yes, 0 no; motion carried.

Mrs. Ziehm made a motion, seconded by Mr. Breault to approve the following resolution: Be it resolved that the Board of Education has declared itself as the Lead Agency for the purpose of identifying the SEQRA determination for the 2021-2022 \$100,000 Project at Cambridge Central School. Vote 5 yes, 0 no; motion carried.

Mrs. Ziehm made a motion, seconded by Mr. Gifford to approve the following resolution: Be it resolved that the Board of Education, acting as the Lead Agency, has declared that the \$100,000 Project at Cambridge Central School has no significant environmental impact and can be classified as a Type II Action. Vote 5 yes, 0 no; motion carried.

Mrs. Ziehm made a motion, seconded by Mr. Gifford approve the amended consent agenda with regard to personnel appointments and recommendations. Vote 5 yes, 0 no; motion carried.

Mr. Honyoust made a motion, seconded by Mr. Price to rescind the resolution voted on at the June 17th Board meeting to retire the Indians mascot and imagery. Vote 3 yes (Mrs. Ziehm, Mr. Price, Mr. Honyoust), 2 no (Mr. Gifford & Mr. Breault) ; motion carried.

Mrs. Ziehm made the motion, seconded by Mr. Price to approve the following resolution as amended by deleting the paragraph about establishing a committee and the paragraph about restoring school spirit. Vote 3 yes (Mrs. Ziehm, Mr. Price, Mr. Honyoust), 1 no (Mr. Gifford), 1 abstained (Mr. Breault); motion carried.

Mr. Honyoust made a motion, seconded by Mr. Price to add the following resolution as it relates to the CCS nickname and imagery and which would bring back a compromise of retaining the nickname, while reviewing and potentially modifying and/or updating the imagery.

CCS NICKNAME & IMAGERY RESOLUTION v.2

WHEREAS, the Cambridge CSD Board of Education (“Board”) has completed an eight- month process evaluating information and opinions regarding the Cambridge Indians nickname and associated imagery which included input from staff, students, alumni and community members during a school-endorsed community restoration and mediation process; and

WHEREAS, the Board acknowledges that the National Council of American Indians, along with numerous other professional organizations, have requested that Native “themed” mascots be eradicated from sports and popular culture as they can be found to perpetuate narrow stereotypes of Native Americans that can potentially harm children and their educational outcomes; and

WHEREAS, the Board also acknowledges the Native American Guardian Association whose mission is to “educate not eradicate” and the majority of the Cambridge community, including local Native Americans, who collectively support the continuation of the Indian nickname and imagery and who find it to both honor the heritage of this region and its people, as well as adds prominence to Native American culture in today’s society; and

WHEREAS, the Board has carefully and fully considered all of the views and information submitted on the subject and recognizes the deep divide and harm this issue and its differing standpoints have caused the community; and therefore

BE IT RESOLVED, that the Board has determined to respond with a compromise of the two sides, enabling the nickname of Indians to remain, and requiring a review for potential changes and/or updates to the current imagery associated with it; and

BE IT FURTHER RESOLVED, that the Board directs the Superintendent to create a plan that will incorporate enhanced instruction about Native American culture, both past and present, and return to the Board with recommendations; and

BE IT FURTHER RESOLVED, that the Board recognizes the importance of honoring the many statewide, regional and local accomplishments earned by Cambridge athletes and alumni under the Indians nickname and imagery and that any and all historical awards, plaques, pictures and signs will remain in place and unchanged. Vote 3 yes (Mrs. Ziehm, Mr. Price, Mr. Honyoust), 2 no (Mr. Gifford & Mr. Breault) ; motion carried.

At 10:28PM Mrs. Ziehm made the motion, seconded by Mr. Price to adjourn the meeting. Vote 5 yes, 0 no; motion carried.

Kate Canini
District Clerk

Consent Agenda-Personnel

- Accepted the letter of retirement from Kathy Korb from her position as a Bus Aide effective September 10, 2021.
- Approved the following Summer Reading Staff and Substitutes to be paid \$35 per hour: Bianca Bates, Audrey Brownell, Shannon Celani, Michelle Hunt, Cindy Shaw, Wendy Rathe, Kathy Fields, Mary Laedlein, Lucy Lauzon-Fahy, Trudy Nesbitt; Substitutes: Penny LaPointe, Jen Wagner, Tricia Anuszewski.
- Accepted the letter of resignation from Rachel Terry from her position as the Elementary Counselor retroactive to June 30, 2021.
- Amended Kathryn Bogardus appointment salary to include 6 additional graduate credits for an additional \$444.
- Approved a 1 year Leave of Absence from Kelly Laird from her position as a math Teacher for the 2021 -2022 school year.
- Accepted the letter of resignation from Jacqueline Hall from her position as a Health Teacher effective August 31, 2021 and contingent upon her being appointed as a Physical Education Teacher.
- Accepted the letter of resignation from John Lybert from his position as a Building Maintenance Worker effective July 31, 2021 and contingent upon him being appointed as the Cook Manager.