

LONG BEACH PUBLIC SCHOOLS
Long Beach, New York

September 24, 2013

Ladies and Gentlemen:

The Long Beach Board of Education is the authorized state agency responsible for setting educational policy in the District. It consists of five trustees, each serving a three-year term. Board members pay school taxes at the regular rate and receive no salary or other financial compensation.

All meetings, except executive sessions, are held before the public. Members of the public may address the Board of Education on any specific agenda item during special times reserved for that purpose prior to Board discussion and action. The public may also address the Board of Education on any matter of concern at a second public session after the Board of Education completes agenda action items. Visitors should not address the Board in public relative to questions or comments regarding specific staff members or specific students. Such concerns should be brought to the attention of appropriate staff or to Board members by telephone, in writing, or by scheduling a personal meeting, as appropriate to the circumstances.

Visitors' comments will be limited to three (3) minutes per agenda item to each individual speaker on items on the business meeting agenda and five (5) minutes to speak under new or old business. An individual may speak only once on a specific topic. Visitors are precluded from speaking on any agenda item more than once during each meeting.

Sincerely,

Your Board of Education

**BOARD OF EDUCATION
Long Beach Public Schools
Regular Board Meeting – September 24, 2013
Long Beach Middle School Auditorium**

AGENDA

REGULAR MEETING 7:30 P.M.

- I. Pledge of Allegiance and Opening Remarks – Board President
- II. Report of Superintendent of Schools
 - *Presentation – Assessment Results – Dr. Kenneth Graham*
- III. Board of Education Comments
- IV. Questions and Comments from the Public - Items on Tonight's Agenda Only
- V. Student Organization Announcements
- VI. Approval of Minutes of Board of Education Meeting and Executive Session of September 10, 2013
- VII. Presentations of the Superintendent:
 1. Personnel Matters: Certificated
 2. Personnel Matters: Non-Certificated
 3. Adoption of Revised Policy #7550: DASA
 4. Adoption of Policy #3410: Code of Conduct on School Property
 5. Approval of Special Education Agreements
 6. Approval of Subcontract Agreement
 7. Acceptance of Change Orders
 8. Appointment of Petty Cash Designee
 9. Acceptance of Donations
 10. Acceptance of Recommendations of the Committee on Special Education
 11. Approval of Use of Schools
- VIII. Questions and Comments from the Public

IX. Announcements:

1. Long Beach Classroom Teachers Association
2. Administrative, Supervisory and PPS Group
3. Long Beach Schools Employees' Association
4. Parent/Teacher Association

X. Board of Education - Additional New/Old Business, if any

XI. Adjournment

RESOLUTIONS

BE IT RESOLVED THAT, upon the recommendation of the Superintendent of Schools, the Board of Education approves the following personnel actions.

1. CERTIFICATED PERSONNEL

(a) Resignation for the Purpose of Retirement

Name: Paul Wilson
Assign./Loc: Special Education Teacher/high school
Effective Date: June 30, 2014 close of day

(b) Resignations

1. Name: Zoe Casey
Assign./Loc: Part Time Teacher Assistant/high school
Effective Date: September 4, 2013
2. Name: Alexandra Walegir
Assign./Loc: Part Time Teacher Assistant/Lindell School
Effective Date: September 20, 2013
3. Name: Jeanette Gallagher
Assign./Loc: Part Time Teacher Assistant/middle school
Effective Date: September 20, 2013
Rescind rescission on September 10, 2013 agenda
4. Name: Kristina Cotto
Assign./Loc: Substitute Teacher
Effective Date: September 17, 2013
5. Name: Sean Kennedy
Assign./Loc: Substitute Teacher
Effective Date: September 23, 2013

(c) Request for Leave of Absence: Maternity

Name: Patricia Barrett
Assign./Loc: Library Media Specialist/High
Effective Date: November 26, 2013-March 11, 2014

1. CERTIFICATED PERSONNEL

(d) Appointment: Probationary Full Time Teacher Assistant

Name: Doris Schleich Tavernese
Assign./Loc: Probationary Full Time Teacher Assistant/AHRC-Brookville
Certification: Continuing Teacher Assistant
Effective Date: September 25, 2013
End Date: September 24, 2016
Tenure Date: September 25, 2016
Tenure Area: Teacher Assistant
Grade/Step: Grade IV/Step 12 (\$36,002* per annum)
Reason: Replacement for Michael Grahfs and Rosemarie Frank
*Subject to negotiations

(e) Corrected Salary: Regular Substitute Special Education Teacher

Name: Nicole Vasheo
Assign./Loc: Regular Substitute Special Education Teacher/middle school
Salary Classification: BA+30/Step 1 (\$63,758* per annum)
*Subject to negotiations

**(f) Appointment: Advisor for High School Co-Curricular Activity 2012-2013
School Year-*Subject to negotiations**

HS Clubs	Advisor	Stipend*
Drama Production Director	Christie Holub	\$1511 (prorated)

**(g) Corrected Appointment: Advisors for High School Co-Curricular Activities 2013-2014
School Year-*Subject to negotiations**

HS Clubs	Advisor	Stipend*
1. Marching Band Director	Marino Bragino	\$5039
2. Marching band Assistant	Justin Marks	\$2519

1. CERTIFICATED PERSONNEL

(h) Appointment: Building Technical Liaisons for the 2013-2014 School Year -Stipend: \$4,804* per Elementary Buildings, \$7,206* per Secondary Buildings -*subject to negotiations

Name	Location
1. Michael Corrigan	High School
2. James Fiola	High School
3. John Towers	High School
4. Steve Freeman	Middle School
5. Keith Harvey	Middle School
6. Brian Pross	Middle School
7. Gail Donenfeld	East School
8. Mary Jane Rochford	East School
9. Debra Cupani	Lido School
10. Lynda D' Alessio	Lido School
11. Jennifer Diamond	Lindell School
12. Linda Sandman	Lindell School
13. Courtney Elliott	West School
14. Claudine Clark	West School

**(i) Appointment: Athletic Supervisors for the 2013-2014 School Year
Rate of Pay: \$61.27* per afternoon-\$78.53* per evening-\$146.05*per overnight
*Subject to negotiations**

1. Romano Lovrich
2. Freeman Cox

(j) Appointment: Special Education Teachers for After School Extended School Day/ASD Program-2013-2014 School Year-Rate of Pay-\$73.03* per hour-*subject to negotiations

1. Megan Scully
2. Sean Miller
3. Lauren Andersen

(k) Appointment: Parent Training/Transition Program-Variou School Buildings/Student Homes-2013-2014 School Year-Rate of Pay-\$68.34*-*subject to negotiations

1. Megan Scully
2. Christopher Brown
3. Sean Miller
4. Lauren Andersen

1. CERTIFICATED PERSONNEL

(l) Appointment: After School Extended School Day/ASD Program –Temporary/Substitute Teacher Assistants– 2013-2014 School Year-Rate of pay according to contract-*subject to negotiations

- | | |
|---------------------|------------------------|
| 1. Megan Salerno | 8. Kim Leone |
| 2. Eileen Costelloe | 9. Daniel Fowler |
| 3. Suzanne Paganini | 10. Patricia Buschi |
| 4. Marisol Burgos | 11. Stephanie Kornacki |
| 5. Melissa Merman | 12. Maria Perrone |
| 6. Kelly Dass | 13. Joann Stegman |
| 7. Cathy Palmer | |

(m) Appointment: Teachers for August Regents Review Classes- 2013-Rate of pay \$73.03 per hour. Maximum 14 hours

1. Perry Bodnar
2. Rosemarie Amorini
3. Nancy Josephs

(n) The following Per Diem Substitute Teachers are recommended for approval for the 2013-2014 school year

NAME	CERTIFICATION AREA
1. Alyssa Tortora	Initial Childhood Education 1-6
2. Elisa Truocchio	Initial Students with Disabilities Generalist 5-9
	Initial Students with Disabilities 1-6
	Initial Childhood Education 1-6
	Initial Early Childhood Education B-2
	Initial Generalist Middle School Education 5-9
3. Caitlin Bernstein	Initial Physical Education

2. NON CERTIFICATED PERSONNEL

(a) Resignation for the Purpose of Retirement

Name: Roger Gengo
Assign./Loc: Head Custodian/East School
Effective Date: September 28, 2013

(b) Termination

Name: Rodolfo Jimenez
Assign./Loc: Bus Driver/Transportation Department
Effective Date: September 20, 2013 close of day

(c) Rescission

Name: Dashawn Evans
Assign./Loc: Part Time Food Service Worker/high school
Effective Date: September 16, 2013

(d) Leave of Absence

Name: Tomiann Jackson
Assign./Loc: Part Time Food Service Worker/middle school
Effective Dates: September 10, 2013-October 29, 2013
Reason: Medical

(e) Appointment: Ocean Lifeguard/Trainers for the Competitive Surf Club -Rate of Pay: \$25.00 per hour-for the 2013-2014 school year

1. James Stankard
2. Michael Tolfree

2. NON CERTIFICATED PERSONNEL

(f) Recommended Action: Approval of the schedules of 2013-2014 Continuing Education Instructional and Registration Personnel as follows (subject to sufficient enrollment and satisfactory performance):

Instructor	Course	Hours	Rate Per Hour	Maximum
1. Boyle, Kathryn	The Bards' History of Ireland	21	25	525.00
2. Connolly, Elizabeth	Sewing/Quilting/Mosaics	96	25	2,400.00
3. Dugan, Cornelius	Men's Basketball	80	20	1,600.00
4. Fiore, Roberta	Long Beach History	16	20	320.00
5. Freireich, Ira	Home Buyers	8	20	160.00
6. Gertsman, Lawrence	Space Astronomy Age	32	20	640.00
7. Goeller, Rosa Marie	Spanish 1 & 2	48	25	1,200.00
8. Hamilton, Justine	Citizenship Preparation	24	34.64	831.36
9. Hirschbein Bodnar, Sue	Basic Cooking	18	25	450.00
10. Huemann, Samantha	Hula Hooping	16	25	400.00
11. Lombardi, Sydney	Computer/MS Word	120	40	4,800.00
12. Paganini, Ronald	Master Swim Class	48	25	1,200.00
13. Pearlman, Warren	Tennis	32	25	800.00
14. Picow, Paula	Crocheting & Knitting	64	20	1,280.00
15. Ripley, Patricia	Feng Shui; Health, Wealth	4	25	100.00
16. Romero, Nelly	Art Classes	72	20	1,440.00
17. Sigadel, Robin	Hand Painted Glassware	18	25	450.00
18. Small, Donna Miller	Beginning Mah Jong	15	50	750.00
19. Tarantino, Mary	Piano	18	25	450.00
20. Zarate, Cindy	Volleyball	40	25	1,000.00
Registration-as needed				
21. Escalante, Doris		100	13.68	
22. Jimenez, Irene		350	15.00	
23. Sofield, Jeanine		50	16.25	

(g) The following Per Diem Substitutes are recommended for approval for the 2013-2014 school year

NAME	POSITION
1. Arielle Mackston	Teacher Assistant
2. Frances Palmore	Building Aide

(h) BE IT RESOLVED, that the Board of Education of the City of Long Beach City School District hereby accepts charges preferred by the Superintendent of Schools pursuant to Section 75 of the Civil Service Law, against an employee identified in Notice of Charges, dated September 24, 2013 and

BE IT FURTHER RESOLVED, that the Board of Education appoints Joseph Wooley, to serve as Hearing Officer to make findings of fact and recommendations to the Board with respect to those charges.

3. ADOPTION OF REVISED POLICY #7550: DIGNITY FOR ALL STUDENTS ACT

**4. ADOPTION OF POLICY #3410: CODE OF CONDUCT ON SCHOOL PROPERTY –
REPLACING POLICY #1520**

5. APPROVAL OF SPECIAL EDUCATION AGREEMENTS

A) THE SUMMIT SCHOOL

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approves Agreement with The Summit School for tuition in the amount of \$29,174 per student for the period of September 1, 2013 through June 30, 2014; and

BE IT FURTHER RESOLVED, that the Board of Education hereby approves the Agreement with The Summit School for special education services and authorizes the Chief Operating Officer to execute the Agreement on its behalf.

B) HERRICKS UFSD

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approves Agreement with Herricks UFSD in the amount of approximately \$55,700 per student for the period of September 4, 2013 through June 27, 2014;

BE IT FURTHER RESOLVED, that the Board of Education hereby approves the Agreement with Herricks UFSD for special education services and authorizes the Chief Operating Officer to execute the Agreement on its behalf.

6. APPROVAL OF SUBCONTRACT AGREEMENT

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approved Subcontract Agreement with Hofstra University for performance of a portion of work under Grant No. NA13NMF4630032 awarded by the US Department of Commerce for the Removal of Marine Debris at One of the Last Remaining Natural Salt Marshes in Nassau County, NY: A Community Based Project to Hofstra at a cost of \$55,832.00 for the period June 1, 2013 through May 31, 2015; and

BE IT FURTHER RESOLVED, that the Board of Education hereby approves the Subcontract Agreement with Hofstra and authorizes the Chief Operating Officer to execute the Subcontract Agreement on its behalf.

7. ACCEPTANCE OF CHANGE ORDERS

A) CHANGE ORDER #1 WITH HIRSCH & COMPANY LLC (CONTRACT #2-L-DWSR-2) LINDELL ELEMENTARY SCHOOL – STORM RESTORATION PROJECT

WHEREAS, the Long Beach City School District ("District") has engaged Hirsch & Company LLC ("HIRSCH") for plumbing work at Lindell Elementary School pursuant to an award on May 14, 2013; and

WHEREAS, the District's architect and construction manager recommend modification to the existing contract to provide new floor drainage in boiler room; and

WHEREAS, the District's architect and construction manager recommend moving forward with this work now considering the reasonable pricing the District received from HIRSCH;

THEREFORE BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby accepts Change Order #1 (Contract #2-L-DWSR-2) to the contract with HIRSCH for the additional cost of \$8,721.72; and

BE IT FURTHER RESOLVED, that the Board of Education authorizes the Chief Operating Officer to execute Change Order No.1 (Contract #2-L-DWSR-2) to the contract with HIRSCH on its behalf.

B) CHANGE ORDER #2 WITH HIRSCH & COMPANY LLC (CONTRACT #2-L-DWSR-2) LINDELL ELEMENTARY SCHOOL – STORM RESTORATION PROJECT

WHEREAS, the Long Beach City School District ("District") has engaged Hirsch & Company LLC ("HIRSCH") for plumbing work at Lindell Elementary School pursuant to an award on May 14, 2013; and

WHEREAS, the District's architect and construction manager recommend modification to the existing contract to provide steel platforms for each water heater and fuel oil pumps; and

WHEREAS, the District's architect and construction manager recommend moving forward with this work now considering the reasonable pricing the District received from HIRSCH;

THEREFORE BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby accepts Change Order #2 (Contract #2-L-DWSR-2) to the contract with HIRSCH for the additional cost of \$5,888.39; and

CHANGE ORDER #2 WITH HIRSCH & COMPANY LLC (CONTRACT #2-L-DWSR-2)(continued)

BE IT FURTHER RESOLVED, that the Board of Education authorizes the Chief Operating Officer to execute Change Order No.2 (Contract #2-L-DWSR-2) to the contract with HIRSCH on its behalf.

**C) CHANGE ORDER #7 WITH ULTIMATE POWER, INC. (CONTRACT #9-LBHS-3)
LONG BEACH HIGH SCHOOL**

WHEREAS, the Long Beach City School District ("District") has engaged Ultimate Power, Inc. ("Ultimate") for mechanical work at Long Beach High School pursuant to an award on May 27, 2011; and

WHEREAS, the District's architect and construction manager recommend modification to furnish all labor and materials to make the necessary piping repairs in various locations; and

WHEREAS, the District's architect and construction manager recommend moving forward with this work now considering the reasonable pricing the District received from Ultimate;

THEREFORE BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby accepts Change Order #7 (Contract #9-LBHS-3) to the contract with Ultimate for the additional cost of \$16,577.27; and

BE IT FURTHER RESOLVED, that the Board of Education authorizes the Chief Operating Officer to execute Change Order No.7 (Contract #9-LBHS-3) to the contract with Ultimate on its behalf.

8. APPOINTMENT OF PETTY CASH DESIGNEE

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education designates Sally Neumann as a petty cash appointee as per District policy for the 2013-2014 school year.

9. ACCEPTANCE OF DONATIONS

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education accepts donations in money and/or goods from people and/or companies in support of the district's recovery efforts from Hurricane Sandy (see attached list) to the Long Beach City School District.

10. ACCEPTANCE OF THE RECOMMENDATIONS OF THE COMMITTEE ON SPECIAL EDUCATION

11. APPROVAL OF USE OF SCHOOLS

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the use of schools, as attached, not to conflict with District events. However, please note that events may have to be modified/rescheduled based on building construction schedules.

APPLICATIONS FOR USE OF SCHOOL FACILITIES

<u>Organization</u>	<u>Purpose</u>	<u>Facility Requested</u>	<u>Date Requested</u>
BACH Jewish Center	Jewish Discovery	East School – 6 classrooms	October 2, 2013 through June 4, 2014 Wednesdays 4 PM – 6 PM
Coalition to Prevent Underage Drinking	Educational Series	East School Teachers' Cafeteria	September 18, 2013 through June 30, 2014 Wednesdays 6 PM – 7:30 PM
Long Beach Adult Learning Center	GED	Lindell School 2 rooms on 3 rd floor	Sept. 24 & Sept. 25, 2013 Thursday & Friday 3:45 PM – 9:30 PM
Facilities Studies Group	Meetings	LBMS Library	October 1 through November 19, 2013 (5) Tuesdays 7:00 PM – 8:30 PM
Facilities Studies Group	Meeting	Lido Library	October 22, 2013 Tuesday 7:00 PM – 8:30 PM
Cub Scout Pack #51	Den Meetings	Lindell School Cafeteria A	Sept. 23, 2013 through June 20, 2014 Thursdays 7:00 PM – 8:30 PM
Cub Scout Pack #51	Den Meetings	East School Cafeteria	Oct 1., 2013 through June 20, 2014 Tuesdays 6:30 PM – 8:00 PM
Weight Watchers	Meetings	Lindell Classroom	Sept. 26, 2013 through January 23, 2014 Thursdays 7:30 PM – 8:30 PM
NE Bay and Canal Civic Association	Meetings	East School Cafeteria	October 7, 2013 through June 9, 2014 (5) Mondays 7:30 PM – 9:00 PM

DONORS				
Baran	Nina			
Cisar	Ann			
Deacon	Nancy			
Dinning	Molly	Mary A. Hubbard Elementary Sch		
Fernandez	Lynne			
Frank	Jason			
Garry	Gayle			
Grant, LCSW-R	Karen	Valley Stream South High School		
Gregg	Karen	Lyons Bands		
Harrison	Barbara			
Hodge	Tracy			
Keane	Ellen M.			
Keeny, R.N., CSN	Lynn	South Eastern Middle School		
Kurland	Stephanie			
McNeil-Cusick	Rosina	EDUN		
Parents Association		P.S. 24 Spuyten Duyvil School		
Peyser	Roxane			
Radich	Beth			
Sawyer-Lang	Monique			
Waldman	Joshua			

STUDENTS**SUBJECT: DIGNITY FOR ALL STUDENTS ACT**

The Board of Education recognizes that learning environments that are safe and supportive can increase student attendance and improve academic achievement. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting and intimidation. Therefore, in accordance with the Dignity for All Students Act, Education Law, Article 2, the District will strive to create an environment free of discrimination and harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District's educational mission.

The District condemns and prohibits all forms of discrimination and harassment of students based on actual or perceived race, color, weight, height, national origin, ethnic group, religion, religious practice, disability, sexual orientation, **sexual identity**, gender, or sex by school employees or students on school property and at school-sponsored activities and events that take place at locations off school property. In addition, any act of discrimination or harassment, outside of school sponsored events, which can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline.

Dignity Act Coordinator

The principal at every school shall be designated as the Dignity Act Coordinator. The Dignity Act Coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, height, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity or expression) and sex. The Board of Education shall appoint the Assistant Superintendent for Curriculum and Instruction as the Chief Dignity Act Coordinator and share the name(s) and contact information with all school personnel, students, and parents/persons in parental relation.

If a Dignity Act Coordinator vacates his/her position, another school employee shall immediately be designated for an interim appointment as Coordinator, pending approval from the Board of Education, within thirty (30) days of the date the position was vacated. In the event a Coordinator is unable to perform the duties of the position for an extended period of time, another school employee shall immediately be designated for an interim appointment as Coordinator, pending return of the previous Coordinator to the position.

Training

Training will be provided each school year for all District employees in conjunction with existing professional development training **and/or on-line training**, to raise staff awareness and sensitivity of harassment and discrimination directed at students that are committed by students or school employees on school property or at a school function. Training will include ways to promote a supportive school environment that is free from discrimination and harassment, emphasize positive relationships, and demonstrate prevention and intervention techniques to assist employees in recognizing and responding to harassment and discrimination, as well as ensuring the safety of the victims.

STUDENTS**SUBJECT: DIGNITY FOR ALL STUDENTS ACT (Cont'd.)**

Instruction in grades Pre-Kindergarten through 12 shall include a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. For the purposes of this policy, "tolerance," "respect for others" and "dignity" shall include awareness and sensitivity to bullying, discrimination and/or harassment and civility in the relations of people of different races, weights, heights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, sexual identities, genders and sexes. Such component must also include instruction on the safe and responsible use of the Internet and electronic communications.

Rules against bullying, discrimination and/or harassment will be included in the *Code of Conduct*, publicized District-wide and disseminated to all staff and parents. Any amendments to the *Code* will be disseminated as soon as practicable following their adoption. New teachers shall be provided a complete copy of the current Code upon their employment. An age-appropriate summary shall be distributed to all students at a school assembly at the beginning of each school year.

Reports and Investigations of Discrimination and Harassment

Reporting of alleged incidents of bullying and/or harassment is encouraged by the District. School administrators will notify school employees, parents and students of best methods to report bullying in their schools. An on-line reporting form will be available on the District website.

The District will investigate all complaints of bullying, discrimination, and/or harassment, either formal or informal, and take prompt corrective measures, as necessary. School employees who witness or receive a report (oral or written) of harassment, bullying and/or discrimination must orally notify the Superintendent, Principal, or their designee no later than one (1) school day after witnessing or receiving a report of such incident. The employee must then file a written report within two (2) school days after making the oral report. If, after an appropriate investigation, the District finds that this policy has been violated, corrective action will be taken in accordance with District policies and regulations, the *Code of Conduct*, and all appropriate federal or state laws. The Superintendent, Principal or their designee shall notify the appropriate local law enforcement agency when it is believed that any harassment, bullying and/or discrimination constitute criminal conduct.

The Principal of each primary and secondary school shall provide a regular report (at least once during each school year) on data and trends related to harassment, bullying and/or discrimination to the Superintendent and in a manner prescribed by, as applicable, the district, BOCES or charter school. There is no need for schools or district to submit this report to the State Education Department.

The District will annually report material incidents of discrimination and harassment to the State Education Department as part of the Uniform Violent and Disruptive Incident Reporting System (VADIR).

STUDENTS**Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)**

Any person who has reasonable cause to suspect that a student has been subjected to discrimination or harassment by an employee or student, on school grounds or at a school function, who acts reasonably and in good faith and reports such information to school officials or law enforcement authorities, shall have immunity from any civil liability that may arise from making such report. The Board prohibits any retaliatory behavior directed at complainants, victims, witnesses and/or any other individuals who participated in the investigation of a complaint of discrimination or harassment.

Education Law Sections 10-18 and 801-a
8 New York Code of Rules and Regulations (NYCRR) Section 100.2(1)(2)

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the School District
#7551 -- Sexual Harassment of Students

Adopted: June 5, 2012
Revised First Reading: August 27, 2013
Second Reading: September 10, 2013
Adopted: September 24, 2013

Community Relations

SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY

The District has developed and will amend, as appropriate, a written *Code of Conduct* for the Maintenance of Order on School Property, including school functions, which shall govern the conduct of students, teachers and other school personnel, as well as visitors and/or vendors. The Board of Education shall further provide for the enforcement of such *Code of Conduct*.

For purposes of this policy, and the implemented *Code of Conduct*, school property means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of the District's elementary or secondary schools, or in or on a school bus; and a school function shall mean a school-sponsored extracurricular event or activity regardless of where such event or activity takes place, including those that take place in another state.

The *District Code of Conduct* has been developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

The *Code of Conduct* shall include, at a minimum, the following:

- a) Provisions regarding conduct, dress and language deemed appropriate and acceptable on school property and at school functions, and conduct, dress and language deemed unacceptable and inappropriate on school property; provisions regarding acceptable civil and respectful treatment of teachers, school administrators, other school personnel, students and visitors on school property and at school functions; the appropriate range of disciplinary measures which may be imposed for violation of such Code; and the roles of teachers, administrators, other school personnel, the Board of Education and parents/persons in parental relation to the student;
- b) Provisions prohibiting discrimination, bullying and/or harassment against any student, by employees or students on school property, at a school function, or off school property when the actions create or would foreseeably create a risk of substantial disruption within the school environment or where it is foreseeable that the conduct might reach school property, that creates a hostile environment by conduct, with or without physical contact, threats, intimidation or abuse (verbal or non-verbal), of such a severe nature that:
 1. Has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being; or
 2. Reasonably causes or would reasonably be expected to cause a student to fear for his/her physical safety.

(Continued)

Community Relations

SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)

When the term "bullying" is used, even if not explicitly stated, such term includes cyberbullying, meaning such harassment or bullying that occurs through any form of electronic communication.

Such conduct shall include, but is not limited to, threats, intimidation, or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender as defined in Education Law Section 11(6), or sex; provided that nothing in this subdivision shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction based on a person's gender that would be permissible under Education Law Sections 3201-a or 2854(2) (a) and Title IX of the Education Amendments of 1972 (20 USC Section 1681, et seq.), or to prohibit, as discrimination based on disability, actions that would be permissible under 504 of the Rehabilitation Act of 1973;

- c) Standards and procedures to assure security and safety of students and school personnel;
- d) Provisions for the removal from the classroom and from school property, including a school function, of students and other persons who violate the Code;
- e) Provisions prescribing the period for which a disruptive student may be removed from the classroom for each incident, provided that no such student shall return to the classroom until the Principal (or his/her designated School District administrator) makes a final determination pursuant to Education Law Section 3214(3-a)I or the period of removal expires, whichever is less;
- f) Disciplinary measures to be taken for incidents on school property or at school functions involving the use of tobacco, the possession or use of illegal substances or weapons, the use of physical force, vandalism, violation of another student's civil rights, harassment and threats of violence;
- g) Provisions for responding to acts of discrimination, bullying and/or harassment against students by employees or students on school property, at a school function, or off school property when the actions create or would foreseeable create a risk of substantial disruption within the school environment or where it is foreseeable that the conduct might reach school property, pursuant to clause (b) of this subparagraph;
- h) Provisions for detention, suspension and removal from the classroom of students, consistent with Education Law Section 3214 and other applicable federal, state and local laws, including provisions for school authorities to establish procedures to ensure the provision of continued educational programming and activities for students removed from the classroom, placed in detention, or suspended from school, which shall include alternative educational programs appropriate to individual student needs;

(Continued)

Community Relations

SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)

- i) Procedures by which violations are reported and determined, and the disciplinary measures imposed and carried out;
- j) Provisions ensuring the *Code of Conduct* and its enforcement are in compliance with state and federal laws relating to students with disabilities;
- k) Provisions setting forth the procedures by which local law enforcement agencies shall be notified of Code violations which constitute a crime;
- l) Provisions setting forth the circumstances under and procedures by which parents/persons in parental relation to the student shall be notified of Code violations;
- m) Provisions setting forth the circumstances under and procedures by which a complaint in criminal court, a juvenile delinquency petition or person in need of supervision ("PINS") petition as defined in Articles 3 and 7 of the Family Court Act will be filed;
- n) Circumstances under and procedures by which referral to appropriate human service agencies shall be made;
- o) A minimum suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom, provided that the suspending authority may reduce such period on a case-by-case basis to be consistent with any other state and federal law. For purposes of this requirement, as defined in Commissioner's Regulations, "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom" shall mean engaging in conduct which results in the removal of the student from the classroom by teacher(s) pursuant to the provisions of Education Law Section 3214(3-a) and the provisions set forth in the *Code of Conduct* on four (4) or more occasions during a semester, or three (3) or more occasions during a trimester, as applicable;
- p) A minimum suspension period for acts that would qualify the student to be defined as a violent student pursuant to Education Law Section 3214(2-a)(a). However, the suspending authority may reduce the suspension period on a case-by-case basis consistent with any other state and federal law;
- q) A Bill of Rights and Responsibilities of Students which focuses upon positive student behavior and a safe and supportive school climate, which shall be written in plain-language, publicized and explained in an age-appropriate manner to all students on an annual basis; and

(Continued)

Community Relations

SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)

- r) Guidelines and programs for in-service education programs for all District staff members to ensure effective implementation of school policy on school conduct and discipline, including but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, discrimination, bullying and/or harassment against students by students and/or school employees; and including safe and supportive school climate concepts in the curriculum and classroom management.

The District's *Code of Conduct* shall be adopted by the Board of Education only after at least one (1) public hearing that provided for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties.

The *Code of Conduct* shall be reviewed on an annual basis, and updated as necessary in accordance with law. The District may establish a committee pursuant to Education Law Section 2801(5)(a) to facilitate review of its *Code of Conduct* and the District's response to *Code of Conduct* violations. The School Board shall reapprove any updated *Code of Conduct* or adopt revisions only after at least one (1) public hearing that provides for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties. The District shall file a copy of its *Code of Conduct* and any amendments with the commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.

The Board of Education shall ensure community awareness of its *Code of Conduct* by:

- a) Posting the complete *Code of Conduct* on the Internet website, if any, including any annual updates and other amendments to the Code;
- b) Providing copies of a summary of the *Code of Conduct* to all students in an age-appropriate version, written in plain language, at a school assembly to be held at the beginning of each school year;
- c) Providing a plain language summary of the *Code of Conduct* to all parents or persons in parental relation to students before the beginning of each school year and making the summary available thereafter upon request;
- d) Providing each existing teacher with a copy of the complete *Code of Conduct* and a copy of any amendments to the Code as soon as practicable following initial adoption or amendment of the Code. New teachers shall be provided a complete copy of the current Code upon their employment; and
- e) Making complete copies available for review by students, parents or persons in parental relation to students, other school staff and other community members.

(Continued)

SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)**Privacy Rights**

As part of any investigation, the District has the right to search all school property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

Education Law Sections 11(8), 801-a, 2801 and 3214
Family Court Act Articles 3 and 7
Vehicle and Traffic Law Section 142
8 NYCRR Section 100.2

NOTE: Refer also to *District Code of Conduct*

First Reading: August 27, 2013
Second Reading: September 10, 2013
Adopted: September 24, 2013

