

LONG BEACH PUBLIC SCHOOLS
Long Beach, NY

GOOGLE MEET LINK FOR THIS MEETING:

<https://stream.meet.google.com/stream/f6036e51-e1a3-4892-8c4a-4f5fb8894fec>

January 11, 2022

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 time 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 for each agenda item upon which comment is made. Visitors are precluded from speaking on any agenda item more than once during each meeting.

Please note that masks will be required. Also, please be reminded that current CDC guidelines recommend social distancing of six feet between members not of the same household.

Sincerely,

Your Board of Education

BOARD OF EDUCATION
LONG BEACH PUBLIC SCHOOLS

Via Google Meet:

<https://stream.meet.google.com/stream/f6036e51-e1a3-4892-8c4a-4f5fb8894fec>

Tuesday, January 11, 2022

AGENDA

REGULAR MEETING

7:00 PM

- I. Pledge of Allegiance/Call to Order/Opening Remarks – Board President
- II. Report of the Superintendent of Schools
 - ***Student Showcase – Athletics and Adult Education***
 - ***2022-23 Budget Preparation – Capital Projects Recap, Transfer to Other Funds, Facilities and Technology***
- III. Board of Education Comments
- IV. Student Organization Announcements
- V. Questions and Comments from the Public on Tonight's Agenda Only
- VI. Treasurer's Report for November 2021
- VII. Approval of Minutes for Executive Session and Regular Meeting of December 14, 2021
- VIII. Presentations of the Superintendent:
 1. Personnel Matters: Certificated
 2. Personnel Matters: Non-Certificated
 3. Adoption of Policy #7551 Sexual Harassment of Students
 4. Approval of Destruction of Ballots
 5. Approval of Corrective Action Plan
 6. Payment of Legal Bills: Legal Services
 7. Acceptance of Recommendations of CPSE/CSE
 8. Approval of Use of Schools Applications
- IX. Board of Education – Additional New/Old Business if any
- X. Questions and Comments from the Public
- XI. Announcements:
 1. Long Beach Classroom Teachers' Association
 2. Administrative, Supervisory and PPS Group
 3. LBSEA -Long Beach Schools Employees' Association – Group C
 4. Parent/Teacher Association
- XII. Adjournment

RESOLUTIONS

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

I. CERTIFICATED PERSONNEL

(a) Resignations for the Purpose of Retirement

Name: Laura Swan
Assign./Loc. Art Teacher/LBMS
Effective Date: June 30, 2022, close of day

Name: Bernadette Potapchuk
Assign./Loc. Part Time Teacher Assistant/Lindell School
Effective Date: June 30, 2022, close of day

(b) Resignations

Name: Christine Seaman
Assign./Loc. Permanent Substitute Teacher/West School
Effective Date: December 17, 2022, close of day

Name: Mary O' Neill
Assign./Loc. Part Time Teacher Assistant/Lido School
Effective Date: December 24, 2021

Name: Norwahidah Mat
Assign./Loc. Part Time Teacher Assistant/West School
Effective Date: January 28, 2021

(c) Leaves of Absence

Name: Danielle Goggin
Assign./Loc. Special Education Teacher/Lindell School
Effective Dates: December 22, 2021-February 13, 2022 (on or about)
Reason: Family Illness

(d) Amended Leave of Absence

Name: Casey Roesch
Assign./Loc. Part Time Teacher Assistant/LBHS
Effective Dates: September 1, 2021-January 31, 2022 (or earlier at the district's discretion)
Original Dates: September 1, 2021-December 31, 2021(or earlier at the district's discretion)
Reason: Medical

I. CERTIFICATED PERSONNEL

(e) Appointment: Regular Substitute Special Education Teacher

Name: Amanda Betz
 Assign./Loc: Special Education Teacher/Lindell School
 Certification: Initial Students with Disabilities 1-6
 Initial Childhood Education 1-6
 Salary Classification: BA/Step 2 (\$65,827 per annum)-subject to negotiations
 Effective Date: January 28, 2022-June 30, 2022 (or earlier at the district's discretion)
 Tenure Area: Education of Children with Handicapping Condition-
 General Special Education
 Reason: To fill a vacancy

(f) Appointment: Interscholastic Coaches 2021-2022 School Year

Position	Coach	Stipend
JV Softball Coach	Thomas Gaynor <i>Rescind T. Gaynor 7th grade Girls Softball</i>	7,285
7 th Grade Girls Softball	Richard Pellegrini	5,001
JV Girls Badminton	Ashley Castanio	5,787

(g) Appointment: Coaches for Special Olympics/Challenger – Spring 2022, rate of pay \$58.35 per hour, max hours 60 each.

Dayna Obidienzo

Andrea Hinke

(h) The following personnel are recommended to be employed in the New York State Education Department's funded Adult Education Programs and TASC Program dependent upon funding, funding requirements, and satisfactory performance for the 2021--2022 school year.

Name	Pay code	Rate per hour	Max hours	Total
Evelyn Van Bergen	1-5	33.60	155	5,208

I. CERTIFICATED PERSONNEL

- (i) **Approval of Applications for Participation in Study Programs-Winter/Spring 2021/2022-The following Group A staff members have applied for funding for coursework as indicated under the appropriate provision of their contract. Recommend approval of the tuition/fees.**

Name	Allocation
Scott Scheinson	\$1,750
Jennifer McWilliams	\$575
Cynthia Lazovick	\$394
Gina Patronaggio	\$575
Stephanie Zimmerman	\$615

- (j) **Approval of Applications for Participation in Study Programs-Winter/Spring 2021/2022-The following Group B staff members have applied for funding for coursework as indicated under the appropriate provision of their contract. Recommend approval of the tuition/fees.**

Name	Allocation
Seraphina D'Anna	\$1,168
Christopher Kozak	\$1,166
Conor Manning	\$1,166

- (k) **The following Per Diem Substitute Teachers are recommended for approval for the 2021-2022 school year.**

NAME	CERTIFICATION AREA
Danielle Kaplowitz	Initial Early Childhood Education B-2 (in process) Initial Childhood Education 1-6 (in process)

II. NON CERTIFICATED PERSONNEL

(a) Resignation

Name: Danielle Kaplowitz
Assign./Loc.: Part Time Teacher Aide/Lindell School
Effective Date: January 3, 2022
Reason: To take another position in the District

(b) Appointment: Probationary Secretary I

Name: Christine O'Driscoll
Assign./Loc.: Secretary I/PPS
Effective Date: January 12, 2022
Probationary End Date: July 11, 2022
Salary Classification: \$43,552 per annum
Grade/Step: Grade IV/Step 6
Reason: To fill a vacancy
Comment: Leave of absence from Data Specialist 1/12/22 – 7/11/22

(c) Appointment: Probationary Cleaner-Nights

Name: Nicholas Falciano
Assign./Loc.: Probationary Cleaner-Nights/West School
Effective Date: January 3, 2022
Probationary End Date: January 2, 2026
Salary Classification: \$36,929 per annum
Grade/Step: Grade I/Step 1
Reason: To fill a vacancy

(d) Appointment: Probationary Bus Driver

Name: Natividad Doherty
Assign./Loc.: Probationary School Bus Driver/Transportation Department
Effective Date: January 12, 2022
Probationary End Date: January 11, 2026
Salary Classification: \$31,225 per annum
Grade/Step: Grade II/Step 6
Reason: To fill a vacancy

II. NON CERTIFICATED PERSONNEL

(e) Appointment: Part Time Bus Aide 18.75 hours per week

Name: Nanci Yarwood
Assign./Loc.: Part Time Bus Aide/Transportation Department
Effective Date: January 3, 2022
Grade/Step: Grade 1/Step 2
Salary Classification: \$17.86 per hour
Reason: To fill a vacancy
Comment: Resigns as a Part Time Aide from East School effective 12/23/21 close of day

(f) Appointment: Part Time Food Service Worker 17.5 hours per week

Name: Willi Woo
Assign./Loc.: Part Time Food Service Worker/LBHS
Effective Date: January 12, 2022
Grade/Step: Grade 1/Step 6
Salary Classification: \$15.77 per hour
Reason: To fill a vacancy

(g) Appointment Part Time Aides 17.5 hours per week start date through June 24, 2022 (or earlier at the district's discretion). Rate according to contract.

Name	Step	Rate per hour	Location	Reason	Start Date
Robert Forkin	1	17.09	East School	IEP	1/12/2022

(h) The following Per Diem Substitute is recommended for approval for the 2021-2022 school year.

Name	Position
Dawn DeRiso	Cleaner
Peter DeRosa	Cleaner

3. ADOPTION OF POLICY #7551 SEXUAL HARASSMENT OF STUDENTS

4. APPROVAL OF DESTRUCTION OF BALLOTS FROM THE MAY 18, 2021 ANNUAL ELECTION AND BUDGET VOTE

BE IT RESOLVED, that pursuant to Education Law Section 2034, the Board of Education hereby authorizes the District Clerk to destroy all of the ballots cast, spoiled and unused from the May 18, 2021 Annual Election and Budget Vote.

5. APPROVAL OF CORRECTIVE ACTION PLAN

BE IT RESOLVED, that based on the recommendation of the District's Audit Committee, the Board of Education of the Long Beach City School District hereby approves the Corrective Action Plan for the year ended June 30, 2021 and authorizes and directs the Administration to implement the Corrective Action Plan.

BE IT FURTHER RESOLVED, that the Board of Education hereby directs the District Clerk to file a certified copy of this resolution and the District's Corrective Action Plan with the Commissioner of Education and the Office of the State Comptroller.

6. PAYMENT OF LEGAL BILLS: LEGAL SERVICES

A) VOLZ & VIGLIOTTA

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education authorizes expenditures in the amount of \$4,583.33 to Volz & Vigliotta for the monthly retainer for general counsel legal services for the period of February 1, 2022 through February 28, 2022 and \$9,558.33 for general counsel legal services for the period of November 2, 2021 through November 30, 2021; and \$3,458.33 for the monthly retainer for labor counsel legal services for the period of February 1, 2022 through February 28, 2022 and \$5,593.00 for labor counsel legal services for the period of November 1, 2021 through November 30, 2021.

7. ACCEPTANCE OF RECOMMENDATIONS FROM THE COMMITTEE ON PRE-SCHOOL SPECIAL EDUCATION AND COMMITTEE ON SPECIAL EDUCATION

8. APPROVAL OF USE OF SCHOOLS APPLICATIONS

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 and/or rescheduled based on building schedule.

APPLICATIONS FOR USE OF SCHOOLS

<u>Organization</u>	<u>Purpose</u>	<u>Facility Requested</u>	<u>Date Requested</u>
Long Beach Lacrosse Club	Lacrosse Camp	High School Pool, Cafeteria, Athletic Field 5	Mon. – Fri. July 11, 2022 thru July 15, 2022 9:00am – 3:15pm
Long Beach Lacrosse Club	Lacrosse Camp	Middle School Cafeteria, Tennis Courts, Veteran’s Field	Mon. – Fri. July 11, 2022 thru July 15, 2022 9:00am – 3:15pm
Long Beach Football Club	Travel Soccer Club	Lido Elementary Gymnasium	Mondays and Wednesdays Dec. 15, 2021 – March 25, 2022 6:30pm – 9:00pm

Students

SUBJECT: SEXUAL HARASSMENT OF STUDENTS**Overview**

The District is committed to creating and maintaining an environment which is free from discrimination and harassment. This policy addresses sexual harassment of students. It is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment. In addition, the District is in full compliance with Erin's Law which requires the development of a PreK-12 curriculum to prevent child sexual abuse and exploitation.

Consistent with this commitment and in accordance with law and regulation, the District prohibits all forms of sexual harassment of students by any individual on school property and at school functions which, for purposes of this policy, means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place virtually or in another state.

The District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of sexual harassment of students. The District will promptly respond to reports of sexual harassment of students, ensure that all investigations are conducted within a reasonably prompt time frame and under a predictable fair grievance process that provides due process protections, and impose disciplinary measures and implement remedies when warranted.

The District acknowledges that in determining whether sexual harassment has occurred the totality of the circumstances, expectations, and relationships should be evaluated including, but not limited to, the ages of the offender and the victim; the number of individuals involved; and the type, frequency and duration of the conduct. A single incident of sexual harassment may be sufficiently severe to create a hostile environment in the school and a student may experience the continuing effects from off-campus sexual harassment when in the school setting. The Board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from a third party such as a school visitor, volunteer, or vendor, or any other individual associated with the School District. Sexual harassment may occur from student-to-student, from staff-to-student, as well as from student-to-staff, as well as staff-to-staff.

Inquiries about this policy may be directed to the District's Civil Rights Compliance Officer(s) (CRCO(s)), Title IX Coordinator(s), and/or the Dignity Act Coordinator (DAC):

Michael I DeVito, Esq.
235 Lido Boulevard
Lido Beach, NY 11561
516-897-2090
mdevito@lbeach.org

Michele Natali, Ed.D.
235 Lido Boulevard
Lido Beach, NY 11561
516-897-2112
mnatali@lbeach.org

Paul Romanelli, Ed.D.
235 Lido Boulevard
Lido Beach, NY 11561
516-897-2255
promanelli@lbeach.org

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Students

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)**What Constitutes Sexual Harassment**

Sexual harassment is a form of sex discrimination and is unlawful. It includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment can occur between any individuals, regardless of their sex or gender.

Generally stated, sexual harassment consists of subjecting an individual to serious and/or persistent unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individual's gender.

This conduct may, among other things, have the purpose or effect of: creating an intimidating or hostile environment; substantially or unreasonably interfering with a student's educational performance, opportunities, benefits, or well-being; or otherwise adversely affecting a student's educational opportunities. Petty slights or trivial inconveniences do not constitute harassing conduct.

Determinations as to whether conduct or an incident constitutes sexual harassment will be made consistent with applicable law and regulation, as well as any applicable District policy, regulation, procedure, or other document such as the District's *Code of Conduct*. The examples below are intended to serve as a general guide for individuals in determining what may constitute sexual harassment. These examples should not be construed to add or limit the rights that students possess as a matter of law.

Examples of Sexual Harassment

Sexual harassment can be verbal, non-verbal, or physical. Examples of this conduct may include, but are not limited to, the following:

- a) Unwanted physical acts of a sexual nature, such as:
 1. Touching, pinching, patting, kissing, hugging, grabbing, brushing against another person's body, or poking another person's body; and
 2. Rape, sexual battery, molestation, or attempts to commit these assaults.
- b) Engaging in sexual conduct with an individual who is unable to consent due to age, use of drugs or alcohol, intellectual disability, or other disability.
- c) Unwanted sexual advances or propositions, such as:
 1. Demanding sexual favors of a student, insinuating that refusal to acquiesce to such favors will adversely affect a student's grades, references, academic or scholastic placement,

(Continued)

Students

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)

and/or participation in extracurricular activities; and

2. Obvious pressure for unwelcome sexual activities.
- d) Verbal abuse or ridicule, including profanity, innuendoes, stories, and jokes that are sexual in nature and/or gender-related. This might include inappropriate sex-oriented comments on appearance, including dress or physical features.
- e) Asking or commenting about an individual's sexual activities.
- f) Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, and the status of being transgender.
- g) Displaying or distributing pornographic or other sexually explicit materials (print or digital) such as magazines, pictures, cartoons, etc.
- h) Unwelcome leering or gesturing which is sexually suggestive in nature.
- i) Repeated unwelcome public displays of physical affection.
- j) Clothing that reflects sexually obscene and/or sexually explicit messages, slogans, or pictures.

Reporting Allegations of Sexual Harassment

In order for the District to enforce this policy, and to take corrective action as warranted, it is essential that students who believe that they have been a victim of sexual harassment in the school environment, as well as any other person who has knowledge of or witnesses any possible sexual harassment, immediately report the alleged conduct or incident. Reports of sexual harassment may be made orally or in writing to any District employee including, but not limited to, a teacher, building principal, CRCO, Title IX Coordinator, or DAC.

All District employees who witness or receive an oral or written report of sexual harassment must immediately inform the CRCO. Failure to immediately inform the CRCO may subject the employee to discipline. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Additionally, District employees must comply with reporting requirements in any other applicable District policy or document. Applicable policies or documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7550 -- Dignity for All Students; and the District's *Code of Conduct*.

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Students

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)**Grievance Process for Complaints of Sexual Harassment**

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether oral or written, of sexual harassment of students and will promptly take appropriate action to protect students from further sexual harassment.

Various District policies and documents address sexual harassment of students. These policies and documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7550 -- Dignity for All Students; and the District's *Code of Conduct*. All complaints will be handled in accordance with the applicable District policies and/or documents.

The determination as to which District policies and/or documents are applicable is fact specific, and the CRCO may work with other District staff such as the District's Title IX Coordinator(s) and/or DAC(s) to determine which District policies and/or documents are applicable to the specific facts of the complaint.

If an investigation reveals that sexual harassment has occurred, the District will take immediate corrective action as warranted. This action will be taken in accordance with applicable law and regulation, as well as any applicable District policy, regulation, procedure, collective bargaining agreement, third-party contract, or other document such as the District's *Code of Conduct*.

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

The District prohibits retaliation against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in an investigation, proceeding, or hearing related to a complaint of sexual harassment.

Complaints of retaliation may be directed to the CRCO. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Where appropriate, follow-up inquiries will be made to ensure that the sexual harassment has not resumed and that those involved in the investigation have not suffered retaliation.

Finding That Sexual Harassment Did Not Occur

At any level/stage of investigation of alleged harassment, if a determination is made that harassment did not occur, the Compliance Officer will so notify the complainant, the alleged offender and the Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District policy or regulation and/or pursuing other legal avenues of recourse.

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Students

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)

However, even if a determination is made that harassment did not occur, the Superintendent/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the school community is not conducive to fostering harassment in the workplace.

In all cases, the Superintendent will inform the Board of Education of the results of each investigation involving a finding that sexual harassment did not occur.

Knowingly Makes False Accusations

Employees and/or students who *knowingly* make false accusations against another individual as to allegations of harassment may also face appropriate disciplinary action.

Equal Educational Opportunities Act of 1974, 20 USC § 1701 et seq.
Title IV of the Civil Rights Act of 1964, 42 USC § 2000c et seq.
Title IX of the Education Amendments Act of 1972, 20 USC § 1681 et seq.
34 CFR Parts 106 and 270
45 CFR Part 86
Civil Rights Law § 40-c
Education Law §§ 10-18, 313, 2801, and 3201-a
New York State Human Rights Law, Executive Law § 290 et seq.
8 NYCRR § 100.2
9 NYCRR § 466 et seq.
Education Law § 803-b

NOTE: Refer also to Policies #3410 -- Code of Conduct
#3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#7550 -- Dignity for All Students
#7553 -- Hazing of Students
District *Code of Conduct*

First Reading: September 13, 2011

Second Reading: October 11, 2011

Adopted: November 8, 2011

First Reading of Amended: November 9, 2021

Second Reading of Amended: December 14, 2021

Adoption of Amended: January 11, 2022