

LONG BEACH PUBLIC SCHOOLS
Long Beach, NY

June 8, 2021

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.

Anyone attending the meeting should enter through the outside main auditorium doors. Social distancing protocols will be adhered to.

Sincerely,

Your Board of Education

BOARD OF EDUCATION
LONG BEACH PUBLIC SCHOOLS
MIDDLE SCHOOL AUDITORIUM
Tuesday, June 8, 2021

REGULAR MEETING

AGENDA

7:00 PM

- I. Pledge of Allegiance/Call to Order/Opening Remarks – Board President
- II. Superintendent’s Presentation
 - *Federal Funding Presentation*
 - *SCOPE Awards*
 - *Celebration of Retirees*

Name	Yrs. Of Service	Position	Location
Michelle Duggan	39	Science	LBHS
Karen Sauter	35	Elementary Principal	Lindell
Paul Contratti	35	Groundskeeper	B&G
Kathryn Virgona	33	Elementary	Lindell
Sharon Weiss	33	Elementary Assistant Principal	Lido
Michael Lundwall	32	Elementary - Science	LBMS
Eugenia Atsalis	29	Cook Manager	LBMS
Terrance Bachan	27	Bus Driver	Trans
Cheryleann Fontenot	26	Special Ed	West
Marianthi Psilakis	26	FSW	LBMS
Arlyne Skolnik	25	Reading	West
Ana Quintero	24	Bus Driver	Trans
Mark Demerest	23	Bus Driver	Trans
Maria Kavathas	21	Food Service Worker	West
Dularmatie Kistama	21	Food Service Worker	LBMS
Adriane Glassberg	20	Special Ed	LBHS
Joyce Hanechak	20	Accounting Supervisor	BO
Humberto Martinez	20	Bus Driver	Trans
Pedro Salazar	20	Cleaner	LBMS
Elaine Mango	18	Part Time Teacher Assistant	LBMS
Mary Ellen Condon	17	Secretary 1	LBMS
John Skudin	16.5	PE	LBHS

Angela O'Neill	16	Lunch Aide	Lindell
Mandy Kovel	15	Elementary	Lido
Steven Lahey	15	Director of Facilities & Operations	DW
Marie Tillus	14	Food Service Worker	West
Jose Garcia	13	Bus Driver	Trans
Margaret Trela	13	Secretary 1	B & G
Joan Sattler	12	Bookkeeper	BO
Patricia Goumas	10	Purchasing Agent	BO

- III. Board of Education Comments
- IV. Student Organization Announcements
- V. Questions and Comments from the Public on Tonight's Agenda Only
- VI. Approval of Minutes for Executive Session and Regular Meeting of April 27, 2021 and Executive Session and Regular Meeting of May 11, 2021
- VII. Treasurer's Report for April 2021
- VIII. Presentations of the Superintendent
 - 1. Personnel Matters: Certificated
 - 2. Personnel Matters: Non-Certificated
 - 3. First Reading of Policy #3420 Non-Discrimination and Anti-Harassment in the District
 - 4. Acceptance of Audit Report and Corrective Action Plan
 - 5. Appointment of General Counsel
 - 6. Appointment of Labor Counsel
 - 7. Award of Bid #627-2021 – Locks, Cylinders and Keys
 - 8. Acceptance of Recommendations of CSE/CPSE
 - 9. Payment of Legal Bills: Legal Services
- IX. Board of Education – Additional New/Old Business if any
- X. Questions and Comments from the Public
- XI. Announcements:
- XII. Long Beach Classroom Teachers' Association
- XIII. Administrative, Supervisory and PPS Group
- XIV. LBSEA -Long Beach Schools Employees' Association – Group C
- XV. Parent/Teacher Association
- XVI. 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

Name: Benjamin Yazak
Assign./Loc: Regular Substitute Science Teacher/LBHS
Effective Date: June 30, 2021

Name: Kristy Cosgrove
Assign./Loc: Elementary Teacher/West School
Effective Date: June 30, 2021

Name: Jodi Gusler
Assign./Loc: Part Time Teacher Assistant/East School
Effective Date: June 30, 2021

(b) Leave of Absence

Name: Dallas Dano
Assign./Loc: Part Time Teacher Assistant/Lindell School
Effective Date: September 1, 2021-December 10, 2021
Reason: Educational

(c) **Appointment: Part Time Director of Teacher Center (6 hours per week)-Grant Funded-Teacher Center Grant**

Name: John Marr
Assign./Loc.: Part Time Director Teacher Center/Lindell School
Effective Dates: September 1, 2021-June 30, 2022 (or earlier at the district's discretion)
Stipend: \$11,000 per annum
Reason: As determined by the Teacher Center Board

(d) **Appointment: Staff member to be a McKinney-Vento Liaison for summer 2021 as needed-Rate of Pay-according to contract-maximum 30 hours**

Deborah Bernardino-Arden

I. CERTIFICATED PERSONNEL

(e) Appointment: Part Time Technology Teachers (.1)

Name: Brian Pross
Assign./Loc: Part Time Technology Teacher (.1)/LBMS
Certification: Permanent Technology Education
Effective Dates: September 1, 2021-June 30, 2022 (or earlier at the district's discretion)
Salary Classification: 0.1 of MA+70/Step 20 (\$12,647 per annum)-subject to negotiations
Reason: To meet a district need
Comment: Continues in full time position

Name: Michael Santoro
Assign./Loc: Part Time Technology Teacher (.1)/LBMS
Certification: Initial Technology Education
Effective Dates: September 1, 2021-June 30, 2022 (or earlier at the district's discretion)
Salary Classification: 0.1 of MA+40/Step 5 (\$8,674.20 per annum)-subject to negotiations
Reason: To meet a district need
Comment: Continues in full time position

(f) Appointment: Coordinator for International Baccalaureate Diploma Program effective 2021-2022 school year-Stipend: \$5,667-subject to negotiations

Christine Graham

(g) Appointment: Creativity, Action, Service Coordinators and Extended Essay Coordinator for International Baccalaureate Diploma Program effective 2021-2022 school year-Stipends: \$2,577 each-subject to negotiations

Tamara Filloramo-CAS Coordinator
Arlys Digena-CAS Coordinator
Toni Weiss-Extended Essay Coordinator

(h) Appointment: IB Middle Years Program Coordinator for the 2021-2022 School Year-rate of pay-\$5,152 stipend-subject to negotiations

Lauren Behan

(i) Appointment: IB Middle Years Program Community Service Facilitators for the 2021-2022 School Year-rate of pay-\$2,577 stipend (split)-subject to negotiations

Jennifer McWilliams
Megan Kalner

I. CERTIFICATED PERSONNEL

(j) **Appointment: Extended School Year Program Summer 2021-Rate of Pay: \$62.16 per hour-subject to negotiations**

<u>Name</u>	<u>Subject</u>
Lauren Anderson	Special Education
Christina Causi	Special Education
Dina Callahan	Special Education
Sean Miller	Special Education
Abigail Ross	Special Education
Nicole Scoria	Special Education
Stacey Durnan	Social Worker
Seraphina D'Anna	School Psychologist
Stacey Goodwin	Remedial Reading
Sherese Tronolone	Remedial Reading
Martina Beloyianis	Speech and Hearing Handicapped
Alanna Loftus	Speech and Hearing Handicapped

Substitutes

Thomas Gaynor
Maria Egidio
Leah Kalfin
Cindy LaPenna

(k) **Appointment: Extended School Year Program Summer 2021- Teacher Assistants-Rate of Pay: According to contract-subject to student enrollment**

Jaimie Arkow	Suzanne Maslioja
Marisol Burgos	Cathy Palmer
Patricia Buschi	Jennifer Reznick
Karolyn Creagan	Doris Tavernese
Dallas Dano	Amy Teemer
Christina Franceschini	Robin Tobin
Meredith Grant	Lindsey Weintraub
Melissa Hartman	Mara Weintraub
Cari Howell	Elizabeth Wisey
Jenna Keane	Franklyn Lopez
Kim Leone	

Substitutes

Jill Capozzi
Linda Galeano
Tova Greenberg
Beverly Hasberry
Peggy Pierri

I. CERTIFICATED PERSONNEL

- (l) 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 2021-2022-Grant Funded

CERTIFICATED

Instructional - Hourly

	NAME	PAY CODE	RATE PER HOUR	MAX HOURS	MAXIMUM
1.	Edwards, Priscilla	I-5	33.60	264	8,871
2.	Gonzalez, Karen	I-4	30.55	369	12,098
3.	Hamilton, Justine	I-6	36.41	1628	59,276
4.	Lipnick, Paula	I-6	36.41	792	28,837
5.	Adler, M. Liba	I-6	36.41	528	19,224
6.	Peralta, June	I-6	36.41	704	25,633
7.	Reilly, Patricia	I-5	33.60	880	29,568
8.	Reynolds, Felicia	I-5	33.60	660	22,176
9.	Torres, Elyzabeth	I-5	33.60	704	23,654

Support Staff

1.	Coleman, Pamela	S-3	28.02	260	7,285
2.	Fyne, Kerry Ann	S-3	28.02	880	24,658
3.	Hanna, Kristin	S-4	30.55	1320	40,326
4.	Wright, Lisa	S-7	68,473 annualized		

Substitutes-as needed

5.	Lerner, Lori		22.57		
6.	VanBergen, Evelyn		22.57		

- (m) Approval of Applications for Participation in Study Programs-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 \$
Jeanine Sorenson	844
Shelly Cepeda	795
Conor Manning	2,520
Jeff Myers	945
Christopher Kozak	295
Matthew Morand	1,601
Evelyn Daza	3,000

II. NON CERTIFICATED PERSONNEL

(a) Resignation for the Purpose of Retirement

Name: Marie Tillus
Assign./Loc: Part Time Food Service Worker/West School
Effective Date: June 30, 2021

(b) Leave of Absence

Name: Danielle Kaplowitz
Assign./Loc: Part Time Teacher Aide/Lindell School
Effective Date: September 1, 2021-December 23, 2021
Reason: Educational

(c) Appointment: Probationary Director of School Facilities and Operations

Name: Donald Kramer
Assign./Loc.: Probationary Director of School Facilities and
Operations/Districtwide
Effective Date: June 14, 2021
Probation End Date: June 13, 2022
Salary Classification: \$95,000 per annum (prorated)
Reason: To fill a vacancy/Promulgation of civil service list
Comment: Accepts salary and benefits information sheet

(d) Appointment: Probationary Secretary I- 12 months

Name: Kathleen McNally
Assign./Loc.: Probationary Secretary I/LBHS
Effective Date: July 1, 2021
Probationary End Date: December 31, 2021
Salary Classification: \$65,787 per annum
Grade/Step: Grade IV/Step 21
Reason: To fill a vacancy/Promulgation of civil service list

II. NON CERTIFICATED PERSONNEL

(e) Appointment: Part Time Senior Typist (10 months)-Grant Funded- Teacher Center Grant

Name: June Vinokur
Assign./Loc.: Temporary Part Time Senior Typist (10 months/maximum 6 hours per week)/Teacher Center
Effective Date: September 1, 2021-June 30, 2022 (or earlier at the district's discretion)
Salary Classification: \$31.00 per hour
Reason: Annual appointment
Comment: In addition to teacher assistant appointment.
Reason: As determined by the Teacher Center Board

(f) Appointment: Permanent Senior Data Specialist- 12 months

Name: Rose Anna Knag
Assign./Loc.: Permanent Senior Data Specialist/LBHS
Effective Date: July 1, 2021
Salary Classification: \$76,767 per annum
Grade/Step: Grade III/Step 29
Reason: To fill a vacancy

(g) Appointment: Extended School Year Program Summer 2021-Rate of Pay: \$62.16 per hour-subject to negotiations

<u>Name</u>	<u>Position</u>
Renee Cieski	Physical Therapist
Kristen Hurley	Occupational Therapist

(h) Appointment: Extended School Year Program Summer 2021-Rate of Pay: \$44.84 per hour-subject to negotiations

<u>Name</u>	<u>Position</u>
Vania Oliveira	Nurse

(i) Appointment: Extended School Year Program Summer 2021- Teacher Aides-Rate of Pay: According to contract-subject to student enrollment

Jessica Butler	Annemarie Whelan
Alanna Wagner	Ethel Yarwood
<u>Substitute</u>	
Amy Coyle	

II. NON CERTIFICATED PERSONNEL

(j) 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 2021-2022-Grant Funded

NON-CERTIFICATED

	NAME	PAY CODE	RATE PER HOUR	MAX HOURS	MAXIMUM
Aides					
1.	Drake, Tara	A-5	18.30	440	8,052
2.	Guandique, Aracely	A-7	21.58	430	9,280
Clerical					
3.	Aviles, Diana	C-4	17.25	26	4,554
4.	Ferrer, Gloria	C-8	23.52	1813	42,642
5.	Flete, Elbania	C-6	19.82	1276	25,291
6.	LaBoy, Lisette	C-8	23.52	528	12,419
7.	Tedesco, Gloria	C-7	21.58	245	5,287
Janitorial - Hourly					
8.	Munoz, Fabio	J-7	21.58	1680	36,255
9.	Pinchasin, Amos	J-7	21.58	500	10,790

(k) Completion of Probationary Appointments

The staff member listed below has completed their probationary appointment and have received a satisfactory evaluation and is hereby recommended for permanent appointment.

Name: Kimberly Wynne
Assign./Loc.: Library Clerk/LBHS
Effective Date: August 12, 2021

Name: Laura Guendel
Assign./Loc.: Data Specialist/West School
Effective Date: August 21, 2021

Name: Nicole Lynch
Assign./Loc.: Data Specialist/LBMS
Effective Date: August 31, 2021

Name: Jeanne Radin-Forkin
Assign./Loc.: Data Specialist/East School
Effective Date: August 31, 2021

II. NON CERTIFICATED PERSONNEL

(l) The following Per Diem Substitutes are recommended for approval for the Summer 2021 and the 2021-2022 school year.

Name	Position
Jodi Gusler	Teacher Assistant
Elissa Probeyahn	Clerical
Michael Canepa	Cleaner
Michele Causi	Cleaner
Jeffrey Connolly	Cleaner
James Davis	Cleaner
Nicholas Falciano	Cleaner
Michelle Ghent	Cleaner
Steven Gray	Cleaner
Gavin Maldonado	Cleaner
Peter Mikoda	Cleaner
Armani Morton	Cleaner
Brett Ramnarine	Cleaner
Edgardo Vasquez	Cleaner
James Whitten	Cleaner
Robert Wright	Cleaner
Todd Wright	Cleaner

(m) MEMORANDUM OF AGREEMENT: LONG BEACH PUBLIC SCHOOLS HEREBY APPROVES A MEMORANDUM OF AGREEMENT REACHED BY THE School District, The Long Beach School Employees Association and an employee discussed in executive session dated May 27, 2021

3. FIRST READING OF POLICY #3420 NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT

4. ACCEPTANCE OF AUDIT REPORT AND CORRECTIVE ACTION PLAN

BE IT RESOLVED, that the Board of Education of the Long Beach City School District, based on the recommendation of the District's Audit Committee, accepts the Audit Report and Representation Letter for the year ended June 30, 2020 as presented by the District's independent external auditor, Jill Sanders, approves the Corrective Action Plan 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.

5. APPOINTMENT OF VOLZ & VIGLIOTTA, PLLC TO SERVE AS DISTRICT'S GENERAL COUNSEL

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby accepts the proposal of Volz and Vigliotta, PLLC to serve as the District's General Counsel as of July 1, 2021 at a cost of \$55,000 as a retainer and \$235 per hour for attorneys and \$115 per hour for paralegals for additional services for the 2021-2022 school year and;

BE IT FURTHER RESOLVED, that the Board of Education authorizes the Assistant Superintendent for Finance and Operations to execute the agreement on its behalf.

6. APPOINTMENT OF VOLZ & VIGLIOTTA, PLLC TO SERVE AS DISTRICT'S LABOR LEGAL COUNSEL

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby accepts the proposal of Appointment of Volz and Vigliotta, PLLC to serve as the District's Labor Counsel as of July 1, 2021 at a cost of \$41,500 as a retainer and \$235 per hour for attorneys and \$115 per hour for paralegals for additional services for the 2021-2022 school year and;

BE IT FURTHER RESOLVED, that the Board of Education authorizes the Assistant Superintendent for Finance and Operations to execute the agreement on its behalf.

7. AWARD OF BID #627-2021 – SCHLAGE LOCKS, CYLINDERS AND KEYS

WHEREAS, the District placed a legal notice advertising a bid for Schlage Locks, Cylinders and Keys in the official district papers on April 29, 2021, and provided bid documents Independent Hardware, Accredited Lock & Door Hardware, Suffolk Lock Security Professionals, Craftmaster Hardware and C&M Door Control; and

WHEREAS, the District, in accordance with Article 5-A of the General Municipal Law, invited bids on the Schlage Locks, Cylinders and Keys which bids were opened publicly on May 11, 2021; and

WHEREAS, Independent Hardware was the lowest priced responsible bidder, see below, on the Schlage Locks, Cylinders and Keys Bid;

Schlage Locks, Cylinders and Keys BID Opened 5/11/2021 @11:00AM	
Contractor	Bid Amount
Independent Hardware	\$32,447.50
Accredited Lock and Door Hardware	\$32,526.25
Craftmaster Hardware	\$35,385.75
C&M Door Control	\$35,990.00
Suffolk Lock Security Professionals	\$41,693.50

THEREFORE, BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby determines that Independent Hardware was the lowest priced responsible bidder on the Schlage Locks, Cylinders and Keys Bid and approves the award of the Schlage Locks, Cylinders and Keys contract to Independent Hardware, and authorizes the Assistant Superintendent for Finance and Operations to execute said agreement on its behalf.

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

9. PAYMENT OF LEGAL BILLS: LEGAL SERVICES

A) FRAZER & FELDMAN, LLP

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education authorizes expenditures in the amount of \$3033.00 to Frazer & Feldman for the monthly retainer services for the period of June 1, 2021 through June 30, 2021.

B) LAW OFFICES OF THOMAS M. VOLZ, PLLC

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education authorizes expenditures in the amount of \$3333.33 to Thomas Volz for the monthly retainer for legal services for the period of June 1, 2021 through June 30, 2021.

Community Relations

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT**Overview**

The District is committed to creating and maintaining an environment which is free from discrimination and harassment. This policy addresses complaints of discrimination and/or harassment made under applicable federal and state laws and regulations, as well as any applicable District policy, regulation, procedure, or other document such as the District's *Code of Conduct*. It is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.

In accordance with applicable federal and state laws and regulations, the District does not discriminate on the basis of any legally protected class or category in its education programs and activities or when making employment decisions. Further, the District prohibits discrimination and harassment on school property and at school functions on the basis of any legally protected class including, but not limited to:

- a) Race;
- b) Color;
- c) Religion;
- d) Disability;
- e) National origin;
- f) Sexual orientation;
- g) Gender identity or expression;
- h) Military status;
- i) Sex;
- j) Age; and
- k) Marital status.

The District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of discrimination and/or harassment. The District will promptly respond to reports of discrimination and/or harassment, 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 imposes disciplinary measures and implement remedies when warranted.

(Continued)

Community Relations

**SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT
(Cont'd.)**

Inquiries about this policy may be directed to the District's Civil Rights Compliance Officers (CRCOs).

Scope and Application

This policy outlines the District's general approach to addressing complaints of discrimination and/or harassment. This policy applies to the dealings between or among the following parties on school property and at school functions:

- a) Students;
- b) Employees;
- c) Applicants for employment;
- d) Paid or unpaid interns;
- e) Anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or other person providing services pursuant to a contract in the workplace;
- f) Volunteers; and
- g) Visitors or other third parties.

Further, discrimination and/or harassment that occurs off school property and somewhere other than a school function can disrupt the District's educational and work environment. This conduct can occur in-person or through phone calls, texts, emails, or social media. Accordingly, conduct or incidents of discrimination and/or harassment that create or foreseeably create a disruption within the District may be subject to this policy.

Other District policies and documents such as regulations, procedures, collective bargaining agreements, and the District's *Code of Conduct* may address misconduct related to discrimination and/or harassment and may provide for additional, different, or more specific grievance procedures depending on a number of factors including, but not limited to, who is involved, where the alleged discrimination and/or harassment occurred, and the basis of the alleged discrimination and/or harassment. These documents must be read in conjunction with this policy.

The dismissal of a complaint under one policy or these documents does not preclude action under another related District policy or document.

(Continued)

Community Relations

**SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT
(Cont'd.)****Definitions**

For purposes of this policy, the following definitions apply:

- a) "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 any District elementary or secondary school, or in or on a school bus or District vehicle.
- b) "School function" 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.

What Constitutes Discrimination and Harassment

Determinations as to whether conduct or an incident constitutes discrimination and/or harassment will be made consistent with applicable federal and state laws and regulations, as well as any applicable District policy, regulation, procedure, or other document such as the District's *Code of Conduct*. The examples below should not be construed to add or limit the rights that individuals and entities possess as a matter of law.

Generally stated, discrimination consists of the differential treatment of a person or group of people on the basis of their membership in a legally protected class. Discriminatory actions may include, but are not limited to: refusing to promote or hire an individual on the basis of his or her membership in a protected class; denying an individual access to facilities or educational benefits on the basis of his or her membership in a protected class; or impermissibly instituting policies or practices that disproportionately and adversely impact members of a protected class.

Generally stated, harassment consists of subjecting an individual, on the basis of his or her membership in a legally protected class, to persistent unwelcome verbal, written, or physical conduct which may include, but is not limited to: derogatory remarks, signs, jokes, or pranks; demeaning comments or behavior; slurs; mimicking; name calling; graffiti; innuendo; gestures; physical contact; stalking; threatening; bullying; extorting; or the display or circulation of written materials or pictures, including on social media.

(Continued)

Community Relations

**SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT
(Cont'd.)**

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

Civil Rights Compliance Officer

*The District has designated the following District employees to serve as its CRCOs:

Michele Natali, Ed.D.
Asst. Superintendent for Personnel & Administration
235 Lido Boulevard
Lido Beach, NY 11561
516-897-2112
mnatali@lbeach.org

Sabrina Brancaccio, Ed.D.
Executive Director of Pupil Personnel Services
235 Lido Boulevard
Lido Beach, NY 11561
516-897-2202
sbrancaccio@lbeach.org

The CRCOs will coordinate the District's efforts to comply with its responsibilities under applicable non-discrimination and anti-harassment laws and regulations including, but not limited to: the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, and the Age Discrimination Act of 1975.

Where appropriate, the CRCOs may seek the assistance of other District employees, such as the District's Title IX Coordinators or Dignity Act Coordinators (DACs), or third parties in investigating, responding to, and remedying complaints of discrimination and/or harassment.

Reporting Allegations of Discrimination and/or Harassment

Any person may report discrimination and/or harassment regardless of whether they are the alleged victim or not. Reports may be made in person, by using the contact information for the CRCOs, or by any other means that results in the CRCOs receiving the person's oral or written report. This report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the CRCOs.

Reports of discrimination and/or harassment may also be made to any other District employee including a supervisor or building principal. All reports of discrimination and/or harassment will be immediately forwarded to the CRCO. Reports may also be forwarded to other District employees depending on the allegations.

(Continued)

Community Relations

**SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT
(Cont'd.)**

All District employees who witness or receive an oral or written report of discrimination and/or harassment must immediately inform a CRCO. Failure to do so may subject the employee to discipline.

In addition to complying with this policy, District employees must comply with any other applicable District policy, regulation, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct*. Applicable documents include, but are not limited to, the District's policies, regulations, and procedures related to Title IX, sexual harassment in the workplace, and the Dignity for All Students Act (DASA).

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.

Grievance Process for Complaints of Discrimination and/or Harassment

The District will act promptly, thoroughly, and equitably to investigate all complaints, whether oral or written, of discrimination and/or harassment based on any legally protected class and will take appropriate action to protect individuals from further discrimination and/or harassment. The CRCO will oversee the District's investigation of all complaints of discrimination and/or harassment. In the event an anonymous complaint is filed, the District will respond to the extent possible. The investigation and due process provisions depend on the status of the alleged offender (ie, student, teacher, volunteer, etc.).

If an investigation reveals that discrimination and/or harassment based on a legally protected class has occurred, the District will take immediate corrective action as warranted. This action will be taken in accordance with applicable federal and state laws and regulations, 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*.

Finding That Harassment Did Not Occur

At any level/stage of investigation of alleged harassment, if a determination is made that harassment did not occur, the Complaint 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.

(Continued)

Community Relations

**SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT
(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, if 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 harassment did not occur.

Knowingly Makes False Accusations

Any employee or student who knowingly makes false accusations against another individual as to allegations of discrimination and/or harassment will face appropriate disciplinary action.

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 discrimination and/or 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 discrimination and/or harassment has not resumed and that those involved in the investigation have not suffered retaliation.

Confidentiality

To the extent possible, all complaints will be treated as confidential. Disclosure may be necessary in certain circumstances such as to complete a thorough investigation and/or notify law enforcement officials. All disclosures will be in accordance with law and regulation.

Training

In order to promote familiarity with issues pertaining to discrimination and harassment in the District, and to help reduce incidents of prohibited conduct, the District will provide appropriate information and/or training to employees and students. As may be necessary, special training will be provided for individuals involved in the handling of discrimination and/or harassment complaints.

(Continued)

Community Relations

**SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT
(Cont'd.)****Notification**

Prior to the beginning of each school year, the District will furnish a notice which advises students, parents or legal guardians, employees, and other relevant individuals of the District's established grievance process for resolving complaints of discrimination and/or harassment. This announcement or publication will include the name, office address, telephone number, and email address of the CRCO(s). The District's website will reflect current and complete contact information for the CRCO(s).

A copy of this policy and its corresponding regulations and/or procedures will be available upon request and will be posted and/or published in appropriate locations and/or District publications.

Additional Provisions

Regulations and/or procedures will be maintained for reporting, investigating, and remedying allegations of discrimination and/or harassment.

42 USC § 1324b

Age Discrimination Act of 1975, 42 USC § 6101 et seq.

Age Discrimination in Employment Act of 1967 (ADEA), 29 USC § 621 et seq.

Americans with Disabilities Act (ADA), 42 USC § 12101 et seq.

Equal Educational Opportunities Act of 1974, 20 USC § 1701 et seq.

Genetic Information Non-Discrimination Act (GINA), 42 USC § 2000ff et seq.

National Labor Relations Act (NLRA), 29 USC § 151 et seq.

Section 504 of the Rehabilitation Act of 1973, 29 USC § 790 et seq.

Title IV of the Civil Rights Act of 1964, 42 USC § 2000c et seq.

Title VI of the Civil Rights Act of 1964, 42 USC § 2000d et seq.

Title VII of the Civil Rights Act of 1964, 42 USC § 2000e et seq.

Title IX, 20 USC § 1681 et seq.

USERRA, 38 USC § 4301 et seq.

28 CFR Part 35

29 CFR Chapter I – National Labor Relations Board

29 CFR Chapter XIV – Equal Employment Opportunity Commission

34 CFR Parts 100, 104, 106, 110, and 270

Civil Rights Law §§ 40, 40-c, 47-a, 47-b, 48-a, and 115

Correction Law § 752

Education Law §§ 10-18, 313, 313-a, 2801, 3201, and 3201-a

Labor Law §§ 194-a, 201-d, 201-g, 203-e, 206-c, 215

New York State Human Rights Law, Executive Law § 290 et seq.

Military Law §§ 242, 243, and 318

8 NYCRR § 100.2

9 NYCRR § 466 et seq.

Community Relations

NOTE: Refer also to Policies #3421 -- Title IX and Sex Discrimination
#6120 -- Equal Employment Opportunity
#6121 -- Sexual Harassment in the Workplace
#6122 -- Employee Grievances
#7550 -- Dignity for All Students
#7551 -- Sexual Harassment of Students
#8130 -- Equal Educational Opportunities
District *Code of Conduct*

First Reading: June 8, 2021

Second Reading:

Adoption Date: