

LONG BEACH PUBLIC SCHOOLS
Long Beach, NY

March 10, 2020

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.

Sincerely,

Your Board of Education

**BOARD OF EDUCATION
LONG BEACH PUBLIC SCHOOLS
LIDO ELEMENTARY SCHOOL MULTIPURPOSE ROOM
TUESDAY, MARCH 10, 2020**

AGENDA

REGULAR MEETING

7:00 PM

- I. Pledge of Allegiance/Call to Order/Opening Remarks – Board President
- II. Report of the Superintendent of Schools
 - Presentation – Budget 2020-2021 – Pupil Personnel Services
- III. Board of Education Comments
- IV. Student Organization Announcements
- V. Questions and Comments from the Public on Tonight's Agenda Only
- VI. Presentation of the Treasurer's Report for January 2020
- VII. Approval of Minutes for Exec Sessions, Work Session and Regular Meeting of February 11 and February 25, 2020
- VIII. Presentations of the Superintendent:
 1. Personnel Matters: Certificated
 2. Personnel Matters: Non-Certificated
 3. First Reading of Revised Policy #5672 – Information Security Breach and Notification
 4. Adoption of Policy #6110 Code of Ethics for All District Personnel
 5. Adoption of Policy #7312 Bullying/Cyberbullying
 6. Approval of Audit Report & Corrective Action Plan – Fed Single Audit
 7. Approval of Budget Transfer
 8. Approval of SEQRA – Lead Agency – Traffic Improvement
 9. Approval of SEQRA – Negative Declaration- Traffic Improvement
 10. Approval of Emergency Computer Replacement & Budget Revision
 11. Approval of Award of Bid
 12. Approval of Destruction of Ballots from 5/21/29 Budget Vote/Election
 13. Approval of Revised Legal Notice
 14. Acceptance of Donations
 15. Approval of Nominations to BOCES Board
 16. Acceptance of Recommendations of CSE/CPSE
 17. Approval of Payment of Legal Bills: Legal Services
 18. 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) Recommendation for Appointment on Tenure the staff members listed below are eligible for appointment on tenure in the area and on the date indicated. They have been found to be competent, efficient and satisfactory in their total professional performance.

	Name	Tenure Area	Date
1.	Kerry Fallon	Coordinator of School Counseling	7/1/2020
2.	Peter Russo	Coordinator of Special Education	7/5/2020
3.	Jeffrey Myers	Secondary Principal	8/1/2020

(b) Leaves of Absence

1. Name: Jillian Fernandez
Assign./Loc: Mathematics Teacher/LBMS
Effective Dates: September 1, 2020-June 30, 2021
Reason: Child Care
2. Name: Kelly Mooney
Assign./Loc: AIS Mathematics Teacher/Lindell School
Effective Dates: April 10, 2020-June 26, 2020 (on or about)
Reason: Maternity/FMLA
3. Name: Jessica Baker
Assign./Loc: Physical Education Teacher/LBHS
Effective Dates: February 24, 2020-June 26, 2020 (or earlier at the district's discretion)
Reason: Maternity/FMLA

(c) Appointment: Supervisor for the Extended School Year-July 6, 2020-August 14, 2020-rate of pay-\$10,000 stipend plus preparation rate as per contract

Laurence Lopez

I. CERTIFICATED PERSONNEL

(d) Appointment: AP/IB Exam Preparation for the LBHS 2019-2020 school year-rate of pay \$76.00 per hour

AP/AB Review		
Course	Teacher(s)	Hours
AP Calculus AB/BC	P. Fallon	4
AP Chemistry	J. Hall	4
AP Music Theory	M. Capobianco	2
AP Statistics	L. Krinsky	4
AP World History	E. Levin/J. Stankard	4
IB Anthropology SL/HL	B. Petschauer/D. Maier	8
IB Biology HL	K. Bloom	4
IB Business HL/SL	B. Malizia	2
IB Computer Science SL	W. Gibson	4
IB English HL 2	T. Filloramo / J. O'Shea/ S. Silverman/T. Weiss	8
IB Environmental	C. Onufrock	4
IB French	A. Digena	2
IB History of the Americas	C. Graham /J. Bloom/ J. Quinn /E. Levin	8
IB Italian	E. Russo	2
IB Math SL	M. D'Andrea	4
IB Math Studies	J. Berto/J. Fiola	4
IB Physics	D. Vaeth	4
IB Psychology	L. Casey	2
IB Spanish HL/SL	N. Jimenez/A. Rivero	6

I. CERTIFICATED PERSONNEL

- (e) **Appointment: Facilitators for the Active Parent Workshops--Rate of Pay: \$57.20 per hour-grant funded for the 2019-2020 School Year-maximum hours 15.**

Name

Jean Kushel
Adrian Gioulis
Denise Collins
Nicole Rosenberg

- (f) **Appointment: Interscholastic Coach for the Spring 2020**

Position	Name	Stipend
Volunteer Lacrosse Coach	Patrick Fleming	N/A

- (g) **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 2019-2020-Grant Funded**

CERTIFICATED

Name	Pay Code	Rate Per Hour	Total Hours	Maximum
Pamela Coleman	S-3	27.74	60	1,664.40

- (h) **The following Per Diem Substitute Teacher is recommended for approval for the 2018-2019 school year**

NAME

Rosemary Amorini
Anthony Cabasino
Patricia Keating
Ryan Lynch
Kate Manson

CERTIFICATION AREA

Permanent Mathematics 7-12
Initial Mathematics 7-12 (in process)
Initial Childhood Education 1-6
Initial Childhood Education 1-6 (in process)
Initial Physical Education (pending)

II. NON CERTIFICATED PERSONNEL

(a) Resignation

Name: Matthew Taylor
Assign./Loc.: General Mechanic Carpenter/Districtwide
Effective Date: March 27, 2020 close of day

(b) Amended Catastrophic Leave of Absence

Name: Tyrone Perkins
Assign./Loc.: Cleaner/Lido/Middle School Complex
Effective Dates: January 31, 2020-July 6, 2020

(c) Leave of Absence

Name: Laverne Speight
Assign./Loc.: Bus Driver/Transportation
Effective Dates: January 3, 2020-March 2, 2020
Reason: Medical

(d) Leave of Absence

Name: Laverne Speight
Assign./Loc.: Bus Driver/Transportation
Effective Dates: January 3, 2020-June 30, 2020
Reason: FMLA (intermittent)

(e) Amended Leave of Absence

Name: Diana O'Farrell
Assign./Loc.: Part Time Lunch Aide/West School
Effective Dates: September 3, 2019-June 30, 2020 (or earlier at the district's discretion)
Original Dates: September 3, 2019-February 28, 2020

(f) Appointment Part Time Teacher Aide 17.5 hours per week Start date through June 26, 2020 (or earlier at the district's discretion) Rate according to contract.

Name	Building	Step	Hourly Rate	Reason	Start Date
Leslie-Ann Christie	East School	1	16.67	IEP	3/11/2020
Yvonne Miller	LBHS	1	16.67	IEP	3/11/2020

II. NON CERTIFICATED PERSONNEL

(g) The following Per Diem Substitute is recommended for approval for the 2019/2020 school year.

Name	Position
Rosie Anderson	Teacher Aide
Erin Brennen	Nurse

(h) Completion of Probationary Appointment

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

Name:	Luz Llanos
Assign./Loc.:	Bus Driver/Transportation Department
Effective Date:	December 14, 2019

3. **FIRST READING OF REVISED POLICY #5672 INFORMATION SECURITY BREACH AND NOTIFICATION**
4. **ADOPTION OF POLICY #6110 CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL**
5. **ADOPTION OF POLICY #7312 BULLYING/CYBERBULLYING**
6. **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 Federal Single Audit for the year ended June 30, 2019, and approves the Corrective Action Plan and authorizes and directs the Administration to implement the Corrective Action Plan.

FURTHER BE IT 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.

7. **APPROVAL OF BUDGET TRANSFER**

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approves a transfer in the amount of \$720,781 from the Health Insurance code to cover the costs of Special Education services.

8. **APPROVAL OF SEQRA - LEAD AGENCY DESIGNATION - TRAFFIC IMPROVEMENTS**

WHEREAS, the Board of Education of the Long Beach Public Schools ("Board of Education") is considering traffic circulation and safety improvement projects on and adjacent to the Lido Complex, which includes the Long Beach Middle School, Lido Elementary School and District Administrative Offices, as well as the Long Beach High School campus; and

WHEREAS, the proposed projects also affect the Lido Golf Club, located to the east of the Lido Complex, as well as Blackheath Road, from Lido Boulevard to the Long Beach High School Campus entrance driveway; and

WHEREAS, the proposed action includes various projects for improvements to pedestrian and vehicular traffic circulation and safety, through driveway realignments, pavement markings and signage, reconfiguration and improvements to on-site parking and circulation areas, as well as the installation of guard booths at each school campus (hereinafter, the "proposed action"); and

WHEREAS, pursuant to 6 NYCRR §617.4 and 6 NYCRR §617.5, the Board of Education reviewed the proposed action and has preliminarily determined that same is an Unlisted Action; and

WHEREAS, pursuant to 6 NYCRR Part 617, coordinated review of an Unlisted Action is optional, and was not undertaken by the Board of Education;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education hereby designates itself as lead agency pursuant to the implementing regulations of the State Environmental Quality Review Act, specifically 6 NYCRR §617.6(b)(4), with respect to the above-described proposed action.

9. APPROVAL OF SEQRA – ADOPTION OF NEGATIVE DECLARATION – TRAFFIC IMPROVEMENTS

WHEREAS, the Board of Education of the Long Beach Public Schools (“Board of Education”) is considering traffic circulation and safety improvement projects on and adjacent to the Lido Complex, which includes the Long Beach Middle School, Lido Elementary School and District Administrative Offices, as well as the Long Beach High School campus; and

WHEREAS, the proposed projects also affect the Lido Golf Club, located to the east of the Lido Complex, as well as Blackheath Road, from Lido Boulevard to the Long Beach High School Campus entrance driveway; and

WHEREAS, the proposed action includes various projects for improvements to pedestrian and vehicular traffic circulation and safety, through driveway realignments, pavement markings and signage, reconfiguration and improvements to on-site parking and circulation areas, as well as the installation of guard booths at each school campus (hereinafter, the “proposed action”); and

WHEREAS, the Board of Education declared itself lead agency for the proposed action, pursuant to the implementing regulations of the State Environmental Quality Review Act, specifically 6 NYCRR §617.6(b)(4); and

WHEREAS, the proposed action requires the following permits and approvals for the proposed action, which would be obtained prior to implementation: Town of Hempstead (Highway Department - Road Permit, Town Board - Access Easement [Lido Golf Club]), Nassau County Department of Public Works (239-F Review, Road Opening Permit), NY State Education Department (Building Permit), and New York State Department of Environmental Conservation (SPDES General Permit for Stormwater Discharges During Construction Activities [GP 0-20-001]); and

WHEREAS, the Board of Education has caused to be prepared a Short Environmental Assessment Form (SEAF) – Parts 1, 2, and 3, a transportation assessment and consultations with the New York State Office of Parks, Recreation and Historic Preservation to evaluate potential significant adverse environmental and transportation impacts associated with the proposed action and has reviewed the aforesaid SEAF and agrees with the contents thereof;

NOW, THEREFORE, BE IT RESOLVED that, the Board of Education, as lead agency for the action contemplated herein, after review of the proposed action and 6 NYCRR Part 617, hereby determines that the above-described project is an Unlisted action; and

BE IT FURTHER RESOLVED that, based upon the information contained in the SEAF, and other relevant information, the Board of Education, as lead agency for the action contemplated herein, and after due deliberation, review and analysis, hereby determines that the proposed action will not result in significant adverse impacts to the environment, and hereby adopts the annexed Negative Declaration.

10. APPROVAL OF EMERGENCY COMPUTER REPLACEMENT and 2019-20 BUDGET REVISION

WHEREAS, the District has determined that [750] legacy desktop computers have reached their end of life and are no longer able to meet the District's technology needs and demands, and that their continued use poses a security risk to the District's technology infrastructure due to their vulnerability to cyberattacks; and

WHEREAS, based on the recommendation of the District's *[business and technology personnel]*, the District has determined that the immediate replacement of such legacy computers is necessary to operate, secure and maintain the District's technology infrastructure and is essential to maintain the District's educational program and District operations; now, therefore,

BE IT RESOLVED, that based on the foregoing determinations, the Board of Education hereby declares that the replacement of said legacy desktop computers constitutes an emergency ordinary contingent expense, and hereby directs and authorizes the administration to take immediate action to procure appropriate replacement computer equipment in accordance with this resolution and the District's purchasing policy at a cost not to exceed [\$773,732.08], to be funded by appropriations from the District's 2019-20 General Fund's unassigned fund balance; and be it further

RESOLVED that the Board of Education hereby authorizes an increase to the 2019-20 General Fund Budget in an amount not to exceed [\$773,732.08] to be appropriated from the General Fund's unassigned fund balance, to be used to fund this procurement as an emergency ordinary contingent expense, which amount shall be transferred to the appropriate line item expenditure code(s) within the voter approved budget, upon approval and execution of contracts for said procurement by the Board of Education.

11. AWARD OF BID

WHEREAS, the Board of Education of the Long Beach City School District solicited bids for general construction of the LBHS interior security cafeteria wall, and received the following bids in response thereto:

IRWIN CONTRACTING, INC - \$424,000 - AWARDED BID

WJ Northridge -	\$530,500	Renu -	\$453,000
Stalco -	\$514,316	Patriot -	\$480,000
ACL -	\$550,000	Preferred Construction -	\$443,000

WHEREAS, upon review and consideration of each of the foregoing bids, and based on the recommendation of the Assistant Superintendent for Finance and Operations, the Board has determined that Irwin Contracting, Inc. is the lowest responsible bidder meeting the bid specifications; now, therefore,

BE IT RESOLVED that the Board of Education hereby awards said contract to Irwin Contracting, Inc. as the lowest responsible bidders meeting the bid specifications pursuant to Section 103 of the General Municipal Law, and hereby authorizes the Assistant Superintendent for Finance and Operations to execute said contract on behalf of the Board.

12. APPROVAL FOR THE DESTRUCTION OF BALLOTS FROM MAY 21, 2019 ANNUAL BUDGET VOTE AND ELECTION

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 in the May 21, 2019 Annual District Budget Vote and Board of Education Election.

13. APPROVAL OF REVISED LEGAL NOTICE

BE IT RESOLVED, that due to changes in the military ballots, the Board of Education accepts the modifications to the legal notice.

14. ACCEPTANCE OF DONATIONS

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education accepts the donations from the Theresa Foundation of \$1,200 for a grant for creativity camp and \$2,212 for a grant for a parenting support group.

15. APPROVAL OF NOMINATIONS TO NASSAU BOCES BOARD

WHEREAS, there will be three seats on the Nassau Board of Cooperative Educational Services that will expire on June 30, 2020; two seats held by Deborah Coates and Eric Schultz, and the third seat vacant due to the retirement of Stephen B. Witt, with each seat carrying a term of three years;

BE IT RESOLVED, that the Board approves the nomination of the following two candidates: Deborah Coates and Eric Schultz.

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

17. APPROVAL OF 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 \$3,033 to Frazer & Feldman, LLP for the monthly retainer for legal services for the period of February 1 through February 29, 2020.

B) THOMAS VOLZ

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education authorizes expenditures in the amount of \$3,333.33 to Thomas Volz, PLLC for the month retainer for the period of February 1 through February 29, 2020 and \$207 for extraordinary legal expenses for the month of January 2020.

18. 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 schedules.

APPLICATIONS FOR USE OF SCHOOLS

Organization	Purpose	Facility Requested	Date Requested
LB/Lido Beach Little League	Team Photos	LBHS Cafeteria	May 4- May 8, 2020 Monday-Friday 5:00PM – 9:30PM
Special Olympics	Swim Meet	LBHS Pool	Sat., May 9, 2020 8:00AM-3:00PM
CCPTA	Mental Health Forum	LBMS Auditorium	Mon, Mar 16, 2020 6:30PM – 9:30PM

Non-Instructional/Business
Operations**SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION**

The District values the protection of private information of individuals in accordance with applicable law and regulations. The District is required to notify affected individuals when there has been or is reasonably believed to have been a compromise of the individual's private information in compliance with the Information Security Breach and Notification Act and Board policy.

- a) "Personal information" means any information concerning a person which, because of name, number, symbol, mark, or other identifier, can be used to identify that person.
- b) "Private information" means either:
 - 1. Personal information consisting of any information in combination with any one or more of the following data elements, when either the data element or the combination of personal information plus the data element is not encrypted or encrypted with an encryption key that has also been accessed or acquired:
 - (a) Social security number;
 - (b) Driver's license number or non-driver identification card number;
 - (c) Account number, credit or debit card number, in combination with any required security code, access code, password, or other information which would permit access to an individual's financial account;
 - (d) Account number, or credit or debit card number, if circumstances exist where the number could be used to access an individual's financial account without additional identifying information, security code, access code, or password; or
 - (e) Biometric information, meaning data generated by electronic measurements of an individual's unique physical characteristics, such as fingerprint, voice print, retina or iris image, or other unique physical representation or digital representation which are used to authenticate or ascertain the individual's identity;
 - 2. A username or email address in combination with a password or security question and answer that would permit access to an online account.

Private information does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

- c) "Breach of the security of the system" means unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the District. Good faith acquisition of personal information by an employee or agent of the District for the purposes of the District is not a breach of the security of the system, provided that private information is not used or subject to unauthorized disclosure.

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)

Determining if a Breach Has Occurred

In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or person without valid authorization, the District may consider the following factors, among others:

- a) Indications that the information is in the physical possession or control of an unauthorized person, such as a lost or stolen computer or other device containing information;
- b) Indications that the information has been downloaded or copied;
- c) Indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported; or
- d) System failures.

Notification Requirements

- a) For any computerized data owned or licensed by the District that includes private information, the District will disclose any breach of the security of the system following discovery or notification of the breach to any New York State resident whose private information was, or is reasonably believed to have been, accessed or acquired by a person without valid authorization. The disclosure to affected individuals will be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, or any measures necessary to determine the scope of the breach and restore the integrity of the data system. The District will consult with the New York State Office of Information Technology Services to determine the scope of the breach and restoration measures. Within 90 days of the notice of the breach, the New York State Office of Information Technology Services will deliver a report to the District on the scope of the breach and recommendations to restore and improve the security of the system.
- b) Notice to affected persons under State Technology Law is not required if the exposure of private information was an inadvertent disclosure by persons authorized to access private information, and the District reasonably determines the exposure will not likely result in the misuse of the information, or financial or emotional harm to the affected persons. This determination must be documented in writing and maintained for at least five years. If the incident affected over 500 New York State residents, the District will provide the written determination to the New York State Attorney General within ten days after the determination.
- c) If notice of the breach of the security of the system is made to affected persons pursuant to the breach notification requirements under certain laws and regulations, the District is not required to provide additional notice to those affected persons under State Technology Law. However, the District will still provide notice to the New York State Attorney General, the New York State Department of State, the New York State Office of Information Technology Services, and to consumer reporting agencies.

Non-Instructional/Business Operations

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)

- d) For any computerized data maintained by the District that includes private information which the District does not own, the District will notify the owner or licensee of the information of any breach of the security of the system immediately following discovery, if the private information was, or is reasonably believed to have been, accessed or acquired by a person without valid authorization.

The notification requirement may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. The required notification will be made after the law enforcement agency determines that the notification does not compromise the investigation.

If the District is required to provide notification of a breach, including breach of information that is not private information, to the United States Secretary of Health and Human Services pursuant to the Health Insurance Portability and Accountability Act of 1996 or the Health Information Technology for Economic and Clinical Health Act, it will provide notification to the New York State Attorney General within five business days of notifying the United States Secretary of Health and Human Services.

Methods of Notification

The required notice will be directly provided to the affected persons by one of the following methods:

- a) Written notice;
- b) Electronic notice, provided that the person to whom notice is required has expressly consented to receiving the notice in electronic form and a log of each notification is kept by the District when notifying affected persons in electronic form. However, in no case will the District require a person to consent to accepting the notice in electronic form as a condition of establishing any business relationship or engaging in any transaction;
- c) Telephone notification, provided that a log of each notification is kept by the District when notifying affected persons by phone; or
- d) Substitute notice, if the District demonstrates to the New York State Attorney General that the cost of providing notice would exceed \$250,000, or that the affected class of subject persons to be notified exceeds 500,000, or that the District does not have sufficient contact information. Substitute notice will consist of all of the following:
 1. Email notice when the District has an email address for the subject persons;
 2. Conspicuous posting of the notice on the District's website page, if the District maintains one; and
 3. Notification to major statewide media.

Non-Instructional/Business Operations

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)

Regardless of the method by which notice is provided, the notice will include:

- a) Contact information for the notifying District;
- b) The telephone numbers and websites of the relevant state and federal agencies that provide information regarding security breach response and identity theft prevention and protection information; and
- c) A description of the categories of information that were, or are reasonably believed to have been, accessed or acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, accessed or acquired.

In the event that any New York State residents are to be notified, the District will notify the New York State Attorney General, New York State Department of State, and New York State Office of Information Technology Services as to the timing, content, and distribution of the notices and approximate number of affected persons and provide a copy of the template of the notice sent to affected persons. This notice will be made without delaying notice to affected New York State residents.

In the event that more than 5,000 New York State residents are to be notified at one time, the District will also notify consumer reporting agencies as to the timing, content, and distribution of the notices and approximate number of affected persons. This notice will be made without delaying notice to affected New York State residents.

A list of consumer reporting agencies will be compiled by the New York State Attorney General and furnished upon request to any district required to make a notification in accordance with State Technology Law.

Any breach of the district's computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the district shall be promptly reported to the Superintendent and the Board of Education.

Ref: State Technology Law §§ 202 and 208
Labor Law §203-d

Note: Policy #7243 Student Data Breaches

First Reading: March 10, 2020

Human Resources

SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL**General Provisions**

Officers and employees of the Long Beach School District hold their positions to serve and benefit students and the public, and not to obtain unwarranted personal or private gain in the exercise of their official powers and duties. The Board of Education recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This policy establishes those standards.

The provisions of this policy are intended to supplement the sections of Article 18 of General Municipal Law and any other law relating to ethical conduct of District officers and employees and should not be construed to conflict with those authorities.

Standards of Conduct

The following rules and standards of conduct apply to all officers, including Board members, and employees of the Long Beach School District.

Gifts

No person may directly or indirectly solicit, accept, or receive any gift having a value of \$75 or more under circumstances in which it could reasonably be inferred that the gift was intended or expected to influence the individual in the performance of his/her official duties or was intended as a reward for any official action on the part of the individual. This prohibition applies to any gift, including money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form.

Confidential Information

No person may disclose confidential information acquired by him/her in the course of his/her official duties or use this information to further his or her personal interests.

Conflicts of Interest

Except as permitted by law, no person may have an interest in any contract with the District when he/she, individually, or as a member of the Board, has the power or duty to: negotiate, prepare, authorize, or approve the contract or authorize or approve payment under the contract; audit bills or claims under the contract; or appoint an officer or employee who has any of these powers or duties.

Likewise, unless permitted by law, no chief fiscal officer, treasurer, or his/her deputy or employee, may have an interest in a bank or trust company designated as a depository, paying agent, registration agent, or for investment of funds of the District.

"Interest," as used in this policy, means a direct or indirect monetary or material benefit accruing to a District officer or employee as the result of a contract with the District. A District officer or employee will be considered to have an interest in the contract of: his/her spouse, minor children and dependents, except a contract of employment with the District; a firm, partnership or association of which he/she is a member or employee; a corporation of which he/she is an officer, director or employee; and a corporation any stock of which is owned or controlled directly or indirectly by him/her.

Human Resources

SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL (Cont'd.)

The provisions of the preceding three paragraphs should not be construed to preclude the payment of lawful compensation and necessary expenses of any District officer or employee in one or more positions of public employment, the holding of which is not prohibited by law.

Representing Others in Matters Before the District

No person may receive, or enter into any agreement, express or implied, for compensation for services rendered in relation to any matter before the District. Likewise, no one may receive, or enter into any agreement, express or implied, for compensation for services rendered in relation to any matter before the District, where the individual's compensation is contingent upon any action by the District with respect to the matter.

Disclosure of Interest in Contracts and Resolutions

Any District officer or employee who has, will have, or later acquires an interest in or whose spouse has, will have or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement, or other agreement, including oral agreements, with the District must publicly disclose the nature and extent of that interest in writing. The disclosure must be made when the officer or employee first acquires knowledge of the actual or prospective interest and must be filed with the person's immediate supervisor and the Board of Education. Any written disclosure will be made part of and included in the official minutes of the relevant Board meeting.

Investments in Conflict with Official Duties

No person may invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction, that creates a conflict with his/her official duties, or that would otherwise impair his/her independence of judgment in the exercise or performance of his/her official powers or duties.

Private Employment

No person may engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests when that employment or service creates a conflict with or impairs the proper discharge of his/her official duties.

Future Employment

No person may, after service or employment with the District, appear before the District in relation to any case, proceeding, or application in which he/she personally participated during the period of his/her service or employment or which was under his or her active consideration.

Human Resources

SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL (Cont'd.)**Notice of Code of Ethics and General Municipal Law Sections 800-809**

The Superintendent will ensure that a copy of this code of ethics is distributed to every District officer and employee, and that a copy of General Municipal Law Sections 800-809 is posted conspicuously in each District building. The failure to distribute this code of ethics or to post General Municipal Law Sections 800-809 will have no effect on either the duty of District officers and employees to comply with their provisions, or the ability of the District or other relevant authorities to enforce them.

Education Law § 410
General Municipal Law Article 18 and §§ 800-809

NOTE: Refer also to Policy #1350 – Ethical Standards for School Board Members

First Reading: December 10, 2019
Second Reading: January 14, 2020
Third Reading: February 11, 2020
Adoption: March 10, 2020

Students

SUBJECT: BULLYING/CYBERBULLYING

The Board of Education is committed to providing a safe and productive learning environment within its schools. Bullying of a student by another student is strictly prohibited on school property, in school buildings, on school buses, and at school sponsored events and/or activities whether occurring on or off campus. The Board of Education shall require the prohibition of bullying - along with the range of possible intervention activities and/or sanctions for such misconduct - to be included in the *District Code of Conduct* for all grade levels.

For purposes of this policy, the term "bullying" among children is defined, in general, as a variety of negative acts carried out repeatedly over time. It involves a real or perceived imbalance of power, with a more powerful child or group attacking those who are less powerful. Included in this definition are the specific criteria referenced in the District's Dignity for All Students Act. Bullying can take four forms:

- a) Physical (including, but not limited to, hitting, kicking, spitting, pushing, taking personal belongings);
- b) Verbal (including, but not limited to, taunting, malicious teasing, name calling, making threats); and
- c) Psychological (including, but not limited to, spreading rumors; manipulating social relationships; or engaging in social exclusion, extortion, or intimidation).
- d) Cyberbullying

As with other forms of bullying, cyberbullying is an attempt to display power and control over someone perceived as weaker. Cyberbullying involving District students may occur both on campus and off school grounds and may involve student use of the District Internet system or student use of personal digital devices, such as cell phones, digital cameras, and personal computers to engage in bullying.

Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory e-mail messages, instant messages, text messages, digital pictures or images, or Web site postings (including social media).

Cyberbullying has the effect of:

- 1) Physically, emotionally or mentally harming a student;
- 2) Placing a student in reasonable fear of physical, emotional or mental harm;
- 3) Placing a student in reasonable fear of damage to or loss of personal property; and
- 4) Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities.

(Continued)

Students

SUBJECT: BULLYING/CYBERBULLYING (Cont'd.)

Cyberbullying that occurs off-campus, and causes or threatens to cause a material or substantial disruption in the school, could allow school officials to apply the "*Tinker* standard" where a student's off-campus "speech" may be subject to formal discipline by school officials when it is determined that the off-campus speech did cause a substantial disruption or threat thereof within the school setting [*Tinker v. Des Moines Indep. Sch. Dist.* 393 U.S. 503 (1969)]. Such conduct could be subject to appropriate disciplinary action in accordance with the *District Code of Conduct* and possible referral to local law enforcement authorities.

Reports of Allegations of Bullying/Cyberbullying Behavior

Any student who believes that he/she is being subjected to bullying/cyberbullying behavior, as well as any other person who has knowledge of or witnesses any possible occurrence of bullying/cyberbullying, shall report the behavior to any staff member or the building principal. The staff member/building principal to whom the report is made (or the staff member/building principal who witnesses bullying/cyberbullying behavior) shall investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority and/or other official designated by the District to investigate allegations of bullying/cyberbullying. Investigation of allegations of bullying/cyberbullying shall follow the procedures utilized for complaints of harassment within the School District. Allegations of bullying/cyberbullying shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

Prevention and Intervention

Personnel at all levels are responsible for taking corrective action to prevent bullying/cyberbullying behavior of which they have been made aware and/or reporting such behavior to their immediate supervisor. This is especially necessary for those who work with our most vulnerable students who may not be able to articulate fully the extent of the bullying.

Staff training shall be provided to raise awareness of the problem of bullying/cyberbullying within the schools and to facilitate staff identification of and response to such bullying/cyberbullying behavior among students.

Prevention and intervention techniques within the District to address bullying/cyberbullying behavior and to support and protect victims shall include building-level and classroom-level strategies and activities as determined by administration. Individual intervention will be provided by appropriate staff members to bullies, victims and their parents to help ensure that the bullying/cyberbullying stops.

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

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of bullying/cyberbullying. Follow-up inquiries and/or appropriate monitoring of the alleged bully and victim shall be made to ensure that bullying/cyberbullying behavior has not resumed and that all those involved in the investigation have not suffered retaliation. Protection against retaliatory behavior also applies to students against whom allegations have been determined to be unfounded.

Students

(Continued)

SUBJECT: BULLYING/CYBERBULLYING (Cont'd.)

Civil Service Law Section 75-b

NOTE: Refer also to Policies

District Code of Conduct

#3410 -- Code of Conduct on School Property

#3420 -- Anti-Harassment in the School District

#7550 -- Dignity for All Students

#7551 -- Sexual Harassment of Students

#7552 -- Complaints and Grievances

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