

September 11, 2023

Canisteo-Greenwood High School 6:00 PM

CANISTEO-GREENWOOD CENTRAL SCHOOL BOARD OF EDUCATION PUBLIC AGENDA MONDAY, SEPTEMBER 11, 2023

REGULAR MEETING

Conference Room

6:00 PM

I. BOARD OF EDUCATION

Opening of the Meeting

President, **Mike Nisbet** calls the Regular Board of Education meeting to order. President advises where the fire exits are.

Pledge of Allegiance

II. CONSENSUS ITEMS

Routine Actions

Approve the following:

- a) September 11, 2023 agenda, consensus, and personnel items as presented
- b) Minutes of the Regular Meeting of August 21, 2023
- c) Minutes of the Special Meeting of August 28, 2023

III. COMMUNICATION

1. Superintendent's Report

- a) Solar Eclipse
- b) Vacancy Notification- Teacher Aide
- c) Canisteo Living Sign Revitalization Project presented by Kathy Boccia and Steve Cotton
- d) Facilities Update by Don Lewis

2. Administrator's Report - None

IV. CORRESPONDENCE

Athletic Training August Report

V. OLD BUSINESS

None

VI. RECOMMENDATIONS

- a) Approve the Longevity Benefit MOU between the Canisteo-Greenwood School District and CGAA.
- b) Approve the Pay Adjustment for A CGTA Member S. McCaffrey MOU between the Canisteo Greenwood School District and CGSPA.
- c) Approve this Memorandum of Agreement between the Board of Education of the Canisteo Greenwood Central School District hereby ratifies the successor collective bargaining agreement by and between the District and the Canisteo Greenwood Educational Support Personnel Association with updated terms and conditions of employment for the term beginning on July 1, 2023 and expiring June 30, 2026
- d) Allow the board of Education to authorize the law firm of Wagstaff & Cartmell, LLP and Ferrara Fiorenza PC to initiate litigation and file suit against any appropriate parties to seek compensation to the School District for damages suffered by the School District and its students as a result of the development, operation, and marketing of social media platforms, and to seek any other appropriate relief. The School District hereby authorizes

2- REGULAR MEETING- September 11, 2023

its Superintendent of Schools or their designee to sign all appropriate documents and fee agreements on behalf of the School District.

VII. PUBLIC COMMENTS

COMMENTS FROM THE PUBLIC ARE WELCOME. HOWEVER, THE CONTEXT AND TIMING ARE AT THE DISCRETION OF THE PRESIDENT OF THE BOARD OF EDUCATION.

VIII.ANTICIPARED EXECUTIVE SESSION

Enter into Executive Session, for matters pertaining to personnel matter.

IX. ANTICIPATED OUT OF EXECUTIVE SESSION

Move out of Executive Session.

X. CONSENSUS AND PERSONNEL

1. Special Education

- a) *Recommendations of the Special Education committee for action taken on August 28, 2023.
- b) *Recommendations of the CPSE Committee for action taken on August 28, 2023.

2. Personnel

A. Leave of Absence - None

B. Resignations – None

C. Appointments

* Upon the recommendation of Thomas Crook, Superintendent the following probationary appointment be made:

Name of Appointee: Jack Smith

Tenure Area: Music

Date of commencement of probationary services: September 12, 2023

Certification status: Initial

Expiration date of appointment: September 13, 2027

Salary: Step 1 -\$42,441

b) *Upon the recommendation of Thomas Crook, Superintendent the following probationary appointment be made:

Name of Appointee: Amanda Fuller

Tenure Area: Teaching Assistant Level 1

Date of commencement of probationary services: September 12, 2023

Certification status: Certificate

Expiration date of appointment: September 13, 2027

Salary: Step 4 -\$27,105.60

- c) * Adjust salary of Michelle Brown from \$18 per hour to \$20 per hour, effective September 1, 2023.
- d) * Adjust salary of April Nichols from \$18 to \$20, effective September 1, 2023.

3- REGULAR MEETING- September 11, 2023

- e) *Appoint Eileen Miller mentor for the 2023-24 school year.
- f) *Approve the following extracurricular appointment for the 2023-24 school year:

Activity	Advisor/Co-Advisor	2 nd Advisor
9 th Grade Class Advisor(s)	Sherry Fenti	Laura Seeley-Sick
7 th Grade Class Advisor(s)	Heather Mitchell	Allison White
ES Student Lighthouse	Sasha Rigas	Vacant
Director		
5 th & 6 th Grade Girls	Andrew Mitchell	
Basketball Club		
5 th & 6 th Grade Boys	Nick Gallicchio	
Basketball Club		
Athletic Coordinator	Ethan Brooks	
District AV Coordinator	Jamie Freeland	

g) *Appoint the following fall coaches for the 2023-24 school year.

Chris Graham	Cross Country Coach	\$3401

h) *Approve the following PLC Team Leaders for the 2023-24 School Year:

Amy Peters	Brooke Remchuk	Nicole Dineen	Nikki Austin
Amy Caward	Lisa Brott	Tom Mayo	Matt Bosworth
Norma Roberts	Bryan Lewis	John Griffin	James Freeland
Renae Fortuna	Pam Markel	Reilly Pogue	Jenna LaPore
Julie Erdmann	Ethan Brooks	Carrie Button	Sasha Rigas
Dawn McInroy	Meghan Franclemont	Patty Stauring	

i) *Approve the following additions to the 2022-23 Substitute list pending fingerprint clearance:

Diane Lewis	Uncertified Teacher, Aide, Nurse, LPN
Mariah Woods	Uncertified Teacher, Aide

j) * Appoint Frank Garrigues at LTS, effective September 6, 2023 at a rate of \$150 per day

XII.	ADJOU	<u>JRNMENT</u>		
	Motion	was made by	and seconded by	_to adjourn the Board Meeting
	at	PM		

CANISTEO-GREENWOOD CENTRAL SCHOOL **BOARD OF EDUCATION MINUTES** MONDAY, AUGUST 21, 2023

I	REGULAR MEETING	Conference Room	6:00 PM	
Board M	<u>Iembers Present:</u>	Administration & Othe	rs Present:	
Michael	Nisbet X	Tom Crook	X	
Marcy B	radley X	Peter Reynolds	_X	
	ompson X	Colleen Brownell	_X	
	Lehman _X 6:17pm	Paul Cone	_x	
Bruce M	acKellar _0	Tricia Dodge	<u>X</u>	
Heather		Teffenie Stuckey	X	
	nowski _X	Heidi Beecher		
District (Clerk:			
	Ambuski _X	Community Members Pro	<u>esent</u> : _3	OPENING MEETING
	Mike Nisbet calls the Regular Board of fire exits are. Allegiance	Education meeting to order	at 6:02 P.M. President advises	
Routine A	ctions			•
Motion wa	s made by Marcy Bradley and seconde	ed by Joe Pacanowski to app	rove the following:	
a) A	August 21, 2023 agenda, consensus, and	personnel items as presente	i	
	finutes of the Regular Meeting of Augu		4-0 CARRIED	
Supe a) 3-l CORRESI	NICATION rintendent's Report nour Bus Monitor for Pre-K run to Colu- PONDENCE – None INESS- None	mbian School		
	MOSTOR WAS BOOK OF THE COLUMN TO THE COLUMN	dd. 41 T B	amount as all all as	
a)	Motion was made by Fred Thompson monitor position for the BOCES run e		4-0 CARRIED	ELIMINATE BUS MONITOR
				FOR BOCES RUN
b)	Motion was made by Joe Pacanowski	-	adley to eliminate the bus	
	#7 Rochester route, effective July 1, 2	023.	4-0 CARRIED	ELIMINATE BUS #7 ROUTE
c)	Motion was made by Marcy Bradley			
	position for the Pre School Columbian	run to Hornell, 3-hours per	• • • • • • • • • • • • • • • • • • • •	CREATE 3 HR BUS
			4-0 CARRIED	MONITOR
d)	Motion was made by Joe Pacanowski	and seconded by Fred Thor	npson to approve the CGTA	ATHLETIC COORD.
	MOU to establish an Athletic Coordin	ator, effective July 1, 2023.	4-0 CARRIED	MOU
e)	Motion was made by Fred Thompson	and seconded by Joe Pacar	owski to approve the Athletic	ATHLETIC TRAINER
	Trainer contract with Maple City Phys			CONTRACT
	in the amount of \$45,000 annually, eff	fective July 1, 2023 through.	une 30, 2024. 4-0 CARRIED	
Ð	Motion was made by Mayor Dradley	and seconded by You Decem	average to average the Westerline	
f)	Motion was made by Marcy Bradley Project bid to ABR Robinson for \$65,		4-0 CARRIED	WATERLINE BID

Motion was made by Marcy Bradley and seconded by Joe Pacanowski to enter into Executive Session at

6:15PM, for matters pertaining to personnel matter.

4-0 CARRIED

INTO EXECUTIVE

SESSION

2- REGULAR MEETING- August 21, 2023

7:26PM.	as made by Marcy Bradley an	d seconded by Mike Lehman to	move ou	t of Executive Session at 6-0 CARRIED	OUT OF EXECUTIVE SESSION
	Leave of Absence	of absence for Jennifer Dickson	from app	roximately September 6, 2023	JENNIFER DICKSON LEAVE OF ABS
Appointm		to conclude for the 2022 24 colors	1		
l	Kate Dininny	ts coaches for the 2023-24 school Modified Volleyball	ı year:	\$1731.00	
	Jaiden Weitzel	Volleyball Coach		Unpaid	YOUTEVEAL
	Tayler Pierce	Asst Modified Volleybal	11	Unpaid	VOLLEYBALL COACH
			<u></u>		ADDITIONS
1	b)*Approve the 2023-24 substi	tute list as attached.			
•	c)* Appoint the following Sum year, effective July 1, 202	mer School appointments for the 3.	: 2023-24	school	SUBSTITUTE LIST
	Lisa Perkins	Summer Cleaner	\$15	per hour	
(d)* Amend the salary of Krista Master's degree.	Gemmell from \$70,721 to \$74,0	21 upon	proof of	ADDITION TO SUMMER SCHOOL
e	e) * Amend the salary of Katie Master's degree.	Bowie from \$66,892 to \$70,672	upon pro	pof of	KRISTA GEMMELL SALARY ADJ
<u>ADJOUR!</u>	<u>NMENT</u>				KATIE BOWIE SALARY ADJ
Motion wa 7:27PM.	as made by Fred Thompson ar	id seconded by Heather Cox to a	adjourn tl	ne Board Meeting at 6-0 CARRIED	A D IOURNA MEDERA (C
					ADJOURN MEETING
					
DE	BORAH AMBUSKI, DISTRIC	T CLERK	•		
DA	TE APPROVED				

CANISTEO-GREENWOOD CENTRAL SCHOOL BOARD OF EDUCATION MINUTES MONDAY, AUGUST 28, 2023

SPECIAL MEETING	CONFRENCE ROOM	6:00 PM	
Board Members Present:			
Michael Nisbet X	Administration & Others Present Tom Crook X	<u>C:</u>	
Marcy Bradley X	Tom Crook _X_ Peter Reynolds _0_		
Fred Thompson X	Colleen Brownell 0		
Michael Lehman 0	Paul Cone 0		
Bruce MacKellar X 6:02PM	Tricia Dodge 0		
Heather Cox0	Teffenie Stuckey 0		
Joe Pacanowski X	Colleen Brownell 0 Paul Cone 0 Tricia Dodge 0 Teffenie Stuckey 0 Heidi Beecher 0		
District Clerk:			
Deborah Ambuski _X	Community Members Present: _0_		
President advises where the fire exits are. Pledge of Allegiance Routine Actions Motion was made by Mary Bradley ar a) August 28, 2023 agenda, consensu COMMUNICATIONS	nd seconded by Joe Pacanowski to approve		
Superintendent's Report a) Anticipated Vacancy for Health/P	hysical Education Teacher		VACANCY NOTIFICATION
Motion was made by Joe Pacanowski a	nd seconded by Bruce MacKallar to enter in	nto Executive	ENTER EXECUTIVE
Session at 6:07PM, for matters pertaining		5-0 CARRIED	SESSION
Motion was made by Marcy Bradley and	d seconded by Joe Pacanowski to move out	of Executive	
Session at 6:35PM.	-	5-0 CARRIED	OUT OF EXECUTIVE SESSION
CONSENSUS AND PERSONNEL 1. Personnel A. Resignations a) * Accept the resignation effective August 24, 20	of Connor Doran, Health/Physical Education 123.	n Teacher,	
			CONNOR DORAN

B. Appointments

a) *Appoint the following Sports coaches pending fingerprinting, for the 2023-24 school year:

Gerry Amidon	Indoor Track	\$4396.00
Lou Ilges	Football	Unpaid
Matt Stewart	Football	Unpaid
Frank Libordi	Football	Unpaid
Evan Amidon	Soccer	Unpaid

APPROVE COACHES

RESIGNATION

<u>DJOURNMENT</u>		
Motion was made by Fred Thomspon and seconded by Bruce MacI	Kallar to adjourn the	ADJOURN MEETING
Board Meeting at 6:36 PM.	5-0 CARRIED	ADJOOIG THEBITIO

DATE APPROVED

DEBORAH AMBUSKI, DISTRICT CLERK

MEMORANDUM OF UNDERSTANDING BY AND BETWEEN CANISTEO-GREENWOOD SCHOOL DISTRICT AND CANISTEO-GREENWOOD ADMINISTRATORS ASSOCIATION

re: longevity benefit

An **AGREEMENT** made by and between the Canisteo-Greenwood School District ("District') and the Canisteo-Greenwood Administrators Association ("Association").

WHEREAS, the Association and the District are parties to a Collective Bargaining Agreement ("CBA") that covered the period July 1, 2018 – June 30, 2023; and

WHEREAS, the Association and the District are parties to a new Collective Bargaining Agreement ("CBA") settlement covering the period July 1, 2023 – June 30, 2028 which was ratified by the Association members and then approved by the Board of Education on July 12, 2023; and

WHEREAS, as the new CBA was being implemented, discussion occurred between the parties over the language in Article 3. Compensation Section 3.05 Longevity Benefit; and

WHEREAS, the parties have acknowledged that the changes and additions to Article 3 Section 3.05 Longevity Benefit for the 2023-2028 CBA states as, "Any administrator that reached a milestone during the 2018-2023 contract shall receive the difference retroactively." However, the intentions of that language was to retroactively compensate the difference to the administrator regardless of when they reached the milestone including the years prior to and during the 2018-23 CBA;

NOW, THEREFORE, the parties agree to the following:

- 1. The last sentence in Article 3 Compensation Section 3.05 shall be modified to state, "Any administrator that reached a milestone shall receive the difference retroactively.": and
- 2. The district shall calculate the difference between the longevity benefit that was allocated previously and pay the administrators for the difference and make the adjustments accordingly to their 2023-2024 base salary reflecting the negotiated longevity amounts; and
- 5. This constitutes the full and complete agreement between the parties and does not in any way create a practice or set a precedent on the part of either party; and
- 6. This agreement cannot be added to, changed, or otherwise modified without the written consent of all parties; and
- 7. Arbitration/Grievance Any disagreement, misapplication, or misrepresentation arising out of the MOU will be adjudicated using the grievance process set forth in the CBA.

Superintendent - Canisteo-Greenwood School District	Date	
President- Canisteo-Greenwood Administrators Association MOU-longevitybenefit 09/01/23 AP	Date	

MEMORANDUM OF UNDERSTANDING

between the CANISTEO-GREENWOOD CENTRAL SCHOOL DISTIRCT and

THE CANISTEO-GREENWOOD EDUCATIONAL SUPPORT PERSONNEL ASSOCIATION

Pay Adjustment for CGTA Member - S. McCaffery

THIS MEMORANDUM OF UNDERSTANDING is made between the Canisteo-Greenwood Central School District (hereinafter the "District") and the Canisteo-Greenwood Educational Support Personnel Association (hereinafter the "Association");

WHEREAS, the District and the Association have entered into a Collective Bargaining Agreement governing all negotiable items between the District and the Association for the period of July 1, 2023 through June 30, 2027 (hereinafter the "Agreement");

WHEREAS, the District acknowledges that the negotiated base salary of Shirley McCaffery effective July 1, 2023 is \$44,729 (60% of Step 20 from teacher schedule;

WHEREAS, the District and the Association have mutually agreed to change the salary of Shirley McCaffery, a teaching assistant, effective July 1, 2023, as part of collective bargaining;

NOW THEREFORE, the District and the Association agree as follows:

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed on the date herein written:

- 1. On July 1, 2023, the base salary of Shirley McCaffery shall be increased by fifteen hundred dollars (\$1,500.00) above the contractual amount referenced above to provide a pay increase comparable to that negotiated for others working in her title of teaching assistant effective July 1, 2023. The total annual base salary for Shirley McCaffery effective July 1, 2023 shall be \$46,229.00.
- 2. The pay increase referenced in paragraph 1 hereinabove shall be one time and not precedent binding, as the same was negotiated in good faith during collective bargaining for a successor contract.

SIGNATURE PAGE TO FOLLOW

CANISTEO-GREENWOOD CENTRAL SCHOOL DISTRICT

	Date:
Thomas Crook	
Its: Superintendent of Schools	
CANICTEO CREENWOOD TEACH	EDC) ACCOCIATION
CANISTEO-GREENWOOD TEACH	ERS' ASSUCIATION
	Date:
Tom Mayo	
Its: President	

RESOLUTION AUTHORIZING LITIGATION AGAINST SOCIAL MEDIA COMPANIES

WHEREAS, the Surgeon General of the United States Public Health Service has issued an Advisory on Social Media and Youth Mental Health which:

- "calls attention to the growing concerns about the effects of social media on youth mental health;"
- emphasized that "now is the time to act swiftly and decisively to protect children and adolescents from risk of harm;"
- "[t]he onus of mitigating the potential harms of social media should not be placed solely on the shoulders of parents and caregivers;" and
- "[t]echnology companies play a central role and have a fundamental responsibility in designing a safe online environment and in preventing, minimizing, and addressing the risks associated with social media."

WHEREAS, the Surgeon General of the United States Public Health Service has further concluded that:

- "Social media use by youth is nearly universal. Up to 95% of youth ages 13-17 report using a social media platform, with more than a third saying they use social media 'almost constantly."
- "nearly 40% of children ages 8-12 use social media;"
- "in early adolescence ... brain development is especially susceptible to social pressures, peer opinions, and peer comparison;"
- "[s]ocial media may ... perpetuate body dissatisfaction, disordered eating behaviors, social comparison, and low self-esteem, especially among adolescent girls;"
- "[i]n a nationally representative survey of girls aged 11-15, one-third or more say they feel 'addicted' to a social media platform;"
- "[o]ver half of teenagers report that it would be hard to give up social media;" and
- [t]here is a consistent relationship between excessive social media use "depression among youth."

WHEREAS, the Surgeon General of the United States Public Health Service has specifically urged that it is "urgent that we take action."

WHEREAS, it has been reported that students, "[m]ore than ever, were glued to [their cellphones] during class."

WHEREAS, it has been reported that "a growing number of educators ... find themselves on the front lines of a fight to change how students use social media" and "there was been a push for more schools to ... develop programs to help educate students on the dangers of social media."

WHEREAS, the Canisteo-Greenwood Central School District (the "School District") has and continues to experience significant problems with student use of social media, which use, among other things: (i) has created a substantial and ongoing interruption of and disturbance to its educational mission; (ii) has resulted in the diversion of substantial resources in an attempt to abate and prevent such use and its results harms; and (iii) poses a significant risk to the health and well-being of its students; and

WHEREAS, the School District is a leader in education excellence whose faculty and administrators care deeply about the education and well-being of its students;

NOW, THEREFORE, BE IT RESOLVED BY THE SCHOOL DISTRICT:

That the Board of Education authorizes the law firm of Wagstaff & Cartmell, LLP and Ferrara Fiorenza PC to initiate litigation and file suit against any appropriate parties to seek compensation to the School District for damages suffered by the School District and its students as a result of the development, operation, and marketing of social media platforms, and to seek any other appropriate relief. The School District hereby authorizes its Superintendent of Schools or their designee to sign all appropriate documents and fee agreements on behalf of the School District.

Adopted this day of	
	Board of Education Representative(s)

<u>Social Media School District Litigation:</u> Introduction and Frequently Asked Questions

Social media companies, like Facebook, Instagram, TikTok, Snapchat, and YouTube, have infiltrated our communities and become a fixture in the lives of our children. These social media products have become ubiquitous — we see children constantly using these products in our homes and in our schools. National surveys show that a significant percentage of high school and middle school students regularly use social media, often to the point of developing severe addiction to the products. Our investigation has revealed that social media companies engaged in deceptive practices by designing and promoting their products to attract and addict children. Everything about these products—from inadequate age verification measures, insufficient parental controls, endless scrolling, constant notifications, and targeted algorithms—have been designed to addict teen and adolescent users.

Due to the conduct of these social media companies, a new generation of children are suffering from addiction and other related mental health issues, which has uniquely impacted schools and forced them to incur a multitude of costs to address this problem. With schools now facing the challenge to remedy and abate the situation, Wagstaff Cartmell has teamed up with a national coalition of firms to represent school districts and public entities combatting the youth mental health crisis, caused by social media companies. The national law firm coalition includes:

- Wagstaff & Cartmell Kansas City (<u>www.wagstaffcartmell.com</u>)
- Beasley Allen Atlanta | Montgomery | Dallas | Mobile (www.beasleyallen.com)
- Goza & Honnold Kansas City (www.gohonlaw.com)

Each of these firms are committed to protecting public health and have built reputations on their ability and willingness to litigate complex disputes, against some of the world's largest companies. Currently, members from each of these firms serve in key court-appointed leadership roles in the national litigation against JUUL, the e-cigarette manufacturer responsible for creating a youth vaping epidemic among school campuses. We were successful in our pursuit to hold JUUL accountable, as JUUL recently entered into a substantial settlement agreement to compensate school districts and help abate the problems caused by the e-cigarette epidemic.

Our firms similarly believe that social media companies should be held accountable for the mental health crisis impacting our nation's youth. We welcome the opportunity to discuss these important issues with your organization and its members, and hope that you will consider joining this effort on behalf of public education and the welfare of our children. Below, we have provided responses to some frequently asked questions. If you have additional questions or would like additional information, please contact Jon Kieffer or Austin Brane via email at ipkieffer@wcllp.com and abrane@wcllp.com or by phone at 816-701-1100.



Frequently Asked Questions

How will filing a lawsuit against social media companies benefit your school district?

Suing social media companies gives school districts the opportunity to recover financial reimbursement for the expenses the districts have incurred because of the youth mental health crisis. Some schools have spent thousands of dollars, countless hours, and other precious resources to implement or adjust their methods of policing, discipline, and helping addicted students who constantly use social media products on school property. Even if your school district has not expended substantial funds to deal with this problem, investigating claims and potentially filing a lawsuit can help a school obtain future damages to fund necessary steps to deal with the social media-caused mental health crisis in your schools.

Beyond the opportunity for financial recovery, school district participation in this litigation is critical. Social media companies have targeted our children with addictive and harmful products that feature no warnings or instructions for safe usage. School districts have been especially impacted and are in a unique position to take a stand against this conduct. School districts joining this litigation will play a pivotal role in holding social media companies accountable and sending the message to these companies that profits should not be gained at the expense of children's health and safety. We believe social media companies should pay and provide schools with resources to fight this mental health crisis on the front lines.

What are the financial costs/risks for school districts participating in this litigation?

Wagstaff Cartmell works on a contingency fee basis, meaning school districts are not required to pay any legal fees or expenses unless, and until, Wagstaff Cartmell recovers compensation on behalf of the school district. Wagstaff Cartmell will front all expenses associated with pursuing a claim. If Wagstaff Cartmell recovers compensation on behalf of the school district, Wagstaff Cartmell will be reimbursed for expenses out of the amount of the recovery. If the case is not successful - meaning that the school district does not recover compensation for its claim – the school district will not owe Wagstaff Cartmell for any legal fees or expenses.

What legal claims do school districts have against social media companies?

Cases against social media companies involving school districts are based on a cause of action known as "public nuisance." Public nuisance claims allow both government and private entities to hold companies liable for unique damages incurred as a result of the companies' conduct. This cause of action has been successfully utilized by government and private entities to redress several similar public health epidemics, most notably the JUUL e-cigarette epidemic, current opioid crisis, and the original tobacco litigation in the 90s. Social media companies have caused a youth mental health crisis that has significantly impacted schools. Utilizing the public nuisance liability theory allows school districts to hold social media companies accountable for its conduct and the damage caused.

Where will the litigation take place and how will it proceed?

Hundreds of personal injury lawsuits have been filed in federal courts against social media companies by individuals and school districts. Because several of the social media companies are headquartered in California, there is also an active California consolidated state court litigation called the "JCCP", which contains additional lawsuits against these companies. The federal court system has consolidated the cases in a Multi-District Litigation ("MDL") in front of Judge Yvonne Gonzalez Rogers in the Northern District of California (Oakland Division). Judge Gonzalez Rogers will manage discovery, pre-trial briefing, and other issues common to all cases. Judge Gonzalez Rogers may also try several test, or "bellwether," cases in the MDL. Once the MDL work is complete, each case will be sent back to a federal district court in the school district's state for individual trials, unless there is pre-trial settlement.

Wagstaff and Cartmell lawyer Tom Cartmell has been appointed to the Plaintiff Steering Committee in the JCCP. Tom Cartmell and Wagstaff Cartmell lawyer Jon Kieffer have been appointed to multiple committees, including discovery and expert witness committees. In this capacity, Wagstaff Cartmell and its lawyers are uniquely situated to help guide and prosecute school district lawsuits against these social media companies.

How much of the school district's time and resources will be required?

This is difficult to predict with certainty, but we anticipate minimal inconvenience and interruption. We understand that your school administrators are extremely busy, so we vow to do everything we can to make this process as efficient as possible. Because your district's case would be consolidated in the MDL for pre-trial coordination, most of the litigation efforts will focus on issues common to all litigants. There will be some case-specific discovery in the MDL, but that would be mostly in the form of written discovery and document production. Within 2-3 months of filing a case, a school district would complete a written "Plaintiff Fact Sheet" and would provide basic supporting documentation to gather basic information about the school's claim. We will work with school district administrators to obtain the necessary information and documents as efficiently and conveniently as possible.

If a school district's case is selected for trial, more in-depth discovery would occur in the form of depositions of key administrators. However, given the expected large number of cases filed in MDL, the number of cases selected for more in-depth discovery and trials is usually relatively small.

SOCIAL MEDIA MEDIA ADDICTION



NATIONAL SOCIAL MEDIA LITIGATION TEAM

OUR YOUTH ARE
FACING A
MENTAL HEALTH
CRISIS CAUSED BY
SOCIAL MEDIA
COMPANIES



WHO IS RESPONSIBLE?

Social media companies like Meta (Facebook and Instagram), Tik Tok, Snapchat and YouTube/Google.

Everything about these products—from inadequate age verification measures, insufficient parental controls, endless scrolling, constant notifications, and targeted algorithms—have been designed to addict teen and adolescent users.

These companies are fueled by their own greed and have put profits over the safety of our youth.

As a result, children across the country are suffering mental and physical harms.

This consortium was formed to work jointly on behalf of public entities in the investigation and prosecution of claims for damages arising out of negligence, public nuisance and other claims against social media companies like Meta (Facebook and Instagram), Tik Tok, Snapchat and YouTube/Google.

We are leaders in representing public entities in this type of litigation against major companies. Our law firms previously created the National JUUL Consortium, which collectively represented over 300 school districts and public entities that serve over 5 million students in litigation against the e-cigarette giant. We helped secure a substantial settlement agreement with JUUL that provides school districts across the country with meaningful compensation. We are now working with school districts and other government entities to hold social media companies accountable for the harms they've caused.

All the firms in our legal team are nationally recognized firms that have built a reputation on their ability and willingness to litigate complex disputes against some of the world's largest companies.

Large cases and powerful defendants are nothing new to us. We have fought and won cases against giants such as BP, Bayer, Volkswagen and Johnson & Johnson to name just a few.

We are committed to representing public entities, large and small, across the country. We will work to obtain just compensation for the mental health crisis and the costs imposed on public entities by irresponsible social media companies.

Members of our Consortium currently serve in key social media litigation leadership roles, including Co-Lead of the Judicial Council Coordination Proceedings (JCCP) in California state court, Plaintiffs' Steering Committee in the JCCP, and Plaintiffs' Leadership Committee in the Social Media Addiction/Personal Injury Product Liability multidistrict litigation (MDL) in federal court.

Together, our team will work with school districts across the nation as they seek to hold social media companies accountable for creating a youth mental health crisis caused by social media addiction.



Wagstaff & Cartmell







WHAT IS THE PROBLEM?

Social media companies like Meta (Facebook and Instagram), Tik Tok, Snapchat and YouTube/Google knowingly put young users in harm's way to generate billions of dollars in profit.

They adopted targeted algorithms to collect adolescent users' data unethically; used addictive psychological tactics to increase adolescent and teen usage; and feature inefficient controls to help parents exercise their rights and duties to monitor and limit their children's use.

As a result, our children are becoming addicted to social media, resulting in mental and physical injuries like anxiety, depression, eating disorders, body dysmorphia, suicidal ideation, self-harm, and even death.

TARGETED ALGORITHMS

Meta, Snap, TikTok and YouTube/ Google are considered to be some of the largest information technology companies in the world. Meta, for example, generated \$69.7 billion from advertising in 2019, more than 98% of its total revenue for the year.¹ In other words, Meta makes billions of dollars marketing its adolescent user base—along with detailed data on their likes and interests—to advertisers to increase its profits.

These companies use advanced computer rules and processes to collect and analyze users' data. This information is used to assemble virtual files on their users, covering hundreds if not thousands of user-specific data segments. This allows advertisers to tailor advertising and designate advertising dollars to very specific categories of adolescent users.

Many of these data segments are collected by social media companies, scrutinizing each adolescent user's activity on and off the products. Youth users are not even aware of such behavioral surveillance, like navigation paths, watch time and hover time.

The larger a social media product's user database grows, the more time users spend on the database. The more detailed information the product can extract from its users, the more money it makes.

https://www.cnn.com/2020/06/30/tech/facebook-ad-business-boycott/index.html

DESIGNED TO BE ADDICTIVE

oday's adolescents are the first generation of consumers to have grown up primarily in the digital era. They have come of age alongside social media products and massive tech companies.

According to the Pew Research Center, 92% of U.S. teens are active on social media,² with Facebook, Instagram, Tik Tok, Snapchat and YouTube/Google dominating. The research found that nearly half the teens surveyed (46%) said they are online "almost constantly" and 62% of 13- to 18-year-olds use social media daily.⁴

Products like Facebook, Instagram, Snapchat, TikTok, and YouTube use email, text alerts and push notifications to inform users when they receive "likes" or "mentions." When someone posts on social media and receives positive feedback, the brain releases dopamine, the body's "feel-good" hormone, rewarding the behavior.⁵ These products also contain addictive algorithms that are meticulously designed to hook adolescent users into a cycle of habitual use.

A similar brain conditioning occurs with addictive drugs. Like alcohol or drugs, people can become addicted to social media.

FAILURE TO PROTECT

These social media companies use ineffective age verification measures, easily allowing children to access their products. Parents are essentially defenseless against the tactics of these companies. These products have features that prevent parents from monitoring and limiting children's use.

In April 2021, former Facebook employee Frances Haugen revealed that the company had detailed knowledge of its negative impact on young users' mental health. Facebook and Instagram hid information from the public, driving teens' interest in their products to increase their profit and refusing to take steps to prevent harm.

- ² https://www.aap.org/en/patient-care/mental-health-minute/social-media-and-adolescent-mental-health/
- ³ https://www.pewresearch.org/internet/2022/08/10/teens-social-media-and-technology-2022/
- 4 https://www.commonsensemedia.org/sites/default/files/research/report/8-18-census-integrated-report-final-web_0.pdf
- ⁵ https://sitn.hms.harvard.edu/flash/2018/dopamine-smartphones-battle-time/





The Surgeon General's Report on Social Media and Youth

n May 23, 2023, U.S. Surgeon General Dr. Vivek H. Murthy issued a public advisory warning of the risks of social media use to young people. In a 19-page report, Dr. Murthy noted, "there are ample indicators that social media can ... have a profound risk of harm to the mental health and well-being of children and adolescents."

The advisory warned that social media platforms are often designed to maximize user engagement, which encourages "excessive use and behavioral dysregulation." As of 2021, eighth and 10th graders now spend an average of 3.5 hours per day on social media. The advisory cited research that found adolescents who spent more than three hours per day on social media faced double the risk of experiencing poor mental health outcomes, including symptoms of depression and anxiety. This amount of social media exposure can "perpetuate body dissatisfaction, disordered eating behaviors, social comparison, and low self-esteem, especially amongst adolescent girls."

Excessive and problematic social media use, such as compulsive or uncontrollable use, has also been linked to sleep problems, attention problems, and feelings of exclusion among adolescents. The advisory warned that this frequent and problematic social media use can result in changes to adolescents' brain structure, similar to changes seen in individuals with substance use or gambling addiction.

The surgeon general cautioned, "At a moment when we are experiencing a national youth mental health crisis, now is the time to act swiftly and decisively to protect children and adolescents from risk of harm." He called on policymakers, tech companies, researchers, and parents to "urgently take action" to protect youth against these potential risks.

"God only knows what it's doing to our children's brains. The thought process that went into building these applications, Facebook being the first of them, ... was all about: 'How do we consume as much of your time and conscious attention as possible?' And that means that we need to sort of give you a little dopamine hit every once in a while, because someone liked or commented on a photo or a post or whatever. And that's going to get you to contribute more content, and that's going to get you ... more likes and comments. It's a social-validation feedback loop ... exactly the kind of thing that a hacker like myself would come up with, because you're exploiting a vulnerability in human psychology. The inventors, creators – it's me, it's Mark [Zuckerberg], it's Kevin Systrom on Instagram, it's all of these people - understood this consciously. And we did it anyway." - Sean Parker, Facebook Founding President

THE LAWSUITS

Social media has invaded school districts across the nation and placed severe burdens on school administrators as they work to find ways to educate students on the dangers of social media addiction and keep it from disrupting the learning environment. Social media addiction and the resulting mental health crisis have forced schools to:

- Hire additional mental health professionals
- Develop lesson plans on social media harms
- Provide more training for educators, staff and the community
- Address property damage caused by mentally anguished students
- Increase disciplinary measures
- Address bullying, harassment and threats
- Confiscate electronic devices
- Notify parents and guardians of students' behavioral issues and attendance
- Investigate and respond to threats made over social media
- Update student handbooks and school policies

Many schools have diverted educational resources to crack down on the mental health crisis caused by social media addiction. School districts already have limited funds and should not have to allocate budget money for educational campaigns, prevention and treatment of social media harms. The mental heath issues students face include:

- Anxiety
- Depression
- Eating disorders (anorexia, bulimia, binge eating, etc.)
- Body dysmorphia (obsessive focus on a perceived flaw in appearance)
- ADD/ADHD
- Lack of focus, inability to concentrate
- · Self-harm, thoughts of self-harm
- Suicide, attempted suicide, suicide ideation

The law affords school districts the opportunity to hold social media companies responsible for the damage they cause to our children.

Social media companies can be held responsible for past and future expenses for school districts dealing with the effects of their students' social media addictions.

The lawsuits against social media companies request damages to provide relief from the districts' financial losses as a result of arranging outreach and education programs regarding social media harms and hiring additional mental health professionals. The lawsuits also seek an abatement remedy to combat our youth's mental health crisis due to social media addiction.

School districts do not have to pay anything upfront. The law firms handling the cases will front the expenses in the litigation. The school districts would only be required to pay expenses if the law firms obtain a recovery on the school districts' behalf. If the action is not successful, no legal fees are owed.

Many districts across the nation are struggling to protect their students from the mental and physical injuries caused by social media addiction.

Social media companies must be held accountable for creating this widespread mental health crisis among our youth.



Founded in 1997 when Tom Wagstaff and Tom Cartmell left a large Kansas City firm to form a Wagstaff & Cartmell boutique, the original vision of Wagstaff and Cartmell was to be a premier trial firm representing both plaintiffs and defendants in complex cases.

Now with 33 attorneys and over 40 supporting staff members, the firm's lawyers appear in cases nationwide, including in multidistrict litigation, class actions, and mass tort cases. The firm has lawyers licensed in California, Missouri, Kansas, Colorado, Utah, the District of Columbia, and numerous federal district and appellate courts, including the U.S. Supreme Court.

Wagstaff & Cartmell attorneys have frequently been appointed to senior leadership positions in national multidistrict litigation, state court consolidations, and class actions. In multidistrict litigation against social media companies, the firm represents dozens of adolescents in numerous states across the nation. Tom and Jon have been extensively involved in the social media litigation from the outset, including serving on the JCCP Plaintiffs' Steering Committee.



Tom Cartmell



Jon Kieffer



Founded in 1979, Beasley Allen Law Firm is a leader in complex plaintiff litigation nationwide. We work with attorneys and clients across the country and have offices located in Atlanta, Georgia, Dallas, Texas, LAW FIRM Mobile, Alabama, and Montgomery, Alabama.

Our award-winning attorneys live by our creed of "helping those who need it most."

Beasley Allen lawyers currently hold key leadership in the social media litigation, including being appointed as Co-Lead of the JCCP in California state court and on the Plaintiffs' Leadership Committee in the Social Media Addition/Personal Injury Product Liability MDL.

Joseph VanZandt served on the Plaintiffs' Steering Committee in the national JUUL MDL. He was recognized as a Business Insider "Rising Star of the Courtroom: 15 Great Litigators of the Future" in 2022 and a Law360 Rising Star in 2020. He was also selected to the Super Lawyers "Rising Stars" list in 2021 and 2022 and to the National Trial Lawyers Association's Top 40 Under 40 for Civil Plaintiffs in 2019.

Davis Vaughn was heavily involved in the national JUUL MDL, assisting the Trial, Law & Briefing, Bellwether, Expert, and Discovery Committees with all aspects of case workup, discovery, and trial preparation. He is a member of the Alabama State Bar and American Association for Justice. Davis was selected to the National Trial Lawyers Association's Top 40 Under 40 for Civil Plaintiffs in 2022.



Joseph VanZandt



Davis Vaughn

gozahonnold

Kirk is a Fellow in the American College of Trial Lawyers, a member of the American Board of Trial Advocates, and a Fellow in the International Academy of Trial Lawyers.

Brad has served in numerous leadership positions on a number of successful MDLs. Brad served on the Plaintiffs' Steering Committee of the JUUL MDL.

Kirk and Brad have been extensively involved in the social media litigation from the outset, including serving on the JCCP Plaintiffs' Steering Committee.



Kirk Goza



Bradley Honnold

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FOR MORE INFORMATION:



Wagstaff & Cartmell

816.701.1100

jpkieffer@wcllp.com www.wagstaffcartmell.com

One of our dedicated lawyers will personally meet with you to review your case, for free.

Canisteo-Greenwood Central School

PROFESSIONAL STAFF APPOINTMENT

Name	Jack Smith		
Position	Band and Music Teacher		
School Building	Elementary School	│ │ │ │ │ │ │ │ │ │ │ │ │ │ │ │ │ │ │	

Method of Investigation (Gheek All That Apply)	Certification Status (Cleck Aff That Apply)
	College Requirements Completed
□ References Checked	Certificate of Qualification
	Provisional/Initial
Peter Reynolds	Content Area: Music
Other (Explain):	Permanent
	Content Area:

TEMPREAREA
(Check Alk Hor Apply)
Elementary K-6
Foreign Language 7-12
Science 7-12
English 7-12
Math 7-12
Social Studies 7-12

TENURE AREA SPECIAL SUBJECTS K-12 (Check All That Apply)			
Physical Education	Business Education		
☐ Art	Technology		
Music Music	Home & Careers		
Special Education	Educational Technology		
Reading	Library-Media		
School Counselor	Speech		
School Social Worker	Hearing Impaired Teacher		
Health	School Psychologist		

Recommended Appointment	Start Date	End Date
Part Time ()		
Limited-Term		
Three Year Probationary		
Four Year Probationary	9/12/2023	9/11/2027
Other (Explain):		

	Calculation	Dollar Amount
Step (# 1)		\$42,441.00
Graduate Hours (up to 30)	x \$80 per credit	
Graduate Hours (over 30)	x \$80 per credit	
Master's Degree:	+ \$900	
Official Transcripts	TOTAL SALARY:	\$42,441.00

Teach

SUPERINTENDENT SIGNATURE:

DATE: 9/5/23

Canisteo-Greenwood Central School

PROFESSIONAL STAFF APPOINTMENT

Name	Amanda Fuller		-,
Position	Teaching Assistant		
School Building		High School	District

Method of Investigation (Check All That Apply)	Certification Status (Check All Tlet Apple)	
Credentials Checked	College Requirements Completed	
References Checked	Certificate of Qualification	
Interview With:	Provisional/Initial	
Tricia Dodge	Content Area: Teaching Assistant Level 1	
Other (Explain):	Permanent	
	Content Area:	

	TENNERS
	(Check Million Applic)
	Elementary K-6 Foreign Language 7-12
	Science 7-12
<u> </u>	Inglish 7-12
_==	Vath 7-12
	ocial Studies 7-12
XI	eaching Assistant

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NAST TABLE		
Physical Education	Business Education	
Art	Technology	
Music	Home & Careers	
Special Education	Educational Technology	
Reading	Library-Media	
School Counselor	Speech	
School Social Worker	Hearing Impaired Teacher	
Health	School Psychologist	

Recommended Appointment	Start Page	End Pate:
Part Time ()		
Limited-Term		
Three Year Probationary		
Four Year Probationary	September 12, 2023	September 11, 2027
Other (Explain):		•

	Calculation	Dollar Amount
Step (# <u>4</u>)		\$27,105.60
Graduate Hours (up to 30)	x \$80 per credit	
Graduate Hours (over 30)	x \$70 per credit	
Master's Degree	+ \$900	
Official Transcripts	TOTAL SALARY:	\$27,105.60

TEGEN

SUPERINTENDENT SIGNATURE: ____

DATE: 953