

FRANK L. CORRADO, ESQUIRE
Attorney ID No. 022221983
BARRY, CORRADO & GRASSI, P.C.
2700 Pacific Avenue
Wildwood, NJ 08260
Phone (609) 729-1333 Fax (609) 522-4927
fcorrado@capelegal.com

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MARY CZAPLINSKI,

Plaintiff,

vs.

BOARD OF EDUCATION OF THE CITY
OF VINELAND,

Defendant.

CIVIL ACTION

Case No.:

DECLARATION OF
MARY CZAPLINSKI

Mary Czaplinski, being of full age, hereby deposes and
says.

1. I am an adult individual. I live in Vineland, New
Jersey. I am the plaintiff in this lawsuit. I have personal
knowledge of the facts set forth in this affidavit.

2. For the past 12 years, I have been employed by the
Vineland School District as a security guard. Most recently, I
was a security guard at the Vineland High School - North.

3. During my employment by the district, I have discharged my job duties competently and fairly. Before the termination that gives rise to this lawsuit, I had never been the subject of discipline. I have always received positive fitness evaluations from my superiors.

4. As a private citizen, I maintain a Facebook page. The page is private; only those persons whom I allow may access it. The page identifies me as a Vineland School District employee but does not mention my position as a security guard.

5. On Thursday, March 5, 2015, I learned that Robert Wilson, a Philadelphia police officer, was shot and killed when he attempted to thwart a robbery at a video game store. Both Wilson and his assailants were black. I became aware of this incident by monitoring the local news.

6. At 6:34 p.m. on March 5, I posted the following comment on my Facebook page: "Praying hard for the Philly cop shot today by another black thug ... may[be] all white people should start riots and protests and scare the hell out of them." See Exhibit A.

7. I made this post in the evening, on my own time. It had no connection with my job, and did not mention my connection with the school district. The post was an expression of my opinion as an individual and citizen. It was meant as my

comment on a significant public issue, and expressed my frustration at the racial polarization that has characterized the current national debate over police conduct.

8. The post has a typographical error: the word "may" in the second phrase should have been "maybe."

9. I posted other material in connection with this event and this issue. On March 6, at 3:57 p.m., I posted a photograph of Officer Wilson and another slain police officer with the caption "This is what a hero looks like." At 6:38 p.m. that evening, I posted the following: "I made a comment last night about the black thugs that killed a philly cop ... there are thugs of every race ... im just tired of race cards being played all over the place ... whether black, white, mexican, spanish, puerto rican, Cuban, polish, italian, irish ... we are people Maybe if we all just accepted the fact things could change." See Exhibit B.

10. At 7:28 p.m. on March 6, someone calling himself "Save VBOE" sent an anonymous email to Mary Gruccio, the district's superintendent, and Joseph Rossi, its executive director of personnel. The specific email address was diversitymattersvboe@gmail.com. The email included a copy of my March 5 post and said: "What type of employes do you have posting 'black thugs' comments? Employing racist security

guards is trouble. Diversity matters regardless of race. Very troubling." See Exhibit C.

11. Snow closed the Vineland schools on March 5 and 6. On Saturday, March 7, 2015, a colleague and my supervisor phoned me and told me Mr. Rossi, the district's personnel director, had placed me on administrative leave and that I was not to report to work on Monday, March 9 and until further notice. They told me the reason was "something to do with social media," but had no further details.

12. On March 8, 2015, I emailed Mr. Rossi and asked him for details. See Exhibit D.

13. At 10:09 a.m. on Monday, March 9, Mr. Rossi emailed me in reply, as follows:

Mrs. Czaplinski:

If you're willing to waive the five-day Civil Service Hearing notice provision, we can schedule your hearing for 9:30 a.m. on Thursday March 12, in the personnel office.

The charges are "Conduct Unbecoming a Public Employee" and "Other Sufficient Causes."

The matter involves a social media posting.

Please let me know if you are willing to have the hearing this Thursday.

See Exhibit E.

14. At this point, I was still unsure what the matter was about was about and unaware that the district was contemplating firing me. Anxious to get the matter resolved, I sent Mr. Rossi an email agreeing to the expedited hearing. See Exhibit F. I also sent him a subsequent email, on March 11, telling him that I would bring a personal union representative to the meeting because of prior disagreements with the "official" union representative, Carol Belawsky. See Exhibit G.

15. As a result, Mr. Rossi's email was the only notice I received about the hearing. The district's required Preliminary Notice of Discipline, although dated March 9, was not mailed until March 10 and did not arrive at my house until the afternoon of March 12, after my hearing had concluded. See Exhibit H.

16. Consequently, although I attended the hearing with union representation, I did not know until I walked into the hearing room on the morning of March 12 that district wanted to fire me because of my March 5 post.

17. At the hearing, Mr. Rossi was there as the hearing officer, together with an attorney for the school district named Frank DiDomenico. In addition, despite my having requested otherwise, the "official" union representative, Ms. Belawsky, was there as well. I believe the hearing was structured as an

"ambush" designed to put me off guard and minimize my ability to discuss and refute the charges against me.

18. Almost immediately after the hearing, at about 12:30 p.m., Mr. Rossi called me at home and asked me if I wanted to take a retirement. I told him no, and confirmed the conversation by email. See Exhibit I.

19. On March 13, Mr. Rossi sent me a letter terminating me, effective March 27, 2015, for "conduct unbecoming a public employee" and "other sufficient causes." The termination was based entirely on my March 5 post, which Mr. Rossi claimed "jeopardized [my] ability to effectively conduct the business of public school safety and security because it reasonably calls into question the basis of [my] decision making." I received this letter on March 16, together with a Final Notice of Discipline terminating me. See Exhibit J.

20. The Vineland School District has a formal written policy, Number 3281, that governs "Inappropriate Staff Conduct." The district terminated me pursuant to that policy. See Exhibit K. I do not believe my Facebook post violated that policy. Furthermore, if it did, then the policy, as applied to me, violates my free speech rights.

20. The school district has no legitimate basis to terminate me. I exercised my constitutional right to comment on

an issue of public interest. Nothing about my comments, particularly when they are read in context, affects my ability to do my job properly and fairly, or poses any threat of disruption or disturbance to the operation or administration of the Vineland schools. Vineland has made no showing to the contrary, and has terminated me without any such showing on its part.

21. The district's decision to terminate me has injured me. I have lost my job, which I need. I have been penalized for exercising my rights as a private citizen to speak out on a public issue. I now feel as if I must think twice before I speak out or comment on an issue that matters to me.

22. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

3/22/15



MARY CZAPLINSKI

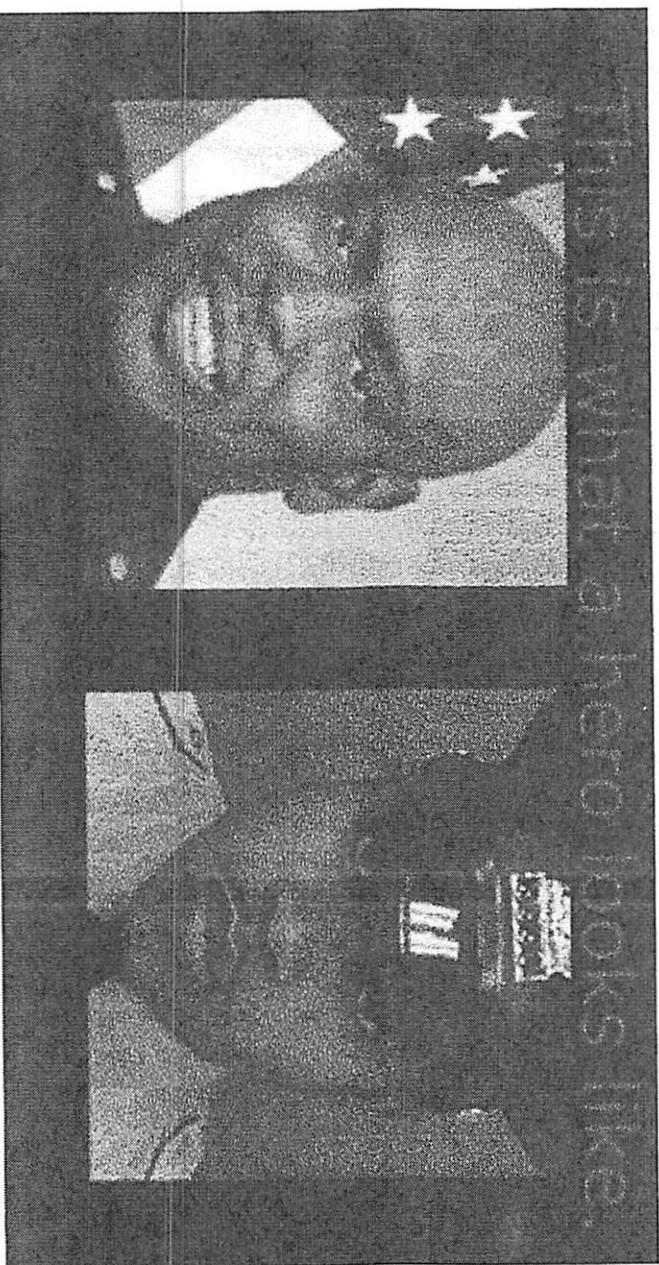
Mary Therese

March 5 at 6:34pm ·

Praying hard for the Philly cop shot today by another black thug...may all the white people should start riots and protests and scare the hell out of them....

EXHIBIT A

Mary Therese shared Humanizing the Badge's photo.
March 6 at 3:57pm ·



Humanizing the Badge

Everyone was so busy trying to raise Michael Brown to hero status.

We've got your heroes right here.

#policelivesmatter #WeSeeYou

Mary Therese

March 6 at 6:38pm ·

I made a comment last night about the black thugs that killed a philly cop...there are thugs of every race...im just tired of race cards being played all over the place...whether black, white, mexican, spanish, puerto rican, cuban, polish,italian, irish...we are people...maybe if we all just accepted the fact that we are all people things could change

EXHIBIT B-2

Rossi, Joseph

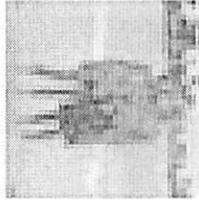
From: Save VBOE <diversitymattersvboe@gmail.com>
Sent: Friday, March 06, 2015 7:28 PM
To: Gruccio, Mary; Rossi, Joseph
Subject: Employees Posting Mary Czaplinski
Attachments: 74961_142693479220879_1585538135_n.jpg; Capture.JPG

What type of employees do you have posting "black thugs" comments?

Employing racist security guards is trouble.

Diversity matters regardless of race.

Very troubling.



Mary Therese

Yesterday at 6:34pm A

Praying hard for the philly cop shot today by another black thug...may all the white people should start riots and protests and scare the hell out of them...

Like · Comment · Share

 9 people like this.

Untitled Message

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Send

Options... HTML

To...

Cc...

Subject:

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10 **B I U**

Czaplinski, Mary

Actions

To:

Rossi, Joseph

Cc:

Mccann, Thomas; Provenzano, John; Lugo, Jose; Bertoldi, Dorothy

Sent Items

Sunday, March 08, 2015 1:34 PM

Dr. Rossi:

John Provenzano contacted me today and informed me that you are placing me on administrative leave with pay effective March 9, 2015. Please advise as to the specific reason.

Thank you in advance for your time and attention to this matter.

Sincerely,

Mary Czaplinski

Rossi, Joseph

Sunday, March 08, 2015 8:59 PM

Mrs. Czaplinski,

You'll be notified about a hearing, very soon.

Dr. Rossi

Sent from my Verizon 4G LTE Smartphone

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Send

Options... HTML

To...

Cc...

Subject:

Tahoma 10 **B I U**

Rossi, Joseph

Actions

To:

Czaplinski, Mary

Monday, March 09, 2015 10:09 AM

Mrs. Czaplinski,

If you're willing to waive the five-day Civil Service Hearing notice provision, we can schedule your hearing for 9:30 a.m. on Thursday, March 12, in the Personnel Office.

The charges are "*Conduct Unbecoming a Public Employee*" and "*Other Sufficient Cause*."

The matter involves in a social media posting.

Please let me know if you are willing to have the hearing this Thursday.

Dr. Rossi

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Send

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To...

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Subject:

Tahoma 10 **B I U**

Czaplinski, Mary

Actions

To:

Rossi, Joseph

Cc:

Mccann, Thomas; Provenzano, John; Lugo, Jose; Bertoldi, Dorothy

Sent Items

Monday, March 09, 2015 12:00 PM

Dr. Rossi:

I will waive the five-day Civil Service Hearing notice provision.

I will be at the Personnel Office at 9:30am on Thursday, March 12, 2015.

Mary Czaplinski

Untitled Message

<https://webmail.sjtp.net/owa/?ae=Item&a=New&t=IPM.Note&cc=M...>

Send

Options... HTML

To...

Cc...

Subject:

Tahoma 10 **B I U**

Czaplinski, Mary

Actions

To:

Rossi, Joseph

Sent Items

Wednesday, March 11, 2015 4:34 PM

Dr. Rossi:

Please be advised that I am bringing my own union rep to the meeting tomorrow. I do not want Carol Balowsky to be there. I am comfortable with the rep I have chosen and feel that Ms. Balowsky would be more detrimental than helpful.... Please advise her and I thank you for your attention to this matter.

Mary Czaplinski

Rossi, Joseph

Thursday, March 12, 2015 7:30 AM

Hello, Mrs. Czaplinski.

I have received your message.

Dr. Rossi



Vineland Public Schools

625 PLUM STREET • VINELAND, NJ 08360-3708 • FAX (856) 507-9464
8734

Dr. Joseph L. Rossi
Executive Director of Personnel
(856)794-6700 Ext. 2104
joerossi@vineland.org

March 9, 2015

Mary Czaplinski
592 Sarah Place
Vineland NJ 08360

Dear Ms. Czaplinski,

Attached is a 31A disciplinary action form in accordance with Civil Service rules and regulations.

As required, a hearing is scheduled for 9:30 am on Thursday, March 12.

You have the right to bring legal and/or union representation and witnesses on your behalf.
This is entirely your responsibility.

The hearing date shall not be rescheduled. Relevant documentation is attached.

I can be reached at joerossi@vineland.org or 856-794-6700, ext. 2104.

Sincerely,

Dr. Joseph L. Rossi
Executive Director of Personnel
Civil Service Hearing Officer

JLR:cd

cc: John Provenzano, Director of Security
Carol Belawsky, UAW Representative
Personnel File

EXHIBIT H-1

Preliminary Notice of Disciplinary Action (31-A)
Civil Service Commission – State of New Jersey

Instructions for employer: This notice must be served on a permanent employee or an employee serving a working test period in the career service against whom one of the following types of disciplinary action is contemplated: (a) suspension or fine for more than five working days at any one time; (b) suspension or fine for five working days or less where the aggregate number of days suspended or fined in any one calendar year is 15 working days or more; (c) the last suspension or fine where an employee receives more than three suspensions or fines of five working days or less in a calendar year; (d) disciplinary demotion from a title in which the employee has permanent status or received a regular appointment; (e) removal; or (f) resignation not in good standing. A copy of this notice must be sent to the Civil Service Commission. Subsequent to the hearing by the appointing authority, the employee and the Civil Service Commission must be served with the Final Notice of Disciplinary Action.

| | | | |
|-------------|--|---|---|
| FROM | Employing Agency Name Vineland Board of Education | Address/ Phone Number 625 Plum St, Vineland NJ 08360 856-794-6700 ext 2110 | Date 03-09-15 |
| | Attorney representing your agency should this matter be appealed Frank DiDomenico | Address/Phone number/Email address 8 LaSalle Dr, Vineland NJ 08360 856-794-8155 | |
| TO | Employee Name Mary Czaplinski | Permanent Civil Service Title Security Guard | Employee Identification Number 154-58-6616 |
| | Address/ Phone Number 592 Sarah Pl, Vineland NJ 08360 856-696-3298 | Pension Number 1239770 | |

You are hereby notified that the following charge(s) have been made against you: *(If necessary, use additional sheets and attach)*

| | |
|---|--|
| <p>Charges:</p> <p>4A:2-2.3 General causes (a) An employee may be subject to discipline for:</p> <p>6. Conduct unbecoming a public employee;</p> <p>12. Other sufficient cause.</p> | <p>Incident(s) giving rise to the charge(s) and the date(s) on which it/they occurred:</p> <p>Inappropriate social media posting.</p> |
| <input type="checkbox"/> If checked, charges are continued on attached page. | <input type="checkbox"/> If checked, incidents are continued on attached page. |

You are hereby suspended effective _____ (Check box to indicate if employee is suspended pending final disposition of the matter)

If you desire a departmental hearing before the appointing authority on the above charge(s), notify it within _____ *days of receipt of this form. If you request a hearing it will be held on 03-12-15 at (time) 9:30 a.m. at (place of hearing) Personnel Conference Room

*Must be a minimum of five days

The following disciplinary action may be taken against you:

Suspension for _____ working days, beginning _____ and ending _____

Indefinite suspension pending criminal charges effective (date) _____

Removal, effective (date) 03-12-15

Demotion to position of _____ effective (date) _____

Resignation not in good standing, effective (date) _____ Other Disciplinary Action

Fine _____ amount which is equal to _____ number (number of working days)

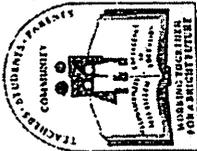
Appointing authority or authorized agent's signature and title.

Signature [Signature] Title Executive Director of Personnel

This form must be personally served on the employee or sent by certified or registered mail.

Certified or Registered Mail Receipt Number _____

Signature of Server _____ Date of personal service _____



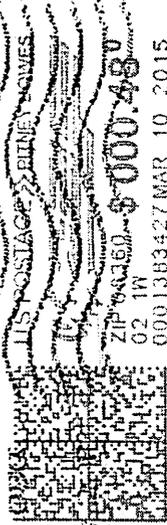
Vineland Public Schools

Personnel Department

625 PLUM STREET, VINELAND, NJ 08360-3708

SOUTH JERSEY NJ

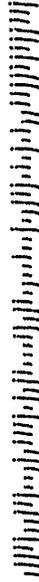
10 MAR 2015 PM



J. J. [Signature]
EXHIBIT H-3

Mary Czaplinski
592 Sarah Place
Vineland, NJ 08360

083603729



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Send

Options... HTML

To...

Cc...

Subject:

Tahoma 10 **B I U**

Czaplinski, Mary

Actions

To:

Rossi, Joseph

Cc:

Mccann, Thomas; Provenzano, John; Lugo, Jose; Bertoldi, Dorothy

Sent Items

Thursday, March 12, 2015 1:16 PM

Dr Rossi:

This is to acknowledge our phone conversation at about 12:30pm, where you asked me if I would take a retirement. I do not wish to take a retirement.

Thank you.

Mary Czaplinski



Vineland Public Schools

625 PLUM STREET • VINELAND, NJ 08360-3708 • FAX (856) 507-8734

Dr. Joseph L. Rossi
Executive Director of Personnel
(856)794-6700 Ext. 2104
joerossi@vineland.org

Mary Czaplinski
592 Sarah Place
Vineland, N.J. 08360

March 13, 2015

Mrs. Czaplinski:

A Civil Service hearing was held on March 12. We were joined by UAW representative Cheryl Layman and school district attorney Frank DiDomenico. UAW representative Carol Belawsky was present as an observer. You admitted, under oath, that on Friday, March 6, you posted the following statement, verbatim, on social media: *"Pray hard for the philly cop shot today by another black thug...may all the white people should start riots and protests and scare the hell out of them..."*

Your offensive and inflammatory remark is troubling for any person but it is especially inappropriate and disconcerting for a public school security officer. School personnel are entrusted to use training, judgment, and commitment to fairness to diffuse, resolve and/or appropriately react to disputes, rules violations, safety concerns and other day-to-day events which might otherwise compromise student learning and school climate.

Vineland is a very diverse school district of more than 11,000 pupils and 2,300 employees of varying backgrounds. Your statement calls into question your effectiveness, going forward, as an unbiased arbiter of student or staff misbehavior or other incidents which call upon impartial judgment including respect and tolerance for diversity. During our hearing you remarked, "Even the black kids like me," as if you felt the need to characterize students.

A security officer engages in daily corrective action to help guide young people by justly and fairly evaluating situations and applying district policies/procedures. Your pronouncement has greatly jeopardized your ability to effectively conduct the business of public school safety and security because it reasonably calls into question the basis of your decision-making.

Your offensive statements cannot be tolerated in a school community which cherishes diversity and strives for tolerance. The charges of *"Conduct unbecoming a public employee"* and *"Other sufficient causes"* are sustained. You are hereby removed from employment with Vineland Public Schools, effective at the close of business on Friday, March 27. You remain on paid, administrative leave until that time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joe Rossi', is written over the word 'Sincerely,'.

Dr. Joseph Rossi
Hearing Officer
Executive Director of Personnel

C: Personnel File, Mrs. Belawsky, Mr. DiDomenico,

EXHIBIT J-1

**Final Notice of Disciplinary Action (31-B)
Civil Service Commission - State of New Jersey**

COPY

Instructions for employer: This notice must be served on a permanent employee or an employee serving a working test period in the career service after a Departmental hearing (if one is requested) if one of the following types of disciplinary actions is taken: (a) suspension or fine for more than five working days at any one time; (b) suspension or fine for five working days or less where the aggregate number of days suspended or fined in any one calendar year is 15 working days or more; (c) the last suspension or fine where an employee receives more than three suspensions or fines of five working days or less in a calendar year; (d) disciplinary demotion from a title in which the employee has permanent status or received a regular appointment; (e) removal; or (f) resignation not in good standing. If the employee does not request or does not appear at the Departmental hearing, this notice must be served as the final action. A copy of this notice must be sent to the Civil Service Commission and served on the employee by personal service or by certified or registered mail.

| | | | |
|-------------|--|---|---|
| FROM | Employing Agency Name Vineland Board of Education | Address/ Phone Number 625 Plum St, Vineland NJ 08360 856-794-6700 ext. 2110 | Date 03/13/15 |
| | Attorney representing your agency should this matter be appealed Frank DiDomenico | Address/Phone number/Email address 8 LaSalle Dr, Vineland NJ 08360 856-794-8155 | |
| TO | Employee Name Mary Czaplinski | Permanent Civil Service Title Security Guard | Employee Identification Number 154-58-6616 |
| | Address/ Phone Number 592 Sarah Pl, Vineland NJ 08360 856-696-3298 | Pension Number 1239770 | |

On 03-09-15 you were served with a Preliminary Notice of Disciplinary Action (31A) and notified of the pending disciplinary action.

- You requested a hearing which was held on 03-12-15 You did not request a hearing
 You requested a hearing and did not appear at the designated time and place

Sustained Charges:

- 4A:2-2.3 General causes
 (a) An employee may be subject to discipline for:
 6. Conduct unbecoming a public employee;
 12. Other sufficient cause.

Incident(s) giving rise to the charge(s) and the date(s) on which it/they occurred:

Inappropriate social media posting.
 See attached.

- If checked, charges are continued on attached page. If checked, incidents are continued on attached page.

The following disciplinary action has been taken against you:

- Suspension for _____ working days, beginning _____ and ending _____
 Indefinite suspension pending criminal charges effective (date) _____
 Removal, effective (date) 03-27-15
 Demotion to position of _____ effective (date) _____
 Resignation not in good standing, effective (date) _____ Other Disciplinary Action
 Fine amount which is equal to number (number of working days)

Appointing authority or authorized agent's signature and title.

Signature [Signature] Title Executive Director of Personnel

This form must be personally served on the employee or sent by certified or registered mail.

- Certified or Registered Mail Receipt Number 70100290000226129438
 Signature of Server _____ Date of personal service _____

APPEAL PROCEDURE TO THE EMPLOYEE: You have the right to appeal within 20 days from receipt of this form. All appeals must include a copy of this form. Pursuant to P.L. 2010, c. 26, effective July 1, 2010 there is a \$20 fee for disciplinary appeals. Please include the required \$20 fee with your appeal. Payment must be made by check or money order only, payable to NJ CSC. Persons receiving public assistance pursuant to P.L. 1947, c.156 (C.44:8-107 *et seq.*), P.L.1973, c. 256 (C.44:7-85 *et seq.*), or P.L.1997, c.38 (C.44:10-55 *et seq.*), and veterans as defined by N.J.S.A.11A:5-1 *et seq.* are exempt from this appeal fee. Appeals should be addressed to the Civil Service Commission, P.O. Box 312, Trenton, New Jersey 08625-0312. Any appeal postmarked after the 20 days statutory time limit will be denied. We recommend sending your appeal by certified mail to prove your filing in the event of lost or misdirected mail. Do not give your appeal to your personnel office for forwarding to the Civil Service Commission.

For more information on the rules that govern Major Discipline and the appeals process, please visit our website at: www.state.nj.us/csc.

DISTRIBUTION: Employee, Union Representative or Attorney, Management, Civil Service Commission.

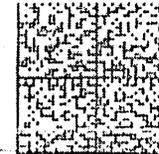
When using a form downloaded from the internet you still must provide the indicated above number of copies to all parties.



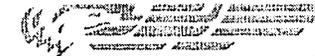
Vineland Public Schools

Personnel Department

625 PLUM STREET, VINELAND, NJ 08360-3708



U.S. POSTAGE >> PITNEY BOWES



ZIP 08360 \$ 000.48⁰
02 117
0001383427 MAR 13 2015

Mary Czaplinski
592 Sarah Pl
Vineland, NJ 08360

EXHIBIT J-3

0836032729



POLICY

VINELAND BOARD OF EDUCATION

TEACHING STAFF MEMBERS
3281/page 1 of 2
Inappropriate Staff Conduct

3281 INAPPROPRIATE STAFF CONDUCT

The Board of Education recognizes its responsibility to protect the health, safety and welfare of all pupils within this school district. Furthermore, the Board recognizes there exists a professional responsibility for all school staff to protect a pupil's health, safety and welfare. The Board strongly believes that school staff members have the public's trust and confidence to protect the well-being of all pupils attending the school district.

In support of this Board's strong commitment to the public's trust and confidence of school staff, the Board of Education holds all school staff to the highest level of professional responsibility in their conduct with all pupils. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school district.

The Board recognizes and appreciates the staff-pupil professional relationship that exists in a school district's educational environment. This Policy has been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate staff conduct and conduct unbecoming a school staff member toward pupils.

School staff's conduct in completing their professional responsibilities shall be appropriate at all times. School staff shall not make inappropriate comments to pupils or about pupils and shall not engage in inappropriate language or expression in the presence of pupils. School staff shall not engage in inappropriate conduct toward or with pupils. School staff shall not engage or seek to be in the presence of a pupil beyond the staff member's professional responsibilities. School staff shall not provide transportation to a pupil in their private vehicle or permit a pupil into their private vehicle unless there is an emergency or a special circumstance that has been approved in advance by the Building Principal/immediate supervisor and the parent/legal guardian.

The Commissioner of Education has determined inappropriate conduct by a school staff member outside their professional responsibilities may be considered conduct unbecoming a staff member. Therefore, school staff members are advised to be concerned with such conduct which may include, but are not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other medium that is directed and/or available to pupils or for public display.

A school staff member is always expected to maintain a professional relationship with pupils and to protect the health, safety and welfare of school pupils. A staff member's conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this Policy, but conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.



POLICY

VINELAND BOARD OF EDUCATION

TEACHING STAFF MEMBERS 3281/page 2 of 2 Inappropriate Staff Conduct

School personnel, compensated and uncompensated (volunteers), are required to report to their immediate supervisor or Building Principal any possible violations of this Policy. In the event the report alleges conduct by the Building Principal or the immediate supervisor, the school staff member may report directly to the Assistant Superintendent for Administration. In addition, school personnel having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.1 et seq. and inform the Building Principal or immediate supervisor after making such report. However, notice to the Building Principal or designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child or in discrimination against the referrer with respect to his/her employment.

Reports may be made in writing or with verbal notification. The immediate supervisor or Building Principal will notify the Superintendent of Schools of all reports, including anonymous reports. The Assistant Superintendent for Administration will investigate all reports with a final report to the Superintendent of Schools. The Assistant Superintendent for Administration or the Superintendent may, at any time after receiving a report, take such appropriate action as necessary and as provided for in the law. This may include, but is not limited to, notifying law enforcement, notifying the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.2 et seq., and/or any other measure provided for in the law.

This Policy will be distributed to all school staff and provided to staff members at anytime upon request.

N.J.S.A. 18A:28-5 et seq.
N.J.A.C. 6A:16-10.1 et seq.

Adopted: 09 June 2010

