

RESOLUTION

WHEREAS, the Charges hereinafter set forth have been made against JOSEPH CASEY, an employee of the School District of The Township of Brick, under tenure and

WHEREAS, the Charges hereinafter set forth have been filed with the Board of Education of the School District of the Township of Brick, in writing; and

Resolution
J. Casey
Suspension
w/o Pay

WHEREAS, a Written Statement of Evidence, under oath, in support of said Charges has been presented to the Board of Education of the Township of Brick, and

WHEREAS, the Board of Education has provided Joseph Casey with a copy of the Charges and a copy of the Statement of Evidence, and

WHEREAS, the Board of Education gave the aforesaid Joseph Casey an opportunity to submit a Written Statement of Position and a Written Statement of Evidence concerning said charges which were in fact submitted by the aforesaid Joseph Casey, and

WHEREAS, the Board of Education formally met with the aforesaid Joseph Casey, and his attorney, James Blaney, Esq., and

WHEREAS, the aforesaid Board of Education considered the charges, the Statement of Position and Statement of Evidence submitted by the aforesaid, Joseph Casey, and

WHEREAS, The Board of Education by a majority vote of its full membership determines that there is probable cause to credit the Evidence in Support of the Charges and further determines that such Charges if credited are sufficient to warrant a dismissal or reduction in salary.

NOW THEREFORE BE IT RESOLVED by the Board of Education of the School District of the Township of Brick, as follows:

1. The Board of Education pursuant to N.J.S.A. 18A:6-11 determines that there is probable cause to credit the Evidence in Support of the Charges and if credited are sufficient to warrant a dismissal or reduction in salary.

2. That pursuant to N.J.S.A. 18A:6-11 that JOSEPH CASEY shall forthwith be notified of the Charges that have been made against him and the determination of the Board of Education by certified mail at his last known address.

3. That a copy of the written charges be forwarded to the Commissioner of Education pursuant to N.J.S.A. 18A:6-16 together with a copy of the within Resolution which is a certification of such determination by the Board of Education.

4. That the aforesaid JOSEPH CASEY is hereby suspended without pay.

BRICK TOWNSHIP BOARD OF EDUCATION VS. JOSEPH CASEY

CHARGES

CHARGE I

Joseph Casey is guilty of insubordination inasmuch as he has refused to comply with the Board of Education of the Township of Brick's managerial mandate pursuant to N.J.S.A. 18A:16-2 and submit to a psychiatric and physical examination, the Board of Education of the School District of the Township of Brick having complied with due process of law pursuant to KOCHMAN VS. KEANSBURG BOARD OF EDUCATION 124 N.J. Super 20, 305 A2d 807.

CHARGE II

Joseph Casey is guilty of having committed an offense of corporal punishment on a student B.B. in that he followed said student into the hallway of property owned by the Brick Township Board of Education, and in his capacity as a teacher he improperly placed his hands around the throat of said B.B., student, and pushed him against a locker located in said hallway and further that he compounded said corporal punishment by refusing to allow said B.B. to see his guidance counsellor.

CHARGE III

Joseph Casey is guilty of having committed an offense of corporal punishment on a student G.C. in that he grabbed said student by her hair and either threw her to the floor, or with force pushed her into her desk.

CHARGE IV

Joseph Casey is guilty of other just causes warranting forfeiture of tenure and reduction in rank or other such penalty as may be determined by the Commissioner of Education, because of his physical and or mental condition which has resulted in the loss of rapport with his student body in that seven (7) parents have complained to the Petitioner, the Brick Township Board of Education and five (5) students have actually transferred from his classroom, at their request to another class and an additional request by two (2) other students for transfer, all of which has been occasioned by not only his loss of rapport but his improper teaching and maintenance of classroom discipline and discouragement of his students by virtue of his unprofessional conduct.

The foregoing resolution was adopted by the following roll call vote: Mr. Bell - yes; Mr. Bertrand - "no vote" (meaning he did not wish to vote); Mrs. Aulisi - yes; Mr. Hancock - yes; Mrs. Riley - abstain and Mr. Kull - yes.

President Kull adjourned the meeting at 9:13 p.m.

Respectfully submitted,

Hilda M. Barbszis

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Secretary