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State Board of Examiners Dkt. No. 1415-215

OAL Dkt. No. EDE-01620-16

Agency Dkt. No. 11-10/24A

New Jersey Commissioner of Education

Final Decision

In the Matter of the Certificates of Joseph
Piparo, State Board of Examiners, New Jersey
Department of Education.

Order of Revocation by the State Board of Examiners, dated May 23, 2024

For the Respondent-Appellant, Sanford R. Oxfeld, Esq.

For the Petitioner-Respondent State Board of Examiners, Vijayasri G. Aryama,
Deputy Attorney General (Matthew J. Platkin, Attorney General of New Jersey)

The Commissioner has reviewed the record, hearing transcripts from the Office of Administrative Law (OAL), and submissions filed in connection with Joseph Piparo's appeal of the Order of the State Board of Examiners (Board), dated May 23, 2024, revoking his Teacher of Social Studies Certificate of Eligibility with Advanced Standing, Teacher of Social Studies Certificate, Supervisor Certificate, Principal Certificate of Eligibility, Teacher of Students with Disabilities Certificate of Eligibility, and Provisional Teacher of Students with Disabilities Certificate.

On October 8, 2024, appellant filed a notice of appeal and certification claiming that he never received the February 20, 2024, Initial Decision issued by the Administrative Law Judge (ALJ) or the Board's May 23, 2024, Order of Revocation. He concedes, however, that both documents were sent to his attorney of record at the time, Michael G. Brucki, Esq., who represented him during the contested hearing at the OAL. Upon learning in July 2024 from his

employer, the Ramapo Indian Hills Board of Education, that his certificates had been revoked, he retained a different attorney, Sanford R. Oxfeld, Esq., to represent him.¹ On appeal, he contends that he is entitled to a new hearing at the OAL because the ALJ deprived him of his procedural due process right to confront witnesses and excessively delayed the issuance of the Initial Decision.

In its opposition brief, the Board contends that the appeal is untimely and should be dismissed. Additionally, the Board contends that appellant is not entitled to a new OAL hearing because his due process rights were sufficiently protected by the ALJ. Moreover, the Board asserts that the record shows that appellant and Brucki were the cause of multiple delays during the OAL proceedings. Finally, the Board emphasizes that appellant cited the wrong standard of review in his brief and neither established nor claimed that the Board's Order of Revocation was arbitrary, capricious, or contrary to law.

In reviewing appeals from decisions of the State Board of Examiners, the Commissioner may not substitute his judgment for that of the Board so long as the appellant received due process and the Board's decision is supported by sufficient credible evidence in the record. The Commissioner's role in reviewing appeals is constrained by *N.J.A.C. 6A:4-4.1(a)*, which specifies that "the Commissioner shall ascertain whether the decision is supported by sufficient credible evidence in the record and shall not disturb the decision unless the appellant has demonstrated that the State Board of Examiners . . . acted in a manner that was arbitrary, capricious, or contrary to law."

¹ On September 26, 2024, Brucki signed a Substitution of Attorney form consenting to the substitution of Sanford R. Oxfeld, Esq., as the attorney for appellant in this matter.

Initially, the Commissioner finds that the appeal is untimely and can be dismissed on that basis. Appeals of Board decisions revoking certificates must be submitted to the Commissioner per *N.J.S.A.* 18A:6-38.4, and in accordance with the rules at *N.J.A.C.* 6A:4. Those rules provide, in relevant part, that “[a]ppeals of final State Board of Examiners decisions shall be filed within 30 days of the filing date of the decision being appealed.” *N.J.A.C.* 6A:4-2.2(a). The record reflects that the Board issued its Order of Revocation on May 23, 2024, and emailed it to Brucki on May 24, 2024. Additionally, the Board sent a paper copy of the Order to Brucki’s office via certified mail, which was delivered on May 30, 2024. Yet, the Office of Controversies and Disputes did not receive the appeal until October 8, 2024—more than three months after the filing deadline had passed. Even if the Commissioner were to accept that the appeal deadline began to run on July 17, 2024, when appellant certified he first learned about the Board’s Order, the appeal was over a month late. Appellant has not established any unusual or compelling circumstances that would warrant relaxation of the 30-day filing deadline for appeals in the interest of justice.

Moreover, upon a comprehensive review of the voluminous record and OAL hearing transcripts, the Commissioner rejects appellant’s procedural due process claims. At no point during the OAL hearing did appellant or Brucki assert that appellant’s due process rights were violated in any way, or that he was not given the opportunity to confront witnesses. Therefore, appellant’s claims need not be considered for the first time on appeal. *Nieder v. Royal Indem. Ins. Co.*, 62 *N.J.* 229, 234 (1973); *State v. Williams*, 219 *N.J.* 89, 98-101 (2014).

At any rate, the record reflects that the ALJ took reasonable measures during the proceedings to protect witnesses who had obtained a final restraining order against appellant while preserving appellant’s procedural due process rights. Because of a final restraining order

obtained by witness L.S., prohibiting appellant from having any contact with L.S. or her son, witness D.S., the ALJ arranged for appellant to listen to L.S.'s testimony via telephone outside of the hearing room. She instructed both appellant and Brucki that appellant could take notes and confer with Brucki prior to the beginning of cross-examination of L.S. Appellant and Brucki had more than ample time to confer prior to L.S.'s cross-examination as it took place more than a year after her direct examination. Witness D.S. testified remotely via Zoom as he was attending college out-of-state. No objections were made regarding D.S.'s remote testimony. The ALJ allowed appellant to watch D.S.'s testimony in the hearing room while he was seated behind Brucki, and Brucki cross-examined D.S. without voicing any objections to the procedure utilized by the ALJ.

Furthermore, appellant's reliance upon *In the Matter of the Tenure Hearing of Wolf*, 231 N.J. Super. 365 (App. Div. 1989), is unavailing because that matter is distinguishable for several reasons. There, over the repeated objections of counsel, the ALJ excluded Wolf from the hearing room based upon a belief that his intense physical appearance would frighten the child witnesses. *Id.* at 373-74. No final restraining order was in effect between Wolf and any of the witnesses, and the ALJ did not make arrangements for attorney and client to confer prior to the cross-examination of the witnesses. Here, appellant's exclusion from the hearing room during L.S.'s testimony had nothing to do with his physical appearance, and he was present in the hearing room during D.S.'s testimony. Unlike in *Wolf*, neither appellant nor Brucki voiced any objections to the procedures utilized by the ALJ, an active final restraining order prevented appellant from having any contact with L.S. or D.S., and the ALJ recognized appellant's right to confer with Brucki prior to Brucki's cross-examination of the witnesses.

Regarding this matter's protracted history at the OAL, the Commissioner finds that the delay in concluding the proceedings did not violate appellant's procedural due process rights. Indeed, the record confirms that some of the delays were attributable to appellant and Brucki. Other tragic and unforeseen circumstances caused delays, including the death of a Deputy Attorney General handling the matter, and the unprecedented COVID-19 pandemic. The ALJ reasonably decided to prolong the proceedings so that appellant had an opportunity to testify, and to give Brucki an opportunity to submit a closing brief. Appellant arguably benefited from the delays as he continued working as a teacher while this matter was pending until the end of the 2023-2024 school year.

Finally, the Commissioner finds that the Board's Order of Revocation is supported by sufficient, credible evidence in the record, and that appellant has neither established nor claimed that the Order was arbitrary, capricious, or contrary to law.

Accordingly, appellant's appeal is hereby dismissed, and the decision of the State Board of Examiners revoking appellant's certificates is affirmed.

IT IS SO ORDERED.²


COMMISSIONER OF EDUCATION

Date of Decision: June 9, 2025
Date of Mailing: June 9, 2025

² This decision may be appealed to the Appellate Division of the Superior Court pursuant to *N.J.S.A. 18A:6-9.1*. Under *N.J.Ct.R. 2:4-1(b)*, a notice of appeal must be filed with the Appellate Division within 45 days from the date of mailing of this decision.

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
JOSEPH PIPARO : ORDER OF REVOCATION
_____ : DOCKET NO: 1415-215

At its meeting of April 17, 2015, the State Board of Examiners (Board) reviewed the decision it received in *In the Matter of the Tenure Hearing of Joseph Piparo* (Decision Approving Settlement Agreement, December 26, 2014). The Lodi Public Schools Board of Education (Lodi) certified tenure charges against Joseph Piparo on or about August 26, 2014, for alleged insubordination, offensive and unprofessional conduct, and conduct unbecoming an educator. Specifically, it was alleged that Piparo was reprimanded for making inappropriate statements to students regarding personal matters; the district imposed a Performance Improvement Plan (PIP); Piparo made numerous unprofessional and inappropriate statements regarding student D.S. whom he coached and who was the son of a former Lodi employee with whom Piparo had a romantic relationship, many of which included foul language and disparaging statements against D.S.; Piparo was found, following a six day court trial, to have committed harassment under the domestic violence statute after he refused to cease contact and communications with a former Lodi employee after their romantic relationship ended, which resulted in the issuance of a final restraining order; Piparo made numerous disparaging, unprofessional and inappropriate statements regarding other district staff members, including foul language, racial slurs and name calling; Piparo sent text messages threatening violence towards others and made numerous unprofessional statements regarding Lodi administrators, including name calling, foul language, and exhibited an unhealthy

anger toward those in positions of authority in the district; Piparo violated district policy regarding the use of cell phones during class time by sending and receiving numerous text messages during his teaching assignment periods; had threatened violence towards others in the district; and failed to submit to a psychological examination with Lodi's approved physician. On December 26, 2014, the Arbitrator approved a Settlement Agreement wherein Piparo resigned from his position with Lodi.

Piparo currently holds a Teacher of Social Studies Certificate of Eligibility with Advanced Standing, a Teacher of Social Studies certificate, a Supervisor certificate, a Principal Certificate of Eligibility, a Teacher of Students with Disabilities Certificate of Eligibility, and a Provisional Teacher of Students with Disabilities certificate. After reviewing the above information, at its May 21, 2015 meeting, the Board voted to issue an Order to Show Cause (OSC) to Piparo as to why his certificates should not be revoked.

The Board sent Piparo the OSC by regular and certified mail on June 9, 2015. The OSC provided that Piparo must file an Answer within 30 days pursuant to *N.J.A.C.* 6A:9B-4.6(b). Piparo responded on August 5, 2015.

In his Answer, Piparo vigorously denied the truth of the allegations in the tenure charges, states he had been working in a hostile environment of which he made his administrators aware of the issues, claims all of the charges were dismissed by Lodi who gave him a monetary settlement, and states that he resigned from Lodi in good standing. *See Answer*. Piparo claims that he received an email from his attorney, that was sent by the arbitrator in his tenure proceeding, stating that "the State Board indeed approved the settlement" and was shocked when he received the OSC. *Id.* at ¶ 2&3. Piparo acknowledges he was issued a PIP and states he "never signed [his] name to the

plan, but [he] did follow what was stated.” *Id.* at ¶ 4. He further claims that the “only reason that [his] text messages have been put into question is because **[he] provided them to the Hackensack Court and paid a forensic analyst [himself] so that I could prove that there were lies being told regarding the context of those texts**” and that the former employee was never threatened by him in any way. *Id.* at ¶ 4B (emphasis in original). He further states that the presentation of those text messages to Lodi was politically motivated. *Ibid.*

Additionally, Piparo acknowledges sending text messages regarding student D.S. to his mother, and claimed they were private texts between two adults. *Id.* at ¶ 5&6. He denies sending text messages to D.S. or ever threatening D.S., and claims he never acted in any inappropriate manner where D.S. or any other student was concerned. *Ibid.* Piparo claims that certain testimonies presented at his tenure proceeding were fraudulent and politically motivated, that the text messages presented had been “altered[,]” and that he was never given the opportunity to testify. *Ibid.* He also claims that the judicial process relating to the restraining order issued against him was politically motivated. *Ibid.* Further, he claims that student D.S., the wrestling coach and athletic director made up the story about going to D.S.’s lunch table and making him cry, to try to harm him. *Ibid.* Piparo states that he never once acted unprofessionally in or out of school and that there is nothing in his personnel file at Lodi stating otherwise. *Ibid.* He acknowledges that texting and emailing during class time was prohibited by district policy. *Ibid.* Piparo claims that he offered to pay for a neutral psychological evaluation from a “list of three neutral doctors” that he provided to Lodi and that Lodi never responded. *Ibid.* Lastly, he claims that all of his observations show that he was a good educator with high regards for his students, even though he

worked in a hostile environment, and asks that he be given the opportunity to continue teaching and providing for his family. *Ibid.*

Since there were material facts in dispute, on January 12, 2016, the Board transmitted the matter to the Office of Administrative Law (OAL) for hearing as a contested case. On February 20, 2024, Administrative Law Judge (ALJ) Danielle Pasquale issued an Initial Decision in the case. *In the Matter of the Certificates of Joseph C. Piparo*, Dkt. No. EDE 01620-16 (Initial Decision, February 20, 2024).

After reviewing the testimony and the record, the ALJ found that the “sheer volume and the racist and threatening language of the texts paint a picture of a teacher who refused to take accountability for anything at his job or in his relationships, and who was unrelenting in his pursuits of the women, inappropriate with the student in question and racist and insubordinate with his co-workers.” *Id.* at 27. The ALJ found that most of Piparo’s behavior occurred during the school day or during school-sponsored activities. *Ibid.* Further, the ALJ found the Board’s witnesses “extremely credible and forthright” and harbored no motive or bias to fabricate their testimony. *Id.* at 31. And that Piparo’s testimony was “entirely lacking in credibility.” *Ibid.*

The ALJ’s findings of fact included, among many others, that Piparo refused to testify truthfully even when presented with documents at the hearing, his unwarranted advances toward Ms. Melissa Grant, a former colleague with whom he had an intimate relationship, after she discontinued the relationship led to the PIP, the investigation before the PIP required at least eight students to be interviewed who confirmed Piparo attempted to dispel rumors of his relationship and that it was part of his history lesson, he violated the PIP by going into her classroom and involving students in an attempt to rekindle that relationship, and he pushed and shoved Ms. Grant

during arguments in school during school hours. *Id.* at 31-32. Further, he interrupted the school day by pestering his co-workers and supervisors because he was unsatisfied with the PIP and the fact that he was made a scout rather than an assistant coach; he failed to appear at his scheduled psychological examination; he appeared in the Head Coach's office knowing from L.S. that D.S. was extremely upset in an effort to confront the distraught and understandably angry D.S., his student and athlete; and he "lurked" over D.S. during his lunch period after his supervisors told him not to. *Id.* at 32-33. He sent and received over 30,000 texts during school hours, used harassing language against D.S., made inappropriate statements against Lodi staff, including racial slurs, and threatening language, threatened violence against D.S.'s father, and used offensive language to school administrators exhibiting contempt for them. *Id.* at 33.

As to his conduct, the ALJ found Piparo's behavior toward student D.S. was "reprehensible and totally inappropriate, particularly for someone who was his teacher and coach and who stood in a position of trust and respect." *Id.* at 28. Piparo's interactions with his students, co-workers and Principals were also "totally inappropriate and crossed the permissible line of his duties as a teacher and coach." *Id.* at 29. Further, "Piparo exhibited extremely poor judgment by becoming an active participant in a personal relationship with co-workers, especially the married parent of his student and star wrestler" and "represented a significant departure from what the public is to expect from those who teach their children." *Id.* at 29-30. The ALJ also found that Piparo retaliated against individuals who tried to stop him from discrediting others and that his behavior was not confined to a single incident but evolved into a pattern. *Id.* at 30.

According to the ALJ, Piparo should have used restraint in his reactions to the situations that he created rather than engage in egregious, continuing conduct. *Ibid.* He should not have

been in the locker room knowing that D.S. learned of Piparo's relationship with his mother and knowing that he was devastated and angry and told by other school personnel not to be present for fear of escalation. *Ibid.* He also should not have shown outward contempt for his co-workers, boldly violated his PIP, harassed D.S., eventually requiring a Final Restraining Order. *Ibid.* The ALJ even notes that she had to conduct the hearing with the student and mother separated from Piparo in order not to run afoul of that order. *Id.* at 39.

Accordingly, the ALJ found that "Piparo's continued harassment and anger toward co-workers, administrators, parents and students through offensive, racist, homophobic and distasteful comments showed that Mr. Piparo failed to meet the standard of certificate holders as role models." *Id.* at 38. And Piparo's unfitness to teach was shown through his continued harassment of D.S., both in school and through the unrelenting texts to his mother. *Id.* at 38. The ALJ concluded that Piparo engaged in conduct unbecoming a teacher and that his conduct was so "unrelenting, wide-ranging and flagrant as to warrant the revocation of his teaching certificates" as well as any other supervisory certificates he holds. *Id.* at 30, 37, 41.

Neither party filed exceptions to the ALJ's Initial Decision.

The Board must now determine whether to adopt, modify, or reject the Initial Decision in this matter. At its meeting of April 11, 2024, the Board reviewed the Initial Decision. After full and fair consideration of the Decision, the Board voted to adopt the Initial Decision and accept the recommended penalty of revocation.

The Board's long-standing belief is that teachers must serve as role models for their students. "Teachers... are professional employees to whom the people have entrusted the care and custody of ... school children. This heavy duty requires a degree of self-restraint and controlled

behavior rarely requisite to other types of employment.” *Tenure of Sammons*, 1972 *S.L.D.* 302, 321. A “violation of the implicit standard of good behavior which devolves upon one who stands in the public eye as an upholder of that which is morally and legally correct” may provide the basis for a finding of unbecoming conduct. *Bound Brook Bd. of Educ. v. Ciripompa*, 228 N.J. 4, 14 (2017) (quoting *Karins v. City of Atlantic City*, 152 N.J. 532, 555 (1998)) (internal quotation marks omitted). The “elastic” concept of “conduct unbecoming” includes “conduct which adversely affects the morale or efficiency” of the public entity or “which has a tendency to destroy public respect for . . . [public] employees and confidence in the operation of [public] services.” *In re Emmons*, 63 N.J. Super. 136, 140 (App. Div. 1960) (internal quotations and citations omitted); *see also Bound Brook Bd. of Educ.*, 228 N.J. at 13.

As noted above, after reviewing the record, the ALJ concluded that the record established that Piparo continued a pattern of totally inappropriate and unacceptable behaviors in his dealings with students, staff, and administrators. In this case, Piparo’s interactions with, and behavior towards, his students, coworkers, and administrators were completely unacceptable and certainly unbecoming of a teacher. There were numerous opportunities for Piparo to change the course of events by his reactions or inaction to certain situations and instead he made poor choices to continue his inappropriate behavior which exacerbated the situations. The Board finds that Piparo’s conduct, harassing students and co-workers, blatantly violating district policy, using disparaging and demeaning language to and against students and co-workers, does not comport with “role model” behavior. Thus, the Board finds Piparo engaged in unbecoming conduct. The Board agrees with the ALJ that the only appropriate penalty in this matter is revocation of his educator certificates.

Accordingly, on April 11, 2024, the Board voted to adopt the Initial Decision and ordered a revocation of Piparo's certificates. On this 23rd day of May 2024, the Board formally adopted its written decision to adopt the Initial Decision in this matter and it is therefore ORDERED that Joseph C. Piparo's Teacher of Social Studies Certificate of Eligibility with Advanced Standing, Teacher of Social Studies certificate, Supervisor certificate, Principal Certificate of Eligibility, Teacher of Students with Disabilities Certificate of Eligibility, and Provisional Teacher of Students with Disabilities certificate are hereby REVOKED, effective immediately. It is further ordered that Piparo return his certificates to the Secretary of the State Board of Examiners, Office of Certification and Induction, P.O. Box 500, Trenton, NJ 08625-0500 within 30 days of the mailing date of this decision.



Rani Singh, Secretary
State Board of Examiners

Date of Mailing:
via certified and regular mail

Appeals may be made to the Commissioner of Education pursuant to the provisions of *N.J.S.A.* 18A:6-38.4.



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. EDE-01620-16

AGENCY DKT. NO. 1415-215

**IN THE MATTER OF THE CERTIFICATE(S)
OF JOSEPH C. PIPARO,**

Michael Czarnecki, Deputy Attorney General, for petitioner (Matthew J. Platkin, Attorney General of New Jersey)

Michael G. Brucki, Esq., for respondent, Joseph C. Piparo

Record Closed: February 16, 2024

Decided: February 20, 2024

BEFORE **DANIELLE PASQUALE**, ALJ:

STATEMENT OF THE CASE

Joseph Piparo, a tenured teacher, engaged in improper communications with students regarding another teacher; harassment of a parent and students of the district that resulted in a Final Restraining Order against him under the domestic violence statute; used harassing language against a student (D.S.); made inappropriate statements against Lodi staff that included racial slurs and threatening language; threatened violence against student D.S.'s father; showed contempt of school administrators through the use of offensive language; used his

cell phone during school hours against school policy; and failed to appear for a mandated psychological examination as required by the Lodi Board of Education; violated his Performance Improvement Plan by continuing to harass a co-worker who was no longer romantically interested in him, requiring her to file a police complaint against him. Do Piparo's actions constitute "conduct unbecoming," warranting a penalty? Yes. Unbecoming conduct encompasses actions "tending to destroy respect in the delivery of government services," Karins v. City of Atlantic City, 152 N.J. 532, 554 (1988), for which the Board of Examiners (Board) may revoke or suspend a teacher's certificates under N.J.A.C. 6A:9B-4.4.

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

The New Jersey Department of Education, State Board of Examiners, (Board) seeks the revocation or suspension of Joseph C. Piparo's ("Piparo") Principal certificate of Eligibility and Teacher of Social Studies, and Supervisor certificates under N.J.S.A. 18A:6-38 and the implementing regulation, N.J.A.C. 6A:9-17.5, for conduct unbecoming a teacher or other just cause. After his resignation and losing his tenure pursuant to an arbitration pursuant to N.J.S.A. 18A:6-16 the Arbitrator approved the settlement on December 26, 2014. Thereafter, incorporating the tenure charges, the Board used an Order to Show Cause for unbecoming conduct and other just cause. It sought for Piparo to show cause for why all his certificates and credentials should not be revoked in pertinent part:

4. The district alleged that in January 2008, Piparo was reprimanded for making inappropriate statements to students regarding personal matters. The district also imposed a Performance Improvement Plan. Lodi also noted that after a romantic relationship with a former district employee ended, Piparo refused to cease contact and communications with her, sending her hundreds, if not thousands, of text messages. In May

2013, the former employee filed a charge of harassment against Piparo and, after a six-day trial, the judge entered a final restraining order and found that Piparo committed an act of harassment under the domestic violence statute.

5. Lodi also alleged that, Piparo made numerous unprofessional and inappropriate statements regarding D.S., a student whom Piparo coached on the wrestling team and who was the son of the former district employee with whom Piparo had a romantic relationship. In many of these texts, Piparo used foul language and made disparaging statements against D.S. Piparo also made many disparaging, unprofessional and inappropriate statements regarding other district staff members. The statements included foul language, racial slurs and name calling.
6. Piparo also sent text messages threatening violence towards others and made numerous unprofessional statements regarding Lodi School District Administrators. Those statements also included name calling, the use of foul language and exhibited an unhealthy anger toward those positions of authority in the district. Lodi also alleged that Piparo violated the district's policy regarding the use of cell phones during class time by sending and receiving numerous text messages during his teaching assignment periods.
7. Lodi also alleged that Piparo never kept his appointment for a psychological examination with the district's approved physician.

As a result, the Board found just cause for the revocation of Piparo's certificates as a result of the conduct alleged in the tenure charges as

outlined above and ordered on May 21, 2015 that Piparo show cause why his certificates and credentials should not be revoked. [P1].

In response, Piparo filed a timely Answer to the Order to Show Cause denying any wrongdoing.

The Board transmitted this matter to the Office of Administrative Law for determination as a contested case. The parties requested settlement conferences at which were initially promising. At one point, those negotiations were unsuccessful, and a hearing was scheduled. This case was laden with both avoidable and unavoidable delays. Tragically, the originally assigned DAG Ms. Lori Prapas, died unexpectedly after she tried most of the dates listed below. Mr. Piparo was originally pro se, and Mr. Brucki was his third attorney. There were many adjournment requests by Mr. Brucki, some due to his own court conflicts and some due to the illness of both his client and his client's wife who was undergoing treatment for cancer. Other delays included witness and attorney unavailability and the COVID-19 pandemic. Some of Mr. Brucki's adjournment requests were so repeated and sometimes wholly meritless that I threatened sanctions if the situation continued. A hearing was finally held in person on October 25, 2017, March 14, 2018, October 7, 2019, July 6 and 7, 2021. DAG Czarnecki did an excellent job of getting up to speed after the case was transferred to him and after a very long hiatus due to all of the above, he finished up the presentation of the State's case in 2021.

During the COVID-19 shutdown neither side reached out to finish the hearing until sometime in 2021 since upon information and belief, Mr. Piparo was applying for another teacher's license, specifically a special education certificate. As a result, I contacted the parties and conferenced the case, where Mr. Brucki confirmed that his client wanted to move forward to complete the trial and call additional witnesses. As of May 6, 2021 there was still no response, so I reached out to the parties yet again via email to set up a peremptory trial date due to the age and previous scheduling challenges in this case. Those hearing dates were held accordingly on

July 6 and 7, 2021 via Zoom which I listed on a peremptory basis to prevent further delays.

At the conclusion of the hearing, the record remained open for the receipt of transcripts and post-hearing submissions. Again, there was a backup in transcripts, and I reached out to the parties to ask the parties where the post-hearing submissions were as the record remained open. DAG Czarnecki responded that 9/1/2023 was enough time for him to write his post-hearing submission in response to my request. Thereafter, due to his caseload, he asked for a two-week extension which was unopposed and as such I granted it. As of the date of this decision, I have yet to hear from Mr. Brucki. The case was then transferred to DAG Colin Klicka. On February 8, 2024, I emailed Mr. Brucki as I had yet to receive a post-hearing submission. I gave him until February 16, 2024 to submit anything. As I did not receive a response, I closed the record accordingly on February 16, 2024 and issued this opinion February 20, 2024.

FACTUAL DISCUSSION

L.S. is a former employee of the Board of Education of Lodi and the mother of D.S.¹ L.S. testified that she met Joseph Piparo (“Mr. Piparo”), her son’s wrestling coach, when she called him to talk about an issue between D.S. and another student wrestler in February 2012. L.S. and Mr. Piparo were eventually involved in a romantic, sexual relationship from February 2012 to May 2013. Both Mr. Piparo and L.S. were married to other people, and L.S. was a teacher’s aide in the grammar school and middle schools. During their relationship, L.S. testified that she and Mr. Piparo texted “all the time,” saw each other after school, and spent lunch together. She communicated with him via text messages, until D.S.’s father found out about the affair when L.S. and Mr. Piparo began using burner phones to communicate. Mr. Piparo frequently used the school phone to call her as well.

¹ L.S. also has a daughter. However, the daughter was not a student at Lodi High School when Mr. Piparo was an employee.

L.S. testified that the text messages from "JCP" found in Exhibit P-50 were all from Mr. Piparo. L.S. was not able to recall all of the text messages, because so many text messages were sent between them. Many of those text messages and phone calls were made during school hours and oftentimes during his class time.

L.S.'s son D.S. learned of the affair on December 24, 2012. That day, L.S. and D.S.'s father had an argument about the affair, and D.S. overheard the argument. D.S. was crying and screaming when he found out. D.S. returned to wrestling practice the day after Christmas. D.S.'s father and D.S. told L.S. about an altercation with Mr. Piparo that happened during practice on December 26, 2012.² She learned through Piparo that D.S. "had a fit" and Mark Maggio ("Mr. Maggio"), Mr. Garcia, and Mr. Piparo were there. L.S. became aware that D.S. cursed and asked Mr. Piparo to get out of the room during the incident.

Mr. Piparo was D.S.'s social studies teacher from his freshman year until the winter break confrontation. As a result, the school switched D.S.'s class schedule in order to remove D.S. from Mr. Piparo's class. D.S.'s math class and at least one or two of his other classes changed. L.S. did not initially believe that Mr. Piparo went back to the wrestling room with D.S. as L.S. did not believe Mr. Piparo would hurt D.S. She thought D.S. had friends and other coaches to support him, and she was only made aware of Piparo's effect on her son when D.S. was physically upset in school. L.S. knew then that when D.S. was upset at school, it was due to Mr. Piparo's presence. However, L.S. did not know firsthand how D.S. and Mr. Piparo interacted in the school building. L.S. continued to live with D.S. but resided in the basement with minimal communication, until he left with his father.

After the winter break confrontation with her son, L.S. always fought and argued with Mr. Piparo. The arguments were largely about Mr. Piparo's wrestling

² This decision will refer to the December 26, 2012, incident at the locker room between D.S. and Mr. Piparo as "the winter break confrontation".

job. Mr. Piparo told her to convince her son D.S. to allow him to coach. Mr. Piparo was "very upset" about his inability to return to the wrestling room and always used threatening words regarding D.S. to his mother L.S. including the term "gloves off" included in one of the many text messages between them. In response, Mr. Piparo told her that D.S. "needed to grow up" and that D.S. was "playing the victim." L.S. testified credibly that she did not know how to respond to Mr. Piparo's angry text messages, and so repeatedly responded to him that "[D.S.] was 15." Mr. Piparo was upset because he believed "everybody in the school" was more worried about D.S. (the student) than they were worried about him. L.S. told Mr. Piparo that D.S. was the victim of the affair, and she was surprised that Mr. Piparo blamed D.S. for their own decision as consenting adults.

L.S. testified numerous times that Mr. Piparo was unable to take blame for himself. Specifically, she emphasized that his text messages left the impression that Mr. Piparo was "mad at everyone" and "it was like the world against him," in which, "everyone" referred to political people of Lodi. L.S. testified that Mr. Piparo and Melissa Grant ("Ms. Grant") (another teacher in the school with whom he had an intimate relationship) hated each other. L.S. testified that she was aware but disengaged from the rants Mr. Piparo made regarding the other adults/co-workers involved because she did not know his political relationships but responded to Mr. Piparo's text messages by telling him to relax.

L.S. continued that after the fallout from his confrontation with her son D.S., that Mr. Piparo told her to deny that they were in a relationship. Mr. Piparo told L.S. to lie and take back what she told D.S. about the affair. She actively responded to Mr. Piparo's text messages. L.S. testified that during that time she was receiving text messages about prolonging the affair. (Exhibit P-50). She testified that they were still intimate. L.S. testified that she text messaged him about leaving his wife to be with her; however, she stopped asking in January or February 2013.

By May of 2013, L.S. did not frequently respond to Mr. Piparo's text messages. L.S. testified told Mr. Piparo numerous times to leave her alone from May 21, 2013, to May 30, 2013, until she sought and received the final restraining order against Mr. Piparo. (Exhibit P-44; P-45). L.S. testified tearfully and credibly as she showed immeasurable remorse for her part in the relationship with Mr. Piparo and its effect on D.S.'s school, wrestling and home life. Her testimony is entirely consistent with the voluminous corroborating exhibits, and the trial in Superior Court resulting in the Final Restraining Order, and thus I **FIND** her highly credible testimony as **FACT** and give it enormous weight.

Melissa Grant-Terhune is an employee of the Lodi High School. She has been a special education teacher since 2002. Ms. Grant knew Mr. Piparo because they were both from Lodi and Mr. Piparo was a councilman. She first met him in 2002 as teachers. Her relationship with Mr. Piparo became intimate in 2004. Mr. Piparo was married then; Ms. Grant was not. Ms. Grant testified that the "on and off" relationship lasted for about two or three years.

Ms. Grant testified credibly that when she attempted to end her relationship with Mr. Piparo, he became controlling. For example, he followed her and showed up at places uninvited. She explained calmly but convincingly that he harassed her through numerous text messages and phone calls. Next, he sent her threatening voice messages for an entire week, every day and then began calling her boyfriend. Ms. Grant did not file a restraining order against Mr. Piparo early on, because Lodi was a "small town" and they "know pretty much the same people," referring to the police. However, she filed a police report with the support of her boyfriend on July 7, 2007. (Exhibit P-8). Mr. Piparo immediately filed a cross complaint. On cross-examination, Ms. Grant did not recall whether she left voicemails for Mr. Piparo in the weeks prior to going to the police. Ms. Grant credibly denied asking Mr. Piparo to continue their relationship and credibly denied Piparo's unfounded accusations of her being pregnant or contacting him about being pregnant with his child in the weeks prior to going to the police.

Ms. Grant verbally reported to Ms. Yzquierdo, a supervisor, regarding Mr. Piparo's actions in 2005. Ms. Grant was still intimate with him in 2005; however, she testified that she was only appeasing him because she feared him. Ms. Grant also reported Mr. Piparo to principal Joan Fragala ("Ms. Fragala"), the superintendent, and the school resource officer in 2007. Ms. Grant testified that Ms. Yzquierdo advised her to keep a journal that documented Mr. Piparo's actions. Ms. Grant began writing in a journal in 2007. (Exhibit P-3). She kept the journal on her person until June of 2008. In addition, she kept all of the letters from Mr. Piparo until he left Lodi High School, in which she then handed the letters to the school. (Exhibit P-4; P-5; P-6; P-7). Ms. Fragala issued letters to both Ms. Grant and Mr. Piparo to stay away from each other in the school building in response to Ms. Grant's verbal report.³

Ms. Grant explained that Mr. Piparo and she had several arguments in school during school hours and that Mr. Piparo pushed or grabbed her arms during those arguments. Further, when she tried to avoid Mr. Piparo, he followed her to her classroom. Mr. Piparo would ask Ms. Grant to give him her phone or answer his questions during these arguments.⁴ Ms. Grant testified credibly that Mr. Piparo shoved a printer in her classroom in front of her special education students, in an attempt to toss the printer. Ms. Grant was clear that these disruptions happened during class when students were present. Additionally, Mr. Piparo had students relay messages from him to her throughout the school day.⁵ Ms. Grant testified that Mr. Piparo gave notes, both open and sealed, to students for it to be passed

³ Ms. Grant testified that as a result she was not allowed to go to the History wing, which was on the opposite side of the building from her classroom and on a different floor. Mr. Piparo was not allowed to go to the English Wing, which was the opposite side of the building from his classroom and on a different floor.

⁴ Ms. Grant testified to her October 9, 2007, journal entry: "I came in my room, he grabbed my phone, I took it back. He kept saying, 'Come here, come here,' in front of the students." Ms. Grant did not go because it was during class time, and she was teaching.

⁵ Ms. Grant testified to her September 14, 2007, journal entry: "He was wandering the halls and asked a student to ask me how I am." Ms. Grant also testified to her November 7, 2007, journal entry: "A kid tried to talk to me. Because I was trying to discourage the kids to not have this conversation in the first place. So when they said, 'Well, [Mr. Piparo] told me to tell you.' I would say, 'I don't want to hear it.'"

to her. She confirmed that Mr. Piparo left both threatening letters and love letters on her car windshield.⁶ Students had access to the parking lot where her car was parked. In fact, a student notified her that a note was left on her car. Making matters worse, Mr. Piparo spoke to their students about their relationship. As a result, her rapport with students worsened. Ms. Grant added that Mr. Piparo cursed in front of her special education students. Mr. Piparo would do unwelcome things during school like handing a birthday card for her son to Ms. Grant in school. He would also spread false rumors to students about a romantic relationship between her and a wrestling student. On December 4, 2007, Mr. Piparo followed her to her car and denied spreading the rumors; instead, he insisted it was the students spreading them. On the same day, Mr. Piparo sent a message to Ms. Grant "explaining himself, and going on and on and on about how he was trying to protect me." Ms. Grant was clear that these were unwanted advances and communications.

Ms. Grant testified that after the directive to keep his distance, Mr. Piparo frequently passed her classroom and would appear in the lunchroom whenever Ms. Grant had lunch duty. On September 26, 2007, Mr. Piparo called Ms. Grant five (5) times through the school phone because she was not in school that day, after she blocked his private number. Ms. Grant explained that his advances further escalated when on October 18, 2007, Ms. Grant was parked in a McDonald's parking lot with her window down, while drinking coffee when Mr. Piparo drove up next to her, uninvited. Ms. Grant told Mr. Piparo to leave her alone. Mr. Piparo then threatened her, grabbed her steering wheel and took her car keys from the ignition. Ms. Grant had to contact the school that she was going to be late, because she did not have the keys to her cars.

On cross examination, Ms. Grant admitted that she did not always have an exact recollection of dates or years during and after her relationship with Mr.

⁶ Ms. Grant testified to a letter that was left on her windshield: "Melissa Grant. Leave that student alone. They are watching you, be careful. And stop being a f***ing whore or you will be on the news."

Piparo. Ms. Grant never had a disciplinary action against her and never had a performance improvement plan imposed against her for violating board policy. Ms. Grant's testimony was entirely credible as she was notably embarrassed, remorseful, and clearly reached out multiple times for help in stopping Mr. Piparo's harassment and behavior at the school. Ms. Grant was extremely credible. She was forthright even though it was obvious that her testimony was difficult to give as she derived no pleasure in speaking about her interactions with Mr. Piparo. I could see true remorse and embarrassment for her part, but there was no question in my mind that she was telling the truth as that candor and regret flowed from her on the stand and her version of events was corroborated by the other witnesses and the documentary evidence notably her contemporaneous journal entries and I **FIND** her testimony above as **FACT** and give it enormous weight.

D.S. is L.S.'s son who testified remotely so that we would not run afoul of the Final Restraining Order protecting him and his mother from Mr. Piparo. He was fifteen (15) years old during the 2012-2013 school year. D.S. wrestled at Lodi High School where there were about twenty (20) to twenty-five (25) students on the wrestling team which was separated into varsity and junior varsity ("JV"). D.S. was on the varsity team during his freshman year 2011-2012 as he was very good. D.S. was friends with the students on the wrestling team. Mr. Piparo was the assistant coach and Mr. Maggio was the head coach. Mr. Piparo was also D.S.'s history teacher for his sophomore year. D.S. first met Mr. Piparo in September 2011. D.S. testified that he had a good coach-student relationship with Mr. Piparo until December 2012. D.S. explained that Mr. Piparo took him to gyms and trained him off season. To do so, Mr. Piparo picked up D.S. from his home in his car and drove to the gym, without any other students or staff.

D.S. knew Ms. Grant as the special education teacher at Lodi High School and Mr. Piparo told him that Ms. Grant "was crazy." Mr. Piparo went as far as to play recordings of Ms. Grant's voice to D.S. during their car rides to gyms. D.S. testified that Mr. Piparo denied his past relationship with Ms. Grant, but it was

“pretty clear” they had an intimate relationship. D.S. continued that he did not know why Mr. Piparo played the recordings, but he believed Mr. Piparo did so to protect his reputation and discredit Ms. Grant.

D.S. found out about L.S. and Mr. Piparo’s affair when he overheard a conversation between his father and L.S. on December 24, 2012, during his sophomore year. On December 26, 2012, D.S. went to wrestling practice. D.S. testified that he saw Mr. Piparo in the coach’s office. D.S. admittedly “freaked out” when he saw Mr. Piparo. D.S. testified forthrightly that he yelled, screamed, and cursed at Mr. Piparo. D.S. did not recall if Mr. Piparo also yelled or screamed. D.S. noted that there were other students in the locker room. After the heated exchange, Head Coach Mr. Maggio took D.S. out of the situation by pushing D.S. away from the locker room and walked him to the athletic director’s office, which was separate from the locker room and coach’s office. D.S. testified that Mr. Piparo stayed in the locker room at that time.

After the winter break confrontation, D.S. was removed from Mr. Piparo’s class. D.S. testified that in order to do so, he had to change his math class and a few other classes. Mr. Piparo was no longer the assistant coach of the wrestling team. D.S. testified that “everybody [in the school] knew by . . . the time Christmas break was over” about the affair and that it “was pretty embarrassing” to be in school. Mr. Piparo always came into the lunchroom when D.S. had lunch and D.S. stated that he stared at Mr. Piparo. He did not recall whether Mr. Piparo stared back. D.S. believed Mr. Piparo had his own lunch break during D.S.’s lunch, instead of lunch duty. D.S. recalled telling his father, and possibly Mr. Maggio, about Mr. Piparo’s presence during lunch. After he did so, Mr. Piparo stopped coming to the lunchroom. D.S. was given the opportunity to have lunch somewhere else, but he refused to do so, because he wanted to have lunch with his friends. D.S. reported Mr. Piparo’s presence during lunch because: “I didn’t want to see the guy that was banging my mom all the time while I was at school

with my friends.” D.S. knew that the principal was trying his best to not have Mr. Piparo in the lunchroom.

D.S. stated that he knew Mr. Piparo was mad at him but was not told directly by Mr. Piparo. D.S. testified that Mr. Piparo never him after the winter break confrontation. The closest the two came to one another after that was when Mr. Piparo passed D.S. in stairwells and hallways. D.S. did not recall whether Mr. Piparo made inappropriate comments to other staff members at the school. D.S. testified that he saw Mr. Piparo text during class “all the time.”

D.S.’s testimony, which was given telephonically due to the final restraining order and that he was not living in NJ at the time, was understandably angry and direct, but entirely credible as he forthrightly discussed his heartbreaking personal situation. His testimony was completely corroborated by the credible testimony of his mom L.S., Mr. Maggio, the corresponding contemporaneous voluminous text communications between his mom and Mr. Piparo, as well as all the testimony of the other school personnel and corresponding exhibits. Notably the documents showing changes in his schedule, notes/reports regarding the winter break confrontation, Mr. Piparo being relieved as assistant wrestling coach, etc.... In addition, D.S. was candid in that he was angry and would not confirm all the details if he did not have a clear memory of it; thus, he did not exaggerate and was not coached. As such I gave his brave and truthful testimony enormous weight and **FIND** it as **FACT**.

Joan Fragala was an employee at Lodi High School. She was the Vice Principal from 1996 to 2006. She became the Principal in 2006 and retired in 2012. Whenever a concern was brought to her attention by a staff member, student, or parent, it was her duty to investigate the concern.

After hearing rumors about note-passing between Ms. Grant and Mr. Piparo through students in October 2007 Ms. Fragala received a letter from Mr. Piparo,

which alleged that Ms. Grant was being inappropriate and bothering *him*. After interviewing both Ms. Grant and Mr. Piparo, Ms. Fragala investigated the matter with the Lodi Education Association Representative ("LEA Rep") in the normal course. On October 22, 2007, Ms. Fragala wrote a letter to Mr. Piparo with the LEA Rep and department supervisor, Mr. Dowson. (Exhibit P-9). The letter was to "make some changes so that . . . we could minimize the amount of contact . . . between the two of [Mr. Piparo and Mr. Grant]." Thereafter, Ms. Fragala testified credibly that Ms. Grant continued to report Mr. Piparo's actions that violated those directives. Ms. Fragala testified that she herself also saw Mr. Piparo in hallways that he was prohibited from.

As part of her investigation, Ms. Fragala also interviewed eight (8) of Mr. Piparo's students to arrive at her determinations with the LEA. Ms. Fragala sent a letter to the superintendent on October 24, 2007, regarding the interviews. The majority of the students recalled Mr. Piparo trying to dispel "rumors of some negative form" and Mr. Piparo's defense was that communication with the students "was somehow tied to his history lesson." Ms. Fragala testified convincingly that the rumors did not have any connection to his teaching curriculum. Ms. Fragala was candid that she did not recall whether students knew where the rumors started. Ms. Fragala also admitted that she was not able to corroborate the note-passing between Mr. Piparo and Ms. Grant. On January 25, 2008, Ms. Fragala issued a performance improvement plan for Mr. Piparo in cooperation with the LEA Rep, Vice Principal, and Superintendent. (Exhibit P-10). Ms. Fragala explained that a performance improvement plan, regardless of whether the nature was disciplinary or not, is not supposed to be a "lifetime thing" and can be removed from one's personnel files.⁷

Ms. Fragala candidly and credibly noted she did not recall if she ever recommended a write-up against Ms. Grant to the superintendent, but did, in fact,

⁷ Ms. Fragala testified that staff members were evaluated during an annual summary conference whether he or she met the criteria of the performance improvement plan.

recommend a write-up against Mr. Piparo. Ms. Fragala admitted she could not say whether Mr. Piparo's actions had a negative impact on the students and did not recall if there were any other disciplinary actions against Mr. Piparo. Ms. Fragala conceded that before the investigation Mr. Piparo was professional and cordial; however, he became unprofessional towards her after the directives.⁸ Ms. Fragala testified that in 2003, she was reprimanded by a loss in payment increment when she was accused of a false investigation against Mr. Piparo. Ms. Fragala claimed that it was "politically motivated" and admitted that the 2003 incident made her believe Mr. Piparo was "more of a problem;" however, she convincingly denied that it influenced her decision to discipline him in 2008. Overall, Mr. Fragala was a professional and credible witness as she admitted her falling out with Mr. Piparo after the Performance Improvement Plan and prior reprimand. Those concessions made her overall testimony that much more believable as well as her admission that prior to her directives that he was professional and cordial, as such I **FIND** her testimony as **FACT**.

Mark Maggio is an employee of the Lodi Board of Education serving the roles of physical education, health, and driver's education teacher at Lodi High School. He is also the head football coach and JV basketball coach. He was the head wrestling coach from 2012 to 2016. Mr. Piparo was Mr. Maggio's assistant coach for the wrestling program. Mr. Maggio characterized his relationship with Mr. Piparo as "poor", and that Mr. Piparo was "hostile" towards him. He believed that Mr. Piparo felt disrespected by him when he applied for the head wrestling coach position.

Mr. Maggio knew D.S. from his freshman year. Mr. Maggio described his own relationship with D.S. as a normal coach-student relationship. Mr. Maggio also characterized Mr. Piparo's relationship with D.S. as normal in the beginning of the wrestling season; however, noting clearly that it changed during November

⁸ Ms. Fragala testified: "When all this came about . . . He completely would, you know, not acknowledge my presence, wouldn't say hello, passed me in the hall and just be . . . completely void of any . . . communication or contact." 2T:240:18-241:1.

of D.S.'s freshman year. Mr. Maggio testified that Mr. Piparo befriended D.S. and took D.S. to private practices, training sessions, saunas, and lunch. He saw Mr. Piparo take D.S. in his private vehicle to the one-on-one sessions. He also became aware of these sessions because D.S. informed him. Mr. Maggio noted that such one-on-one sessions were "very rare" between a coach and student.

Mr. Maggio confirmed that the relationship between Mr. Piparo and D.S. changed on December 24, 2012. On December 25, 2012, Christmas morning, Mr. Piparo called Mr. Maggio at his father's home and asked Mr. Maggio if he was able to talk. Mr. Piparo was waiting outside his father's house in his private vehicle when he made the call, so Mr. Maggio agreed to talk with him and entered his vehicle. The two then went on a short drive, in which Mr. Piparo relayed that D.S.'s father was accusing Mr. Piparo of having an affair with his wife, L.S. Mr. Maggio testified that he was disengaged and only asked a few questions during this conversation, letting Mr. Piparo talk for most of the ride. Mr. Maggio later testified that he believed Mr. Piparo was trying to be "ahead of the eight-ball" before the affair came to light with D.S.'s mom.

On December 26, 2012, when Mr. Maggio went to the school building for wrestling practice, Mr. Piparo was already sitting in the coach's office with his feet on the desk, inside the locker room. Mr. Maggio noted that it was unusual for Mr. Piparo to be in the coach's office and when D.S. entered the locker room, D.S. was "immediately outraged," and began to yell and curse at Mr. Piparo. Mr. Maggio testified that Mr. Piparo violently rose from his chair towards D.S. who was near the exit. Mr. Maggio described the size difference between Mr. Piparo and D.S. as "man versus child." Mr. Maggio confirmed that the two were separated when D.S.'s friends pulled D.S. out of the locker room. Mr. Maggio spoke to Mr. Piparo and told him that he should leave. Mr. Piparo complied and left; however, returned and stayed near the wrestling room until practice ended.

As a result of the locker-room incident, he told Mr. Piparo to go to the JV tournament instead of varsity practice for December 27, 2012. Mr. Piparo again complied. When Mr. Maggio went to the JV tournament after varsity practice, Mr. Piparo left to take medication from his vehicle. Mr. Maggio allowed Mr. Piparo to leave thinking it was going to be a short absence. However, Mr. Maggio saw Mr. Piparo enter L.S.'s vehicle and leave the tournament's campus. Mr. Piparo returned to the tournament an hour or so later. As a result of the incident, Mr. Maggio suggested that Mr. Piparo should not come to the varsity tournament the following day on December 28, 2012. Mr. Piparo complied and did not come to the varsity tournament.

After the winter break confrontation, D.S. came to Mr. Maggio often during the school week when he was upset. D.S. spoke about his hatred towards L.S. and Mr. Piparo and how he was embarrassed. Mr. Maggio also added that D.S. became upset when D.S. saw Mr. Piparo "lurking" around the lunchroom during his lunch. Mr. Piparo circled D.S.'s lunch table when Mr. Piparo did not have lunch duty. Mr. Maggio testified credibly that he also saw Mr. Piparo in the lunchroom with D.S. However, he was not aware of Mr. Piparo's motives for being in the lunchroom, nor was he aware of whether Mr. Piparo was allowed to be in the lunchroom. D.S. continued to come to Mr. Maggio regarding these issues all the way through to his senior graduation. Mr. Maggio believed the whole ordeal with Mr. Piparo affected D.S. both academically and athletically.

Mr. Maggio confirmed that the athletic director, Mr. Turrico, and the principal, Frank D'Amico ("Mr. D'Amico") gave Mr. Piparo alternative assignments in response to the winter break confrontation. Most notably, Mr. Piparo was assigned scouting duties for the wrestling program rather than coaching.⁹ Mr. Piparo was supposed to submit scouting reports to Mr. D'Amico, who would, in turn, submit the reports to Mr. Maggio. However, Mr. Piparo never took video

⁹ Scouting duties consisted of going to other schools and providing a report of future opponents' line-ups, weigh-ins, video recordings of opponent athletes, etc. Mr. Maggio testified that the wrestling program had two to three matches per week.

cameras to the scouting locations or submitted a video with his reports thereby only completing half of his scouting duties. Mr. Piparo was assigned scouting duties until the end of the wrestling season in March 2013.

Mr. Maggio could tell that his relationship with Mr. Piparo was “absent” after the winter break confrontation, because Mr. Piparo submitted his scouting reports to Mr. D’Amico and not directly to him. Instead, Mr. Maggio testified that Mr. Piparo tried “to lure [him] into doing something unprofessional” by whispering derogatory terms under his breath when passing Mr. D’Amico in the hallways during school, when there were students present.¹⁰ Mr. Maggio reported Mr. Piparo’s actions to Mr. D’Amico. Mr. Maggio was advised to “pretend it’s not happening.” On cross-examination, Mr. Maggio did not recall Mr. Piparo being nominated for best assistant coach of the year 2012-2013. In fact, he stated that as far as he was aware, Mr. Piparo was not a desired wrestling coach.

On cross examination, Mr. Maggio testified to doctoring a photo of the 2012-2013 wrestling team, because the photo included both D.S. and Mr. Piparo. Because the photo was going to be on a plaque for the athletes, Mr. Maggio made the decision to replace Mr. Piparo’s face with another staff member for D.S.’s sake. Mr. Maggio testified that he acted “on [his] own,” was “not proud,” and did not believe that it was the “right decision.” However, Mr. Maggio repeatedly testified that he was doing it for D.S. Overall, he was a highly credible witness whose testimony was direct, truthful even when unflattering to himself, and consistent with the other credible testimonial and documentary evidence, as such I **FIND** it as **FACT**.

Frank D’Amico is an employee of the Lodi High School. He was a curriculum supervisor from 2005 to 2012. He became the principal in July 2012. As principal, complaints from parents, teachers, or students typically came to him.

¹⁰ Mr. Maggio testified that Mr. Piparo called him a “p***y” and said phrases similar to “you’re done,” “you’ll get it,” and “watch out.” Mr. Maggio testified that Mr. Piparo’s voice was low so that only Mr. Maggio can hear it. 3T:10:55:00 AM.

If a complainant was not content with Mr. D'Amico's decision, then it would go to the superintendent. Mr. D'Amico knew Mr. Piparo as his colleague and a history teacher at Lodi High School.

Sometime during Christmas break after December 26, 2012, Mr. D'Amico was informed by Mr. Turrigo about the winter break confrontation between D.S. and Mr. Piparo. Mr. D'Amico testified that Mr. Turrigo directed Mr. Piparo to stay away from D.S. until Mr. D'Amico came back from vacation. Mr. D'Amico met with D.S.'s father and D.S. after he returned. D.S.'s father informed him about Mr. Piparo and L.S.'s affair, and thus, wanted D.S. to be separated from Mr. Piparo in school. Mr. D'Amico testified that D.S. was physically upset and believed Mr. Piparo and L.S. were having an affair due to the argument he overheard on December 24, 2012. Both D.S.'s father and D.S. believed Mr. Piparo used his relationship with D.S. to be intimate with L.S. Mr. D'Amico then had a meeting with Mr. Turrigo and Mr. Piparo. Mr. Piparo denied having an affair with L.S. He claimed that D.S.'s father was lying and thus he should not be reprimanded. Mr. D'Amico suggested a temporary separation until D.S. calms down. Mr. D'Amico testified that there were no disciplinary actions against Mr. Piparo at that time, because he did not want to presume that Mr. Piparo indeed had an affair with L.S.

Around January or February 2013, Mr. D'Amico received a call from L.S. that D.S. was crying in the coach's office. Mr. D'Amico spoke to D.S. who told him that Mr. Piparo always passed his classroom and entered the lunchroom when D.S. had lunch, although Mr. Piparo did not have lunch duty. D.S. saw Mr. Piparo look over at his table during lunch and chuckle. D.S. felt like "[Mr. Piparo] always gotta make himself present." By way of follow-up, Mr. D'Amico then asked Mr. Piparo what he was doing in the lunchroom. Mr. Piparo told him he was only there to speak to a colleague who happened to be near D.S.'s table. As a result, Mr. D'Amico directed Mr. Piparo not to enter the lunchroom when D.S. was there. He also told Mr. Piparo he can preorder his lunch and receive it earlier, so he does not have to enter the lunchroom when D.S. was there. Mr. D'Amico also told Mr.

Piparo not to pass D.S.'s class as a verbal directive with a follow up email. D.S.'s classes had to be changed to remove him from Mr. Piparo's history class.

Mr. D'Amico suggested separating the JV and Varsity practice sessions so that Mr. Piparo could still coach without D.S. being present, but Mr. Piparo did not comply. Furthermore, Mr. Piparo told Mr. D'Amico he did not trust Mr. Maggio as a coach and asked for his removal so that Mr. Piparo could be in charge of the wrestling team instead. Mr. D'Amico and Mr. Turrice decided to give Mr. Piparo scouting duties instead. Mr. D'Amico testified that, in order to minimize the communication between Mr. Piparo and Mr. Maggio, he became the person who Mr. Piparo would submit his scouting reports to. Mr. D'Amico testified that Mr. Piparo was being paid the same amount as an assistant coach and did not recall how often Mr. Piparo completed his scouting duties.

During the meeting in which Mr. Piparo was given scouting duties, Mr. Piparo became "irate" about the decision and began to make numerous accusations against Mr. Turrice and Mr. Maggio.¹¹ The accusations against Mr. Turrice and Mr. Maggio did not end there or within the confines of his office and rather became a constant, daily activity by Mr. Piparo. Mr. D'Amico confirmed that Piparo's accusations included but were not limited to: Mr. Turrice being affiliated with gangs; Mr. Maggio bringing in criminals and drug addicts to wrestling practice; Mr. Maggio going into the kitchen and handling the deli meat; Mr. Maggio spreading explicit photos of another female teacher with students. Mr. D'Amico investigated all of Mr. Piparo's accusations, but none were substantiated.¹² Mr.

¹¹ Mr. D'Amico testified that Mr. Piparo's accusations included allegations of Mr. Turrice and Mr. Maggio working together to remove Mr. Piparo from the wrestling program. In reaction to Mr. Piparo's accusations, Mr. Turrice yelled, "Liar. You're f***ing lying." Mr. D'Amico testified that due to this incident, Mr. Piparo believed Mr. D'Amico was permitting vulgar language use by Mr. Turrice. As a result, Mr. Piparo asked Mr. D'Amico to provide a written directive that allowed Mr. Piparo to "curse out teachers, supervisors, and administrators." 3T:12:23:51 PM.

¹² Another accusation Mr. Piparo reported to Mr. D'Amico was Mr. Turrice allegedly cussing at Mr. Piparo in a hallway with students. Mr. D'Amico testified that Mr. Turrice reported the incident first, prior to Mr. Piparo. Mr. Turrice stated that he yelled at Mr. Piparo because Mr. Piparo called him a "c*nt." Mr. Piparo reported that he said, "Hello, [Mr. Turrice], how's your day going." 3T:12:38:06 PM.

D'Amico asked Mr. Piparo to put all accusations in writing and Mr. D'Amico did not recall if Mr. Piparo did so. Rather, he did recall: "It was just so consuming and overwhelming, I felt like [Mr. Piparo] was just trying to deflect attention to the true matter, which was, you know, us providing [D.S.] with an environment where he can come to learn and to not be harassed."

When tenure charges were brought against Mr. Piparo; he stormed into Mr. D'Amico's room and cursed him out.¹³ Mr. D'Amico confirmed that Mr. Piparo was not disciplined nor had any letters in his personnel file prior to the tenure charges. Mr. D'Amico's testimony was professional, dispassionate even in the face of such unsavory language and outlandish behavior and accusations by Mr. Piparo. His testimony was entirely consistent with the other witnesses. In addition, much of his testimony was corroborated by the contemporaneous, voluminous texts Mr. Piparo sent to L.S. memorializing all of these accounts, P-50, which notably takes up an entire large binder. P-50 shows a daily barrage of texts from Mr. Piparo to L.S. during school and all hours of the day confirming the events as noted by Mr. D'Amico and the other witnesses, and thus I **FIND** his testimony as **FACT** and give it great weight.

Joseph Piparo was employed by the Lodi Board of Education from September 2001 to 2013. He was hired as the Lodi High School history social studies teacher. He taught freshmen, sophomores, juniors, and seniors throughout the years and was the advisor for several clubs and served as the assistant wrestling coach since September 2001. Mr. Piparo recalled that his teaching evaluations were very positive and that he got along with every staff member and that he "was always the number one requested teacher to have their students from guidance." Mr. Piparo, however, later changed his testimony during

¹³ Mr. D'Amico testified: "[Mr. Piparo] came into my office, said that he was done with it -- this f***ing place. 'Tell [the superintendent] that the way he runs the district is a f***ing joke.' [Mr. Piparo said] [t]hat he's going to resign -- that he's leaving, he's resigning, he's gonna run for the board of ed. And have all of our jobs. 'Tell him to go f-himself.'" 3T:12:42:14 PM

cross examination that he got along with every staff member with the exception of “the administrator . . . and then later on the wrestling coach.”

Mr. Piparo was unclear about his relationship with Ms. Grant. He ultimately admitted that it was romantic but not completely sexual. On cross-examination, he denied having any problems with Ms. Grant. Mr. Piparo claimed that in 2007, he received a call from one of his students and that Ms. Grant gave his phone number to that student and that as a result he wrote a complaint to Ms. Fragala. He did not agree with Ms. Fragala’s performance improvement plan in response to his complaint, because it directed change not only for Ms. Grant, but also him. He testified that he did not sign the performance improvement plan and later claimed that he never looked at it because it was from Ms. Fragala. Mr. Piparo and Ms. Fragala had a political dispute in 2003, which cost Ms. Fragala a pay increment loss. He further alleged that the performance improvement plan was “thrown out.”

When confronted on cross-examination, Mr. Piparo denied throwing a printer in Ms. Grant’s classroom in front of students and that he was never questioned about throwing a printer and that Ms. Grant’s testimony was the first time he was made aware of such an incident.¹⁴ Mr. Piparo stated that the five of the six letters to Ms. Grant looked like his handwriting, but he did not recall writing them. Mr. Piparo denied that Exhibit P-7 was from him, but he conceded that it mentioned his daughter’s name. (Exhibit P-4; P-5; P-6; P-7). Mr. Piparo testified that he was surprised when the tenure charges mentioned his interactions with Ms. Grant. He repeatedly claimed that if he had actually engaged in the alleged actions that he would have been disciplined, or that it indicated administration’s failure to act.¹⁵ Mr. Piparo testified that he was never officially reprimanded or disciplined in any way for his conduct towards Ms. Grant.

¹⁴ Mr. Grant merely testified that Mr. Piparo shoved a printer in her classroom in an attempt to toss it.

¹⁵ Mr. Piparo testified: “I was shocked, because I knew not only did I not do any of this stuff, that some of this stuff was so serious that if it was done not only would I have a problem, but any

Similarly, Mr. Piparo first claimed that he was only close friends with L.S. during 2012.¹⁶ However, Mr. Piparo later admitted that he had a romantic, non-sexual relationship with L.S. during cross-examination only when confronted with text messages with the phrase "I love you" from his number to L.S.¹⁷ (Exhibit P-50).

Mr. Piparo confirmed that prior to December 2012, he had a close relationship with D.S. He testified that he took D.S. to practice sessions because L.S. asked him to. Around December 2012, Mr. Piparo claimed that L.S. told D.S. that she was in love with Mr. Piparo. Mr. Piparo claimed that he was shocked and did not know why L.S. said that. Mr. Piparo admitted that he told L.S., "I don't think I should be in the wrestling room for the next few weeks until this gets cleared up," because he believed D.S. would react. Mr. Piparo claims that it was he that suggested removing D.S. from his class to the guidance counselor and Mr. Turrico. He went to Mr. Maggio to notify him that he was going to be in the weight room, not the wrestling room, until the matter settled. Mr. Piparo denied ever having direct contact with D.S. in the weight room. Instead, Mr. Piparo testified that he was in the coach's room on December 26, 2012, but left the room when D.S. entered the locker room, where the coach's room is located, and that D.S. was not supposed to be by the coach's room.

After the winter break confrontation, Mr. Piparo claimed that he avoided D.S.; that he "purposely put [his] head down and walk[ed] the other way in the hallway even if it took [him] out of the way." He testified that he did not have lunch

supervisor who allowed it to continue to – did not do anything about it, principal, vice principal, superintendent, and like I said there are certain things in there that me if I was an administrator, I think the police would need to be involved. So obviously that never happened."

¹⁶ Mr. Piparo testified that he became close with L.S. because L.S. allegedly organized a group of parents to demand to the superintendent that he keep Mr. Piparo as Lodi High School's wrestling staff.

¹⁷ Mr. Piparo was purposefully unclear during his testimony regarding his relationship with L.S. He first testified that they were merely close friends, then conceded that it was a personal relationship with limits, then conceded that it was romantic, and finally admitted that were some touching, but that it was not sexual.

duty when D.S. had lunch and denied ever seeing D.S. during lunch. In fact, he stated that he left the building during D.S.'s lunch because he had lunch break; yet did not recall his schedule during the 2012-2013 school year.

When confronted with the text messages, which were sent during class time, Mr. Piparo denied that he ever texted during class; however, because the messages were not being sent during his breaks or non-work hours, "he pushed the send button during class time". (Exhibit P-50). He later admitted in the face of that evidence, that he did send quick messages during class, but he was never disciplined for it, nor were other teachers. He later changed his testimony yet again, claiming that due to the lack of internet connection during breaks, his text messages sent automatically once he was within the radius of the school internet connection during class time. Mr. Piparo did not recall seeing the school's cell phone use policy. (Exhibit P-47).

Mr. Piparo stated that he produced text messages between him and L.S. to defend himself against the restraining order and that it cost him about five thousand dollars to produce the text messages and that he "usually would try to delete [his text messages] no matter who [the messages] were from" Mr. Piparo claimed that he no longer deletes his text messages and admitted that the text messages in Exhibit P-50 were from his phone number.¹⁸ During cross-examination, Mr. Piparo said that many of the derogatory and sexually-offensive statements about D.S. in the text messages were what L.S. told him. (Exhibit P-24; P-25; P-26; P-27). Mr. Piparo admitted that such statements were inappropriate for a teacher to make about a student.

Next, Mr. Piparo was questioned about the text messages that used a homophobic slur and racially derogatory slurs against Hispanic individuals and

¹⁸ As a side note, Mr. Piparo repeatedly and extensively testified under oath that he was not sure whether the text messages in P-50 were the actual text messages he produced. He testified that the Lodi attorneys produced it for the tenure hearing. He later testified that he believed that the text messages were doctored.

African Americans. (Exhibit P-29; P-30; P-31; P-39; P-40). Mr. Piparo conceded that the Hispanic racial slur referred to a coach, and that he used the slur because that was how L.S. referred to the coach. Mr. Piparo followed up by stating that he is part Spanish, and his wife and children are Spanish. Mr. Piparo later testified that most of his text messages to L.S. were lies; however, he also testified that he did "not at all" lie very often. Mr. Piparo repeatedly claimed that many of the unprofessional actions described in his text messages to L.S. were lies to appease her. Mr. Piparo claimed that the text messages which threatened violence or alluded to violence were merely him venting to L.S., and not something he was going to follow through with. (Exhibit P-28; P-32). Mr. Piparo knew how to block phone numbers but did not block L.S.'s number and that he did not believe that his text messages would become public information, and that they were merely private communications. Mr. Piparo later admitted that he showed the text messages between him and L.S. to unnamed individuals after work.

Mr. Piparo denied ever cursing at Mr. D'Amico "because I would have had a write up . . . I would be fired right on the spot, no tenure charges . . . Obviously that didn't happen." Mr. Piparo claimed he did not believe his text messages about his coworkers were an inappropriate way to treat a coworker because he did not do anything: "I don't see anything wrong about talking [about] them in text, . . . I didn't do anything about it." (Exhibit P-34). Mr. Piparo also denied starting verbal altercations with Mr. Turrigo or Mr. Maggio. He unconvincingly claimed that he did not respond when Mr. Turrigo and Mr. Maggio allegedly started a verbal altercation with him. He did not recall whether he told his psychiatrist that he used ethnic slurs and alluded to violence in his text messages.

Mr. Piparo confirmed that L.S. filed for a temporary restraining order on May 29, 2013, for harassment, which ultimately became a final restraining order against Mr. Piparo on September 20, 2013, for L.S., D.S., and L.S.'s daughter. Mr. Piparo did not return to teach after the restraining order or the tenure charges. He denied ever threatening violence against staff members or having presented himself in an

unprofessional manner contrary to all of the witness accounts delineated above and at hearing. Mr. Piparo first claimed that he was never disciplined or written up prior to the tenure charges in 2013, yet later conceded that his administrative leave in 2013 would be considered disciplinary in nature. Mr. Piparo was emphatic and testified at length that he believed the tenure charges were motivated by politics. Finally, he explained that he was shocked at the complete fabrication of throwing a printer in someone's face; that the accusation itself was "just shocking". He also made some unfounded claims that the Final Restraining Order was only issued because of a romantic relationship that L.S. had with his son's girlfriend's father.

Mr. Piparo's testimony was not at all credible. He defended most of the allegations by feigned ignorance, the absence of additional discipline by the District or outright denials. It goes without saying that he has the most self-interest in this matter as his teaching and supervisory certificates are the only ones at stake in this matter. His complete lack of accountability or any expression of remorse for the myriad of missteps as outlined in the Order to Show Cause and the credible witness testimony above, makes his account that much more unreliable. As a result, I gave his testimony very little weight in terms of truth, however he does corroborate the sequence of events and much of the written word in the exhibits which he could not dispute. What is notably absent is any reasonable explanation for his conduct at school, with other school personnel and with his students and athletes. As a result, I cannot give his testimony almost any weight as to truthfulness, and thus I so **FIND**.

WITNESS CREDIBILITY

In evaluating the evidence, the trier of fact must assess and weigh the credibility of the witnesses for purposes of making factual findings as to the disputed facts. Credibility is the value that a finder of fact gives to a witness's testimony. It requires an overall assessment of the witness's story in light of its rationality, its internal consistency, and the manner in which it "hangs together"

with the other evidence. Carbo v. U.S., 314 F.2d 718, 749 (9th Cir. 1963). “Testimony to be believed must not only proceed from the mouth of a credible witness but must be credible in itself” in that “[i]t must be such as the common experience and observation of mankind can approve as probable in the circumstances.” In re Perrone, 5 N.J. 514, 522 (1950). A fact finder “is free to weigh the evidence and to reject the testimony of a witness . . . when it is contrary to circumstances given in evidence or contains inherent improbabilities or contradictions which alone or in connection with other circumstances in evidence excite suspicion as to its truth.” Id. at 521-22. See D’Amato by McPherson v. D’Amato, 305 N.J. Super. 109, 115 (App. Div. 1997).

Many witnesses testified. I have omitted much of that testimony as it is personal and potentially embarrassing to many. Instead, I have highlighted the most relevant testimony that helped me make my findings of fact and conclusions of law in this matter. The transcripts are detailed and explicit as are the exhibits that corroborate the credible and oftentimes tortured testimony in this matter. In this case the sheer volume and the racist and threatening language of the texts paint a picture of a teacher who refused to take accountability for anything at his job or in his relationships, and who was unrelenting in his pursuits of the women, inappropriate with the student in question and racist and insubordinate with his co-workers. Most of this behavior occurred during the school day or during school-sponsored activities, and thus I so **FIND**.

Because the Order to Show Cause referred to events from 2007, and some witnesses testified to events from as early as 2005, understandably, some witnesses were not able to recall exact dates or years when they testified in 2017, 2018, 2019, or 2021. Some testimonies had minor inconsistencies with each other; such as D.S.’s recollection of the winter break confrontation being slightly different from Mr. Maggio’s.

Compared to other witnesses, Ms. Grant, who was testifying to the events in 2005 and 2007, appeared to have the weakest grasp of the timeline. However, Ms. Grant convinced me that she was attempting to suppress her memories of those years as a result of her relationship with Mr. Piparo as they were harrowing and embarrassing. L.S. was even more remorseful about her relationship with Mr. Piparo as she credibly admitted to victimizing D.S. and in her opinion, ruining his life as his mother. Mr. Maggio was also remorseful about doctoring a photo, omitting Mr. Piparo from the wrestling team photo. He was honest about the decision he made and testified that he was not proud. Ms. Grant did appear to be irritated, but none of the witnesses presented themselves as overtly hostile towards Mr. Piparo, despite their complex relationships in the past.

Conversely, Mr. Piparo was inconsistent with his own testimony throughout. He changed his testimony and would not concede almost anything, such as his relationship with L.S., letters to Ms. Grant, and whether he texted during class. Mr. Piparo mischaracterized other witnesses' testimonies and/or accused the other witnesses of perjury.¹⁹ In contrast to other witnesses whose teaching certificates were not at risk and whose behavior was not being directly questioned, Mr. Piparo was not remorseful. Mr. Piparo put blame on other people, including other witnesses and those who were not called as witnesses, during his testimony. He, essentially, believed he was a victim of Lodi residents' politically-motivated attack to tarnish his reputation and that if the District had not reprimanded him for any of the allegations, that was proof that they did not occur.

Mr. Piparo's behavior toward his student D.S. was reprehensible and totally inappropriate, particularly for someone who was his teacher and coach and who stood in a position of trust and respect. His behavior was so egregious with regard to the student and his mother that a Final Restraining Order was issued, and we had to conduct the hearing with the student and mother separated from Mr. Piparo. He

¹⁹ Ms. Grant testified that Mr. Piparo shoved a printer in her classroom; Mr. Piparo testified that he was accused of throwing a printer at her face in the classroom. Mr. Piparo accused Mr. D'Amico of lying under oath when Mr. Piparo was informed that he testified Mr. Piparo cussed at him.

would lurk in the lunchroom, disparage him in hundreds of texts to his mother, spread rumors about D.S., cause his schedule to be changed, and cause him overall grief and despair without ever showing a scintilla of remorse.

His behavior with Ms. Grant, a fellow teacher was also reprehensible as he was aggressive with her during class, shoved a printer across the room in front of her special education students. In fact, he sought to involve them in his quest to date her which was uninvited at the time even though they had carried on a previous consensual relationship. He left notes on her car, made uninvited phone calls and in-person visits. The school had to intervene to create an atmosphere and a Performance Improvement Plan for Mr. Piparo so that he would not have contact with Ms. Grant while they were in the school building. As he did not comply, Ms. Grant was instructed to keep a contemporaneous journal of Mr. Piparo's continued violation of the distance outlined in the initial directive and later in the Performance Improvement Plan.

In short, Mr. Piparo's interactions with D.S., L.S., Ms. Grant, Ms. Grant's students, his students, his co-workers, and Principals were totally inappropriate and crossed the permissible line of his duties as a teacher and coach. As a result, not only did the courts get involved for the protection of D.S.'s family, but the school had to as a result of his unwelcome advances toward Ms. Grant after she ended the relationship, which resulted in a performance improvement plan. In addition, he lost his tenure rights.

Piparo exhibited extremely poor judgment by becoming an active participant in a personal relationship with co-workers, especially the married parent of his student and star wrestler. When D.S. found out about Piparo's involvement with his mother and showed anguish, the outrageous behavior exhibited by an experienced teacher such as Piparo cannot be countenanced. As a teacher, Mr. Piparo occupied a position demanding public trust and was held to a higher standard of conduct. He was required to exhibit exemplary behavior and mature self-control. He was to

uphold an image of utmost trust. Instead, his actions were inappropriate, irresponsible, and unprofessional. Piparo's reprehensible conduct represented a significant departure from what the public is to expect from those who teach their children.

Additionally, I **FIND** that after this all came to light and his co-workers and superiors found out about his inappropriate behavior with L.S., D.S. Mr. Grant, students who witnessed it, texting throughout his classes, etc.... that he retaliated against those who told him to stop his continued campaign to discredit others. In response he made inappropriate and aggressive verbal comments to those individuals in the hallways during school hours and in front of other students.

As noted above, Mr. Piparo's behavior was not confined to a single incident but evolved into a pattern which continued with several different co-workers and unfortunately affected many students, notably D.S. The young man who testified was crushed by Mr. Piparo's behavior in that not only did he personally "ruin his life" he felt he ruined his experience in high school and wrestling. He also placed himself in the middle of the winter-break altercation when he knew the student was understandably upset in the locker room/coach's office. Mr. Piparo knew that D.S. would be there as evidenced by his texts from his mother L.S. the night before and was advised by the Head Coach not to be at practice to prevent any conflict. This wholly conflicts with Piparo's testimony that he was trying to avoid L.S. because he knew that he was upset and could start an altercation. In fact, he accused L.S. of lying about the affair on Christmas when Mr. Piparo found it necessary to "get in front of it" before news of the affair came to light. Considering the high standard of conduct expected from those entrusted with the care and custody of children, I **FIND** that Mr. Piparo's conduct was so unbecoming and flagrant to warrant the revocation of his certificates for teacher, as well as any other teaching or supervisory certificates he holds.

Based upon these principles, I **FIND** that the witnesses who testified for the Board were deemed extremely credible and forthright. Each was compelling and straightforward, and many were downright emotional due to the extreme stress and effect that their interactions with Piparo caused. Even so, I am not persuaded that they harbored a motive or bias to fabricate their testimony. Similarly, I am not persuaded by respondent's efforts to deny that all of this did not happen or was manufactured against him for political reasons within the town.

On balance, Piparo has by far the greater stake in the outcome of this proceeding since the revocation or suspension of his certificates is involved. For all of these reasons, I **FIND** that Piparo's testimony was entirely lacking in credibility.

ADDITIONAL FINDINGS OF FACT

Based upon a review of the totality of the evidence, and having had the opportunity to listen to the testimony, observe the demeanor of the witnesses who testified and assess their credibility, I **FIND** the following additional **FACTS**:

1. Piparo Refused to testify truthfully even when presented with documents at hearing.
2. Piparo's relationships with L.S. and Ms. Grant were conducted via text and oftentimes in-person during school hours.
3. Piparo's affair with L.S. affected D.S. as well as his entire family resulting in a Final Restraining Order and necessitating a school-schedule change for D.S. This Final Restraining Order was upheld by the Appellate Division.
4. Piparo's unwanted advances toward Ms. Grant after she discontinued the relationship led to the Performance Improvement Plan.
5. Mr. Piparo violated the Performance Improvement Plan issued by the school after an investigation with an LEA representative, numerous times by going

into Ms. Grant's classroom, involving Ms. Grant's students in an attempt to rekindle that relationship.

6. Mr. Piparo interrupted school business by going into Ms. Grant's classroom and shoving the printer in front of her special education students whom he asked and used to get messages to Ms. Grant due to his frustration at being rebuffed by her.
7. Mr. Piparo left multiple notes on Ms. Grant's windshield in the parking lot where students could and did see.
8. Mr. Piparo's relationship with L.S. (D.S.'s mom) escalated to the point where a Final Restraining Order needed to issue.
9. Mr. Piparo interrupted the school day repeated by pestering his co-workers and supervisors because he was unsatisfied with the Performance Improvement Plan, his being made a scout rather than an assistant coach on the wrestling team, using racial slurs and threatening comments regarding his co-workers and others during the school day and school events.
10. Mr. Piparo pushed and shoved Ms. Grant during arguments they had in school during school hours.
11. Mr. Piparo's repeated advances that led to the Performance Improvement Plan forced Ms. Grant to get several members of the staff and administration involved to get the behaviors to stop. This interrupted the school day for all involved. Ms. Grant had to keep a journal memorializing all of his infractions.
12. Mr. Piparo failed to appear at his scheduled psychological examination.
13. Ms. Fragala's LEA investigation properly led to the conclusion that Mr. Piparo was bothering Ms. Grant during school hours and led to an appropriate Performance Improvement Plan with directives to prohibit both parties from certain areas of the school.
14. This investigation caused at least 8 students to be interviewed who rightly confirmed that Mr. Piparo attempted to dispel rumors of his relationship with Mr. Grant during his history class where Mr. Piparo not only denied their accounts but said it was part of his history lesson.

15. Mr. Piparo appeared in the Head Coach's Office on December 26, 2012, knowing from L.S. that her son D.S. was extremely upset. It was "unusual" for Mr. Piparo to be there, and he had his feet on Mr. Maggio's desk in an effort to confront a knowingly distraught and understandably angry D.S., his student and athlete.
16. Mr. Piparo "lurked" over D.S. during his lunch period after his superiors told him not to. This is confirmed by D.S. and witnessed by Mr. Maggio.
17. Mr. Piparo did not admit to any of his behaviors or give any reasonable explanation for his actions with any of the affected parties.
18. P-50 shows that Piparo's 30,000 texts to L.S. and others and were conducted during school hours and Mr. Piparo was texting as witnessed by his students.
19. Mr. Piparo received and signed for the cell phone policy prohibiting excessive texting during school hours notably during classroom hours.
20. Mr. Piparo used harassing language against D.S.
21. Mr. Piparo made inappropriate statements against Lodi staff, including racial slurs, and threatening language.
22. Mr. Piparo threatened violence against student D.S.'s father.
23. Mr. Piparo used offensive language to school administrators exhibiting contempt for them.
24. Mr. Piparo failed to appear for a mandated psychological exam ordered by the Lodi Board of Education.
25. Mr. Piparo violated his Performance Improvement Plan by continuing to harass the parent of a student and his co-workers who were no longer romantically interested, causing one to involve the school and the police and the other to secure an FRO.
26. Mr. Piparo received and signed receipt of the school ethics policy regarding cell phone usage.

LEGAL DISCUSSION

Certificate Suspension and Revocation

The Board is entrusted with the issuance and revocation of certificates to teach in public schools under the rules and regulations prescribed by the State Board. N.J.S.A. 18A:6-38. The Commissioner can transmit a case to the Board involving "a teaching staff member's loss of tenure, dismissal, resignation, or retirement." N.J.A.C. 6A:9-17.6(a)(1). The regulations direct the Board to issue an order to show cause to a certificate holder if the Board believes that the holder's conduct warrants revocation or suspension of their certificates. N.J.A.C. 6A:9-17.7(a). Following receipt of information from a district pursuant to N.J.A.C. 6A:9-17.4, "[t]he Board of Examiners may issue an order to show cause to a certificate holder if the Board of Examiners believes that the conduct of the holder may warrant the revocation or suspension of the certificate(s) held" N.J.A.C. 6A:9-17.6(a)2. The Board of Examiners must determine by public vote whether to initiate a revocation or suspension proceeding and, should the Board of Examiners move for revocation or suspension, an order to show cause shall be issued. N.J.A.C. 6A:9-17.7(a).

N.J.A.C. 6A:9B-4.4 allows the Board to revoke or suspend teaching certificates for "demonstrated inefficiency, incapacity, conduct unbecoming a teacher, or other just cause." Ibid. Other just cause can include situations involving forfeiture, disqualification, or when the certificate holder does not meet the qualifications for the certificate. Id.; N.J.A.C. 6A:9B-5.1(b).

The Board of Examiners bears the burden of proving, by a preponderance of the credible evidence, that the certificate holder is guilty as charged. In re Certificate of Papadaniil, EDE 8821-00, Initial Decision (March 13, 2002), adopted, State Bd. of Exam'rs (May 9, 2002) <http://njlaw.rutgers.edu/collections/oal/>; see In re Polk, 90 N.J. 550 (1982); Atkinson v. Parsekian, 37 N.J. 143 (1962). The

hearing permits a respondent “to demonstrate facts or circumstances that might counter the charges” in the OSC. State Bd. of Exam’rs v. Brown, 91 N.J.A.R.2d (EDE) 5, 7. Further, the respondent can present mitigating circumstances toward the appropriateness of the licensing sanction, if any. In re Certificates of Mantone, 96 N.J.A.R.2d (EDE) 5, 6. However, a contested hearing is not for Piparo to show rehabilitation or that he “currently enjoys the ability to teach.” In re Certificate of Jackson, 96 N.J.A.R.2d (EDE) 1, 4.; Cf. N.J.A.C. 6A:9-17.10(b)(3) (an application for certification *after revocation* must include evidence demonstrating rehabilitation for the unbecoming conduct, incompetence, or other cause for the revocation) (emphasis added).

The Board maintains that Piparo exhibited “conduct unbecoming a teacher” as outlined above in the Statement of the Case which notes in pertinent part paragraphs 4-7. **(P-1)** Unbecoming conduct is not specifically defined in New Jersey’s statutes or regulations, and represents an elastic standard used for a variety of conduct. See, e.g., In re Fulcomer, 93 N.J. Super 404 (App. Div. 1967). Generally, however, unbecoming conduct encompasses conduct that adversely affects the morale or efficiency of a governmental unit or tends to destroy respect in the delivery of government services. Karins v. City of Atlantic City, 152 N.J. 532, 554 (1988); In re Emmons, 63 N.J. Super. 136, 140 (App. Div. 1960). Such misconduct need not necessarily “be predicated upon the violation of any particular rule or regulation but may be based merely upon the violation of the implicit standard of good behavior which devolves upon one who stands in the public eye as an upholder of that which is morally and legally correct.” Hartmann v. Police Dep’t of Ridgewood, 258 N.J. Super. 32, 40 (App. Div. 1992) (quoting Asbury Park v. Dep’t of Civil Serv., 17 N.J. 419, 429 (1955)). Further, unfitness to teach may be shown by one incident, if sufficiently flagrant. Redcay v. State Bd. of Educ., 130 N.J.L. 369, 371 (Sup. Ct. 1943), *aff’d* 131 N.J.L. 326 (E&A 1944).

To be sure, “teachers are held to a high standard of conduct because of the influence they exercise over [their] students.” State Bd. of Exam’rs v. Charlton, 96

N.J.A.R.2d (EDE) 18, 21. Due to that influence, teachers “must exhibit a high degree of exemplary behavior.” In re Tyler, 13 N.J.A.R. 297, 308. Teachers “must comport themselves as models for young minds to emulate” and maintain a “dedication to civility and respect for people as human beings.” In re Tenure Beam, 1 973 S.L.D. 157, 163. Even though teachers face the “same emotional stresses as all other persons, their particular relationship to children imposes upon them a special responsibility for exemplary restraint and mature self-control.” In re Tenure of Ostergren, 1 966 S.L.D. 185, 186 (citation omitted). In other words:

[Teachers] are professional employees to whom the people have entrusted the care and custody of tens of thousands of school children with the hope that this trust will result in the maximum educational growth and development of each individual child. This heavy duty requires a degree of self-restraint and controlled behavior rarely requisite to other types of employment. As one of the most dominant and influential forces in the lives of the children, who are compelled to attend the public schools, the teacher is an enormous force for improving the public weal. Those who teach do so by choice, and in this respect the teaching profession is more than a simple job; it is a calling.

[In re Tenure of Sammons, 1 972 S.L.D. 302, 321.]

Conduct unbecoming a teacher includes a broad range of behavior that impacts a teacher’s ability to perform his duties or otherwise renders him unfit to have the responsibility for the care of children. See Charlton, supra; In the Matter of the Certificate of John Fargo, 91 N.J.A.R. 2d (EDE) 1. Although “conduct unbecoming” a teacher or other public employee is not defined in the statutes or regulations, it has been described as an “elastic” phrase that includes “conduct which adversely affects the morale or efficiency” of the public entity or “which has a tendency to destroy public respect for ... [public] employees and confidence in

the operation of [public] services.” In re Emmons, 63 N.J. Super. 136, 140 (App. Div. 1960) (citation omitted). The touchstone of the charge is a teacher’s fitness to discharge the duties and functions of his position. See Laba v. Newark Board of Education, 23 N.J. 364, 385-388 (1957). Unfitness to hold a position in a school system may be demonstrated by a series of incidents or a single incident if sufficiently flagrant. Redcay v. State Board of Education, 130 N.J.L. 369, 371 (Sup. Ct. 1943), aff’d 131 N.J.L. 326 (E & A 1944).

While Piparo testified that he felt targeted by the District and was confronted by D.S. after his life was turned upside down by his teacher and mother, and that Ms. Grant his co-worker was exaggerating/lying, he should have restrained his reactions to the situations that he created appropriately rather than engage in his egregious, continuing conduct with the co-worker who rebuffed his romantic gestures after ending their romantic relationship. Further, he should not have been in the locker room during holiday break for wrestling practice knowing that D.S. learned of Piparo’s relationship with his mother and knowing that he was devastated and angry and told by other school personnel and D.S.’s mother not to be present for fear of escalation. In addition, he should not have shown outward contempt to his co-workers after all of the above came to light, boldly violating his performance improvement plan, harassing the student, D.S., who eventually had a Final Restraining Order granted for him and his mother as well as the above-outlined unsavory conduct outlined above and in the corresponding exhibits. Thus, I **CONCLUDE** that Piparo’s actions as outlined in the Order To Show Cause constitute conduct unbecoming a teacher, as well as other just cause and the Board’s charges are sustained.

Penalty

The Board urges revocation, and I agree. The Board cites Final Agency Decisions where inappropriate statements toward their fellow staff members warranted revocation. Mazzerella, Ciripompa, Halloway. All of which warranted

revocation due to such behavior and none of those cases rose required police involvement as Mr. Piparo's continued behavior did here. Piparo's continued harassment and anger toward co-workers, administrators, parents and students through offensive, racist, homophobic and distasteful comments showed that Mr. Piparo failed to meet the standard of certificate holders as role models.

Further, the State's argument that lack of restraint warrants revocation of certifications to teach resonates with me and applies here. The continued harassment of D.S. by Mr. Piparo, both in school and through the unrelenting texts to his mother, also show his unfitness to teach. "While teachers are sensitive to the same emotional stresses as all other persons, their particular relationship to children imposes upon them a special responsibility for exemplary restraint and mature self-control." In the Matter of the Tenure Hearing of Frederick L. Osergren, 1966 S.L.D. 185, 186.

Inappropriate conduct between a teacher and students entrusted to the teacher's care has been found to be a sufficient basis to warrant suspension or revocation of a teacher's certificate. See In the Matter of the Certificates of Ernest Chavez, EDE 11443-03, State Bd. of Education (April 9, 2007) <<<http://lawlibrary.rutges.edu/oal/search.html>>> (suspending certificate for two years for unbecoming conduct where teacher engaged in inappropriate horseplay by putting ice down the blouse of a female student and making inappropriate comments to another student); In the Matter of the Certificates of Michael Nieves, EDE 3867-04, Initial Decision, (November 10, 2005), adopted, State Bd. of Examiners (March 8, 2006), aff'd, State Bd. of Education (December 6, 2006), aff'd, A-2627-06T3 (App. Div. April 7, 2008) <<<http://lawlibrary.rutgers.edu/oal/search.html>>> (revoking certificates where teacher had sent suggestive notes to an eighth grade student, including a note asking to "hang out" with the student during a school holiday when he said they could get together without anyone knowing); In the Matter of the Certificates of Areana Resto, EDE 3869-04, Initial Decision, (August 10, 2005), adopted, State

Bd. of Examiners (October 31, 2005) <<<http://lawlibrary.rutgers.edu/oal/search.html>>> (suspending certificate for two years where teacher had, among other actions, given her cell phone number to a student and exchanged personal text messages with the student over the course of a month and a half); In the Matter of the Certificates of Corey Younger, EDE 3111-03, Initial Decision, (December 6, 2004), modified, State Bd. of Examiners (March 7, 2005), aff'd, State Bd. of Education (January 6, 2006), aff'd, A-2800-05T3 (App. Div. November 15, 2006) <<<http://lawlibrary.rutgers.edu/oal/search.html>>> (Board of Examiners concluded that teacher "exercised poor judgment in allowing female students to remain in his hotel room for a substantial period of time, regardless of what behavior occurred" during a track meet while he was an assistant track coach, and the teacher engaged in conduct unbecoming a teacher which warranted a two year suspension of his certificates); In the Matter of the Certificate of Daniel Papdaniil, supra (teaching certificate revoked predicated on a teacher's sexual relationship with a student); In the Matter of the Certificates of Robert Mantone, 96 N.J.A.R. 2d (EDE) 5 (certificates revoked stemming from "inappropriate overtures" toward two female students which included, among other things, the teacher writing unsolicited notes and commenting about the student's physical attractiveness); In the Matter of the Certificate of John Fargo, (teaching certificate revoked based upon the teacher's sexual and emotional abusive behavior toward his classified students).

The behavior by Piparo toward D.S., his student and athlete were reprehensible and totally inappropriate, particularly for someone who was his teacher and coach and who stood in a position of trust and respect. His behavior was so egregious with regard to the student and his mother that a Final Restraining Order was issued, and I had to conduct the hearing with the student and mother separated from Mr. Piparo in order not to run afoul of that order.

His behavior with teacher Ms. Grant was also reprehensible as he was unrelenting in his pursuits after she ended the relationship, became aggressive with

at school and during her class, shoving a printer across the room in front of her special education students. In fact, he sought to involve them in his quest to date her which was uninvited at the time even though they had carried on a previous consensual extramarital relationship. This included notes on her car, uninvited phone and in-person visits. The school had to intervene to create an atmosphere and a Performance Improvement Plan for Piparo so that he would not have contact with Ms. Grant while they were in the school building, and he violated that plan.

In short, Piparo's interactions with D.S., L.S., Ms. Grant, and the witnesses that testified above were totally inappropriate and crossed the permissible line of his duties as a teacher. As a result, not only did the courts get involved for the protection of L.S., D.S. and her family, but the school in the relationship with Ms. Grant. In addition, he lost his tenure rights and violated the Performance Improvement Plan by engaging with Ms. Grant during class and lurking near D.S. during his lunch period. He also became extremely agitated with co-workers and verbally attacked them when they did not believe his version of events which were a complete denial of all of the credible corroborated testimony above.

Piparo exhibited extremely poor judgment by becoming an active participant in a personal relationship with a parent of a student/athlete. When the student found out about Piparo's involvement with his mother and showed anguish to Mr. Piparo, his continued poor judgment with that student by an experienced teacher such as Piparo as outlined above cannot be countenanced. As a teacher, Piparo occupied a position demanding public trust and was held to a higher standard of conduct. He was required to exhibit exemplary behavior and mature self-control. He was to uphold an image of utmost trust. Instead, his actions were inappropriate, irresponsible and unprofessional. Piparo's reprehensible conduct represented a significant departure from what the public is to expect from those who teach their children.

Piparo's behavior was not confined to a single incident but evolved into a pattern of continuing harassment of two different co-workers, altercations with other co-workers and supervisors who attempted to correct or stop the behavior and unfortunately affected several students notably D.S. The young man who testified was crushed by Piparo's behavior in that not only did he personally "ruin his life" he felt he ruined his experience in high school and wrestling. He also had what I consider to be an avoidable physical altercation when the student was understandably upset in the locker room/coach's office. This conflicts with Piparo's unbelievable testimony that he was trying to avoid D.S. because he knew that he was upset and could start an altercation. Mr. Piparo denied all of the credible evidence presented in this case and took zero accountability for any of it and accused others of lying and even perjury. Considering the high standard of conduct expected from those entrusted with the care and custody of children, I **CONCLUDE** that Piparo engaged in conduct unbecoming a teacher. I **FURTHER CONCLUDE** that his unbecoming conduct was so unrelenting, wide-ranging and flagrant as to warrant the revocation of his teaching certificates.

ORDER

Based upon the foregoing, I **ORDER** that respondent's teaching certificate(s) be and is hereby **REVOKED**.

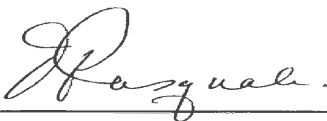
I hereby **FILE** my initial decision with the **STATE BOARD OF EXAMINERS** for consideration.

This recommended decision may be adopted, modified or rejected by the **STATE BOARD OF EXAMINERS**, which by law is authorized to make a final decision in this matter. If the State Board of Examiners does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **SECRETARY OF THE STATE BOARD OF EXAMINERS, 100 Riverview Plaza, PO Box 500, Trenton, New Jersey 08625-0500**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

February 20, 2024

DATE



DANIELLE PASQUALE, ALJ

Date Received at Agency:

February 20, 2024

Date E-Mailed to Parties:

February 20, 2024

lr

APPENDIX

Witnesses

For Petitioner:

L.S., mother of student D.S.

Melissa Grant-Terhune, teacher at Lodi High School

D.S., student/athlete of Mr. Piparo's

Joan Fragala, Vice Principal of Lodi High School from 2006-2012

Mark Maggio, teacher and Head Wrestling Coach from 2012-2016

Frank D'Amico, Principal of Lodi High School starting in July 2012

For Respondent:

Mr. Joseph Piparo, Respondent and former teacher and assistant wrestling coach Lodi High School

EXHIBITS

For Petitioner:

- P-1 July 15, 2015 Order to Show Cause
- P-2 August 26, 2014 Statement of Tenure Charges
- P-3 Melissa Grant Terhune's Handwritten Log, dated 2007
- P-4 Two handwritten notes to Melissa Grant Terhune from Respondent
- P-5 Handwritten letter to Melissa Grant Terhune from Respondent
- P-6 Handwritten letter to Melissa Grant Terhune from Respondent
- P-7 Handwritten letter to Melissa Grant Terhune from Respondent
- P-8 Lodi Police Records-Harassment Complaint filed by Melissa Grant against Respondent
- P-9 Oct. 22, 2007, letter from Principal Fragala to Respondent

- P-10 Jan 25, 2008 letter from Principal Fragala to Respondent
- P-11 Oct. 25, 2007 letter from Lodi Police Department to Superintendent Quatrone regarding Respondent (not admitted into evidence)
- P-12 12/25/12 text message regarding D.S.
- P-13 12/27/12 text messages regarding D.S.
- P-14 1/3/13 text messages regarding D.S.
- P-15 1/4/13 text messages regarding D.S.
- P-16 1/5/13 text messages regarding D.S.
- P-17 1/6/13 text messages regarding D.S.
- P-18 1/10/13 text messages regarding D.S.
- P-19 1/11/13 text messages regarding D.S.
- P-20 1/22/13 text messages regarding D.S.
- P-21 2/23/13 text messages regarding D.S.
- P-22 2/26/13 text messages regarding D.S.
- P-23 2/26/13 text messages regarding D.S.
- P-24 3/23/13 text messages regarding D.S.
- P-25 3/24/13 text messages regarding D.S.
- P-26 5/5/13 text messages regarding D.S.
- P-27 5/7/13 text messages regarding D.S.
- P-28 12/19/12 text messages regarding Lodi staff
- P-29 12/26/12 text messages regarding D.S./Lodi staff
- P-30 12/27/12 text messages regarding D.S./Lodi staff
- P-31 12/28/12 txt messages regarding Lodi staff
- P-32 2/20/13 text messages regarding Lodi staff
- P-33 3/4/13 text message regarding Lodi administrators
- P-34 4/1/13 text messages regarding Lodi staff
- P-35 4/4/13 text message regarding Lodi staff
- P-36 4/11/13 text messages regarding D.S./Lodi staff
- P-37 4/22/13 text messages regarding Lodi administrators
- P-38 4/24/13 text messages regarding Lodi staff and administrators
- P-39 4/25/13 text messages regarding Lodi staff/students

- P-40 4/27/13 text messages regarding D.S./Lodi staff
- P-41 5/1/13 text messages regarding Lodi administrators
- P-42 5/10/13 text messages regarding Lodi staff
- P-43 5/21/13 text messages regarding Lodi staff and administrators
- P-44 9/20/13 FRO issued against Respondent with regard to L.S., D.S. and L.S.'s daughter, N.S.
- P-45 May 19, 2017 Appellate Division Opinion affirming the FRO issued against Respondent on the grounds of harassment
- P-46 District "Code of Ethics"
- P-47 District Policy on Use of Cellular Phones
- P-48 Respondent's schedule 2012-13
- P-49 Lodi High School Bell Schedule
- P-50 Text messages allegedly sent during assigned class times to L.S. and coworkers amounting to approximately 31,000 texts.
- P-51 Lodi High School Calendar 2012-13
- P-52 (not admitted into evidence-for identification purposes only)
- P-53 11/4/13 letter from Superintendent Quatrone notifying Respondent that he is to undergo psychiatric examination
- P-54 Board resolutions ordering Respondent to undergo psychiatric examination and appointing Dr. Harvey Hammer as Board appointed physician
- P-55 (not admitted into evidence)
- P-56 Excerpt from trial transcript (pp. 109-110)
- P-57 Undated letter to Superintendent Quatrone
- P-58 10/26/07 Memorandum from G. Longo, Department Supervisor to Joan Fragala
- P-59 D.S.'s schedule
- P-60 Envelope/Melissa Grant's Name
- P-61 Back of Envelope with Melissa Grant's Name

For Respondent:

R-1 Mr. Piparo's letter to Ms. Fragala 9/14/07

R-2 L.S.'s TRO dated May 29, 2013 (to be provided by Mr. Brucki for ID purposes only-no objection)

Reyes, Elisa [OAL]

From: Microsoft Outlook
To: State Board of Examiners (Education)
Sent: Tuesday, February 20, 2024 1:11 PM
Subject: Relayed: RE: Judge Pasquale's Initial Decision for EDE 01620-16 IMO Certificate(s) of Joseph C. Piparo

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

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Subject: RE: Judge Pasquale's Initial Decision for EDE 01620-16 IMO Certificate(s) of Joseph C. Piparo

Reyes, Elisa [OAL]

From: Microsoft Outlook
To: Laurie Fichera; Rani Singh
Sent: Tuesday, February 20, 2024 1:11 PM
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[Laurie Fichera \(Laurie.Fichera@doe.nj.gov\)](mailto:Laurie.Fichera@doe.nj.gov)

[Rani Singh \(Rani.Singh@doe.nj.gov\)](mailto:Rani.Singh@doe.nj.gov)

Subject: RE: Judge Pasquale's Initial Decision for EDE 01620-16 IMO Certificate(s) of Joseph C. Piparo

Reyes, Elisa [OAL]

From: Microsoft Outlook
To: Candice Hendricks
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Subject: Delivered: RE: Judge Pasquale's Initial Decision for EDE 01620-16 IMO Certificate(s) of Joseph C. Piparo

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[Candice Hendricks \(Candice.Hendricks@oal.nj.gov\)](mailto:Candice.Hendricks@oal.nj.gov)

Subject: RE: Judge Pasquale's Initial Decision for EDE 01620-16 IMO Certificate(s) of Joseph C. Piparo

Reyes, Elisa [OAL]

From: Microsoft Outlook
To: Rick Keiser
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[Rick Keiser \(rick.keiser@oal.nj.gov\)](mailto:rick.keiser@oal.nj.gov)

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Reyes, Elisa [OAL]

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Subject: RE: Judge Pasquale's Initial Decision for EDE 01620-16 IMO Certificate(s) of Joseph C. Piparo

Reyes, Elisa [OAL]

From: Microsoft Outlook
To: Michael G. Brucki
Sent: Tuesday, February 20, 2024 1:15 PM
Subject: Relayed: RE: Judge Pasquale's Initial Decision for EDE 01620-16 IMO Certificate(s) of Joseph C. Piparo

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

[Michael G. Brucki \(office@bruckilaw.com\)](mailto:office@bruckilaw.com)

Subject: RE: Judge Pasquale's Initial Decision for EDE 01620-16 IMO Certificate(s) of Joseph C. Piparo

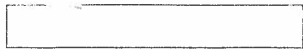
Reyes, Elisa [OAL]

From: Microsoft Outlook
To: Klika, Colin (LPS)
Sent: Tuesday, February 20, 2024 1:15 PM
Subject: Relayed: RE: Judge Pasquale's Initial Decision for EDE 01620-16 IMO Certificate(s) of Joseph C. Piparo

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

[Klika, Colin \(LPS\) \(Colin.Klika@law.njoag.gov\)](mailto:Colin.Klika@law.njoag.gov)

Subject: RE: Judge Pasquale's Initial Decision for EDE 01620-16 IMO Certificate(s) of Joseph C. Piparo



STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW
33 Washington Street
Newark, NJ 07102
(973) 648-7136
9 Quakerbridge Plaza / PO Box 049
Trenton, NJ 08625-0049
609-689-4028

FROM:

NJ State Department of Education
Licensure & Credentials

NAME OF AGENCY

P.O. Box 500
Trenton, NJ 08625-0500

ADDRESS

Robert R. Higgins, Director

TRANSMITTING OFFICER

609-292-3787

TE

AGE 01620-16

COUNTY

Bergen *

JURISDICTION

North *

THE FOLLOWING ADDITIONAL INFORMATION IS REQUIRED:

1. Nature of the case. Please include references to statutes or rules and briefly summarize the facts and law involved. Attach pleadings to this form.
2. Estimated time required for hearing.
3. Legal requirements (State or Federal) mandating a date for Agency Decision:
4. Is a court stenographer requested?
5. **Special features to be anticipated in this matter**, i.e., emergent relief, discovery motions, prehearing conference, conference hearing, remand, expedited hearings, location (county).
6. Is a barrier-free location needed?
7. Have the attached documents been exchanged between the parties? **OSC and Answer**
8. Names of other agencies claiming jurisdiction over transmitted dispute:

EDE

In the matter of the Certificate(s) of

Joseph Piparo

Name of Contested Case or Short Title

Docket No. 1415-215

Agency Docket / Reference Number/Discrimination
Case N.J.S.A. 34:6A-45b and N.J.A.C. 12:110-7

Whether the conduct alleged in the OSC provides a basis
for the Revocation or Suspension of certificates.

2 Days(s) or Hours

Yes X No If yes, please specify
requirements and citation :

Yes X No

Yes No X Uncertain

X Yes No If no, the documents shall be
served on or offered to the parties on:
NONE

Robert R. Higgins, Director
NJ State Department of Education
Licensure & Credentials
P.O. Box 500
Trenton, NJ 08625-0500
PHONE #: (609) 292-3787 FAX: (609) 984-5876
E-MAIL ADDRESS: Robert.Higgins@doe.state.nj.us

SERVICE LIST

Parties Named in this Proceeding and their Representatives

For additional parties, attach names, addresses and telephone numbers of each party linked with that representative if any.

#1. PETITIONER

N.J. State Board of Examiners
N.J. Dept. of Education
Office of Licensure and Credentials
P.O. Box 500
Trenton, NJ 08625-0500
TELEPHONE #: (609) 292-3787
FAX : (609) 984-5876
E-MAIL ADDRESS:

#2. RESPONDENT

Joseph Piparo *pro se*
P.O. Box 42
Ridgewood, NJ 07451-0042
TELEPHONE # *201 463-6298*
FAX :
E-MAIL ADDRESS:

#3. OTHER

TELEPHONE #
FAX :
E-MAIL ADDRESS:

#4. OTHER

TELEPHONE #
FAX :
E-MAIL ADDRESS:

Michal Czarnecki, DAG
Education and Higher Education Section
State of New Jersey—Division of Law
25 Market Street, PO Box 112
Trenton, NJ 08625
(609) 376-3100

V...
Angela Velazquez, D.A.R.
TELEPHONE # *609 777-4861*
FAX :
E-MAIL ADDRESS:

ER REPRESENTATIVE

TELEPHONE
FAX :
E-MAIL ADDRESS:

OTHER REPRESENTATIVE

TELEPHONE #
FAX :
E-MAIL ADDRESS:

(Please attach additional sheets for contacts as necessary and indicate representation)