

For Agency Use Only
Docket Number: C18-12

Revision of Complaint filed 4-23-12

NAME OF

COMPLAINANT(S), Alvaro L. Cores, BEFORE THE SCHOOL

Principal of Dr. Herbert N. Richardson School

v. : ETHICS COMMISSION

OF NEW JERSEY

NAME OF RESPONDENT(S) : SCHOOL ETHICS ACT

Israel Varela, Board member. : COMPLAINT FORM

I, Alvaro Cores, residing at [REDACTED] request the School Ethics Commission to consider a complaint against the above-named Respondent(s) whose home address is [REDACTED] in accordance with the authority of the School Ethics Commission to entertain such complaints under N.J.S.A. 18A:12-21 et seq.

The facts upon which this complaint is based are as follows: (Please print additional pages as needed. Students should be identified by initials only.)

1. Statement of facts: See Attached.

Date of occurrence: 4-21-12

I assert this to be a violation of: see attached.

2. Statement of facts: See Attached.

Date of occurrence: 4-22-12

I assert this to be a violation of: see attached.

3. Statement of facts: See Attached.

Dates of occurrence: 10/21/11, 10/28/11, 11/21/11, 11/23/11, 12/2/11, 12/6/11, 12/7/11, 12/9/11, 12/11/11, 1/6/12, 1/19/12, 4/5/12, 4/23/12, 4/26/12, 4/27/12.

I assert this to be a violation of: see attached.

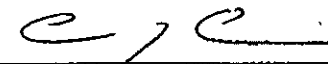
4. Statement of facts: See Attached.

Date of occurrence: 5-1-12

I assert this to be a violation of: see attached.

WHEREFORE, I, as Complainant, request that the School Ethics Commission find and determine that the above-named Respondent(s) has violated the School Ethics Act and that he or she be subject to such penalty as provided by the Act.

Date 7-11-12



Signature of Complainant
or his or her Attorney

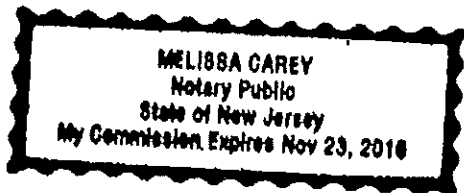
CERTIFICATION UNDER OATH

(Name of Complainant), of full age, being duly sworn upon his or her oath according to law deposes and says:

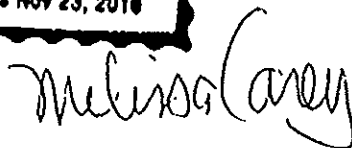
1. I am the complainant in this matter.

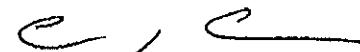
2. I have read the complaint and aver that the facts contained therein are true to the best of my knowledge and belief and I am aware that the statute that created the School Ethics Commission authorizes the School Ethics Commission to impose penalties for filing a frivolous complaint. N.J.S.A. 18A:12-29(e). I am aware that if the respondent alleges that the complaint is frivolous, I shall have 20 days from receipt of the answer to respond to the allegation.

3. The subject matter of this complaint is not pending in any court of law or administrative agency of this State. I will advise the School Ethics Commission if I subsequently become aware that it is pending elsewhere.



Date: 7-11-12





Signature of Complainant

Sworn and subscribed to before me this 11 day of July, 2012.

Notice: All final decisions issued in connection with complaints that come before the School Ethics Commission for review and determination are public records uniformly posted on the Department of Education's website at <http://www.nj.gov/education/legal/>. As a general rule, selective requests to remove a particular decision for reasons of personal preference are not entertained.

Updated Fact Pattern R/E Complaint filed 4/23/12 Cores vs. Varela
Revised 7-11-12

Fact #1 / Date 4-21-12:

Board of Education member Israel "Izzy" Varela showed up at the private residence of my secretary, Hector Muffiz, in Perth Amboy, NJ. While on Mr. Muffiz's property, Mr. Varela informed Mr. Muffiz that another secretary at my school, Susan Nieves, had recently lobbied him and other Board members in order to make them aware of a "blackmail" incident which I had allegedly committed against Susan.

Mr. Varela encouraged Hector to come forward and make a statement against both the Principal of the School (eg me) and the Vice Principal, Karen Moffatt, because we had committed "blackmail" and the Board of Education wasn't going to "stand for it." He further stated that Hector and the other employees involved in an on-going investigation at the school would be "protected" (from his actions in a coquito incident fabricated by Nieves) by Mr. Varela and the Board so long as he spoke out "against" Mr. Cores (me) and Ms. Moffatt. Mr. Varela went on to state that they were looking to "fire" Mr. Cores and "get rid of" Ms. Moffatt and that the Board of Education was tired of "overpaid administrators" who "weren't doing their job."

Mr. Muffiz contacted me via emails on 4/21/12 and alerted me to this outrageous act by said Board member (copies attached). I also had telephone conversations with him on 4/21 and 4/22 which corroborated the actions of this Board member. Mr. Muffiz, contrary to Mr. Varela, has told me that we did not commit "blackmail" and that this allegation is a blatant lie, which was made to further a political agenda. He further verified in conversations with me that the coquito alcohol incident was fabricated by Susan Nieves. The administration at the Richardson School acted judiciously and expeditiously with regards to a series of incidents at the school and is continuing its investigation with the assistance of central office.

Mr. Varela has made defamatory remarks about my character and the character of my assistant principal to one of my employees. He has solicited this employee's statement at his place of residence and has promised him "protection" from employment sanctions provided that his statement adversely affect both administrators at the Richardson School. Mr. Varela, by virtue of his solicitation of Mr. Muffiz, has interfered with an on-going administrative investigation, which is currently evaluating the merits of allegations of various types of unprofessional conduct. As such, he is committing a form of witness tampering, and has placed Mr. Muniz placed in a proverbial "Catch 22" between his immediate supervisor and a faction on the Board of Education. **Mr. Varela's actions constitute a violation of 18A: 12-24 b and 18A: 12-24.1 c, d, e, f, g, i, and j.**

The aforementioned faction on the Board of Education recently made it known that they are seeking the resignation of the district's Superintendent. For some unknown reason, there is a perception in the district that I am the "right hand man," "friend," or "cronie" of the Superintendent. An article on NJ.com today on the Superintendent

showed a comment written by an individual where it was stated that I was as her "cronie." This is not the first time I have been humiliated and defamed in a public forum. Since the Board is seeking to terminate Dr. Caffrey, certain members have used the false testimony of an employee with whom they have some personal relationships, and have used her these allegations to continue the "house cleaning" of administrators who are perceived to be the "cronies" of Dr. Caffrey. The truth of the matter is that I do not know Dr. Caffrey personally and have never met her prior to September of 2011. I have tried diligently to implement her educational vision at my school and have managed the facility with the best interests of the children first and foremost in my mind.

Unfortunately, I am now subject to a witch hunt by my employer replete with on-going public humiliations and unfounded allegations, which have demoralized and exhausted me. The on-going campaign of character destruction that is being waged against me has made it virtually impossible for me to perform my duties as Principal of the Richardson School. I have grown tired of this incessant abuse and have showed great restraint up to this point. However, the outrageous actions of Mr. Varela over the weekend constitute the proverbial straw that broke the camel's back. He leaves me with no other recourse than to speak out against these injustices.

Fact #2 / Date 4-22-12:

Mr. Varela again appeared at Mr. Muffiz's place of residence and attempted to coax a statement out of him. Mr. Muffiz refused. **Mr. Varela's actions constitute a second violation of 18A: 12-24 b and 18A: 12-24.1 c, d, e, f, g, i, and j.**

Fact #3 / Numerous Dates:

It is a well known fact at Richardson School that Mr. Varela enters the school frequently. School staff, including the principal, vice principal, and the security officer have repeatedly asked him to sign the visitors book and have been met with noncompliance. I have also reminded him that he must clear his school visits with Dr. Caffrey prior to his arrival and must be escorted through the building and he continually ignores these directives. Another School Board member, in sharp contrast, always announces her visits to this school well in advance, signs the visitor's book, and allows herself to be escorted throughout the building. **Mr. Varela's repeated unannounced visitations to the school and unauthorized discussions with employees violates NJSA 18A:12-24 b, 18A:12-24.1 c, d, e, & i.**

Since he is now seeking to oust Dr. Caffrey, it seems that Mr. Varela is retaliating against me because I have regularly reported his noncompliance to Dr. Caffrey. As such, I fear that I will soon be terminated as a retaliatory measure based, in large part, due to my enforcement of Dr. Caffrey's directives and the School Board's Code of Ethics. As a non-tenured administrator, I may appear to be a "soft target" for him and other members of the Board to attack.

I have listed the dates where he showed up to our building unannounced (non compliance Superintendent and BA) and chose to sign the visitors' book. There are many more dates where he refused to sign in (copy sign in sheets and vice-principal's report on his activity. Also attached is email from Vice-Principal Moffatt to Business Administrator Derek Jess documenting Mr. Varela's continuous, unannounced visits to our school).

Fact #4 / Date: 5-1-12: As a result of Mr. Varela's unethical campaign against me, today I was suspended by the District's Acting Superintendent, Dr. Vivian Rodriguez. The reason given for the paid administrative leave was an alleged investigation against me by the Perth Amboy Police Department regarding the purported sale of alcohol in my building in December of 2011. I have been informed by community members and staff that the false allegation of the sale of alcohol was brought to Mr. Varela's attention by his friend, Susan Nieves, a secretary at the Richardson School who previously received disciplinary sanctions from me. Ms. Nieves is, apparently, the originator of the alcohol and blackmail complaints that have become the basis of Mr. Varela's campaign of political retribution against me. I have now been further humiliated by my employer and these false accusations will soon be disseminated via the press, further disintegrating the little that is left of my professional reputation and causing me great emotional harm and distress.

On 5-2-12, I contacted both the Perth Amboy Police Department and the Perth Amboy Municipal Court. Both agencies informed me that as of 11:00 a.m. on the morning, there were no criminal complaints filed against me nor were there any open investigations against me. Again, this incredible discrepancy points clearly at a campaign of character assassination and political retribution that is being fueled primarily by the unethical actions of Israel Varela and his political cronies (copy of suspension letter attached). Moreover, Police Chief Ruiz went on the record in the written and TV media on this day confirming that there was no complaint or investigation. Furthermore, he stated that this matter was investigated back in December 2011 and there was no basis for a police investigation. Mr. Varela's pursuit of this character assassination campaign begun by Susan Nieves, and his active pursuit of retaliation against me via his proxy, Dr. Rodriguez, resulted in my suspension and the destruction of my professional reputation via the unfounded suspension. Mr. Varela's actions violated NJSA 18A:12-24 b and 18A:12-24.1 c, d, e, f, i, & j.

ADDENDUM C18-12

At its August 28, 2012 meeting, the Commission found probable cause to credit the allegation of prohibited acts N.J.S.A. 18A:12-24(b) in Count 3 only; found probable cause to credit the allegations that the respondent may have violated N.J.S.A. 18A:12-24.1(d), (e), (i), and (j) in Counts 1, 2 and 4; and N.J.S.A. 18A:12-24.1(d), (e), and (i) in Count 3. The Commission further found that the complaint is not frivolous in accordance with the standard set forth at N.J.A.C. 6A:28-1.2, and also voted to transmit the matter to the Office of Administrative Law (OAL) for plenary, pursuant to N.J.A.C. 6A:28-10.7(c)2.