

PARENT OF SPECIAL EDUCATION STUDENT - VICTIM OF REPEATED SEXUAL HARRASSMENT BY VINELAND, NJ TEACHER - SUES TO HOLD SCHOOL DISTRICT, OFFICIALS ACCOUNTABLE

Bridgeton, NJ - (July 30, 2019) - A lawsuit has been filed in New Jersey Superior Court on behalf of a parent alleging that the Vineland, New Jersey School District, its superintendent, and three other administrators allowed her daughter's sexual harassment by a former eighth-grade teacher Richard Super. He pleaded guilty to related child abuse charges, surrendered his teaching certificate, and is serving a two-year probation sentence. The names of the parent and the special education student, who was 13 at the time of the well- documented incidents, are not divulged in the filing to protect their privacy.

The complaint (*A.B. Guardian for Minor Child C.D. v. Vineland Board of Education, Et al.; N.J. Superior Court Cumberland County, CUM-L-000464-19*) details the outrageous and persistent conduct – carried out in school, in full view of the defendants, and online over district e-mail servers, in 2015-2016 by the then 36-year-old teacher. Asserting that the defendants' actions combined to “deprive the minor of an education and subject her to the abuse”, the suit outlines the abject failures of the defendants to protect the student from physical and emotional trauma.

Filed yesterday (July 29th) jointly by attorneys from the D'Amato Law Firm, Egg Harbor Township, and Soloff & Zervanos, PC, Cherry Hill, the complaint alleges the defendants had direct knowledge of the abuse and still failed to stop the blatantly unlawful conduct of Mr. Super, the former language arts teacher at Anthony Rossi Intermediate School. They also allegedly denied the student her right under state law to an education through their discriminatory and negligent actions. A demand for jury trial, compensatory and punitive damages are sought in the complaint. The filing also seeks injunctive relief to compel the district and its officials to comply with its own policies in the future.

Paul R. D'Amato, of the D'Amato Firm, said, “While the teacher pled guilty and is on probation for his crimes, the full measure of justice requires that those school district officials, all mandatory reporters who failed to report to police and protect this young, vulnerable victim – who is emotionally scarred for life – are held accountable. We hope to ensure that what happened to her can never happen again to any child in the Vineland schools.”

Jeffrey P. Fritz, of Soloff & Zervanos, stated, “The complaint alleges that top officials blatantly ignored hard evidence that signaled intimate, improper, and illegal contact between a teacher and his young student. Thousands of emails, some sexually explicit, were sent by the teacher to the middle school student, and the defendants violated their own policies and the law in failing to intervene. It was commonly known that the teacher-predator ingratiated himself with the victim by regularly bringing her food, having lunch only with her in the school cafeteria, and was going out of his way to meet between classes. His initiated contacts were hardly secret.”

Attorney Alexa D'Amato Barrera, of the D'Amato Firm, added, “The outrageous, harassment-friendly climate in the school district, and the Rossi school in particular, promoted a culture where children's safety was secondary, if that. How else can the defendants account for the fact that district personnel failed to notice that the teacher and a special education student exchanged

-- during a three-month period over Vineland's "monitored" server -- more than 4,500 messages?
There was no supervision because nobody cared about this vulnerable child."

The legal team said the victim, no longer enrolled in the district, will continue indefinitely to receive medical attention as a result of her abuse. While the lawsuit narrowly addresses the incidents surrounding Mr. Super, it is clear that the Vineland district has historically been an overall "dismal failure" in protecting students from certain predatory employees, among the ranks of teachers, coaches, and even social workers.

Contacts:

Paul R. D'Amato / paul@damatolawfirm.com

Jeffrey P. Fritz / jfritz@lawsz.com

Alexa D'Amato Barrera / alexa@damatolawfirm.com

Steph@idadvisors.com / 215.514.4101