

**U.S. Department of Justice**  
Civil Rights Division  
*Disability Rights Section*

**OMB No. 1190-0009**

**Title II of the Americans with Disabilities Act  
Section 504 of the Rehabilitation Act of 1973  
Discrimination Complaint Form**

Instructions: Please fill out this form completely, in black ink or type. Sign and return to the address on page 3.

**Complainant:** Jonathan Singer acting on behalf of Rebecca Singer

**Address:** 2 Valley Place

**City, State and Zip Code:** Tenafly, NJ 07670

**Telephone: Home:** 201 567 3699

**Business:** 201 220 6852

**Person Discriminated Against:** Rebecca Singer (my 17-year-old severely disabled daughter)  
**(if other than the complainant)**

**Address:** Same address

**City, State, and Zip Code:**

**Telephone: Home:**

**Business:**

**Government, or organization, or institution which you believe has discriminated:**

**Name:** All members of the Tenafly Board of Education, Mayor Peter Rustin, Superintendent Lynn Trager, Middle School Principal Ann Powell, Suzanne Bassett - Director of Special Education and Stacey Cherry and Stephen R. Fogarty - Board Attorneys

Address: Board of Education Office - 500 Tenafly Road

County: Bergen

City: Tenafly

State and Zip Code: NJ 07670

Telephone Number:

Lynn Trager 201 916 2855 [ltrager@tenafly.k12.nj.us](mailto:ltrager@tenafly.k12.nj.us)

Suzanne Bassett 201 816 4532 [sbassett@tenafly.k12.nj.us](mailto:sbassett@tenafly.k12.nj.us)

Mayor Rustin - 914 548 1652 or 201 569 4644 [prustin@tenafly.net](mailto:prustin@tenafly.net)

Stacey Cherry - (201) 791-3340 x27 [scherry@fogartyandhara.com](mailto:scherry@fogartyandhara.com)

Stephen R. Fogarty - 201 791 3340 [sfogarty@fogartyandhara.com](mailto:sfogarty@fogartyandhara.com)

Board of Education members

Jonathan Teall [JTeall@teallassociates.com](mailto:JTeall@teallassociates.com)

Richard Press [rp@allvoiceusa.com](mailto:rp@allvoiceusa.com)

Phyllis Kesslen [phyllis.kesslen@gmail.com](mailto:phyllis.kesslen@gmail.com)

Mark Aronson "[maronson@tenafly.k12.nj.us](mailto:maronson@tenafly.k12.nj.us)"

Sam Bruno [sabtboe@gmail.com](mailto:sabtboe@gmail.com)

Donald Kaplan "[dkaplan@tenafly.k12.nj.us](mailto:dkaplan@tenafly.k12.nj.us)"

Lynn Stewart [lstewart@tenafly.k12.nj.us](mailto:lstewart@tenafly.k12.nj.us)>

Ed Salaski [boe@salaski.com](mailto:boe@salaski.com)

When did the discrimination occur? Date:

**4 incidents of retaliation from August 2013 through October 2013**

**Describe the acts of discrimination providing the name(s) where possible of the individuals who discriminated (use space on page 3 if necessary):**

**The following acts of discrimination/retaliation occurred as I was advocating for my daughter Rebecca who is like a 2 year old in a 17 year old's body.**

**Her needs are extreme and we've always been very reasonable and have saved the school district \$4,000,000 over the past 10 years by starting a school called REED Academy where Rebecca and another child from Tenafly are students.**

I was in the process of trying to move Rebecca to a residential placement which would have reduced costs for the district by nearly \$20,000 a year and would have saved them nearly \$800,000 over the next 4 years yet they fought me at every turn.

**The discrimination started when they called the police for what was clearly freedom of speech - poking fun at them and insulting them. I used many movie references all along and the police acknowledged that nothing was threatening.**

**Parents typically hire \$500/hour attorneys to fight school districts for special education matters. I handled the fight myself, I did it on Facebook and by email, and they didn't know what to do and started taking it all personally.**

**They became vindictive and started striking back.**

**The following incidents all occurred before our court date which was held on 10/4/2013 and could have easily influenced the judge as well as New Jersey Special Education staff and the media.**

**1) August 30, 2013 - Superintendent Lynn Trager called the Tenafly Police on behalf of herself, Suzanne Bassett the Director of Special Education, Stacey Cherry the Board Attorney, and the entire Board of Education, alleging that I had threatened them.**

**The police were dispatched to our home alarming our neighbors and giving the impression that we were in trouble with the police.**

This was after I had posted many sarcastic movie reference jokes on Facebook and via email.

I met with our terrific Detective Kopesky who acknowledged that based on all of the emails, and what I done the year before with The Daily Show for my book, which he found quite funny, he didn't find anything threatening and could see I was following a pattern of sarcasm, satire, parody and ridiculing public officials - which was all covered by freedom of speech.

**2) September 20, 2013 The police were called again and sent to our home, once again alarming our neighbors, based on anonymous cowardly callers who said I posted threatening remarks on Facebook and via email.**

The officer who visited my house had the printout from Facebook and said there was nothing threatening. He stated that they had crossed a line and were harassing me and he apologized that he had to come to deliver that message.

**It was then I learned that retaliation is illegal according to the ADA.**

**3) October 1, 2013 The Mayor sent an email to nearly 100 people in the community and beyond, to the Board of Education and district staff, to the Director of Special Education for NJ, and to members of the press.**

**The intent was clearly to slander me, and influence those individuals negatively towards me and my family which could have a direct impact on the provision of services to our daughter (see his email below).**

**Individuals from the press that were copied including from The Record (North Jersey Media Group - one of the largest newspapers in NJ) and an investigative reporter from CBS 880 News - one of the most listened to radio stations in the NY Metro Area.**

**4) October 3, 2013 The police were called and a “Stranger Danger” alert was issued.**

**We staged a very public fun and entertaining event before a community question and answer session with the Superintendent (see attached page below)**

We brought an actor dressed up as Moses, who brought his Lamborghini sports car, and we had Dunkin Munchkins on hand, and another actor held up signs advocating for special education rights.

Last year we staged similar events outside the Daily Show in NY in conjunction with a book I am writing.

We are very well known in the community having a foundation that has raised over \$1,000,000 for organizations that help children with special needs, we’ve been in the newspaper quite often, and we are intimately familiar with all of the Tenafly Middle School administrators as well as the Board of Education and Superintendent who called the police and issued a “Stranger Danger” alert, all of which was clearly retaliation for my efforts to advocate for our daughter.

They were very familiar with me because in 2013 and 2012 when my son who is now in high school attended the middle school, he was **bullied by staff members**. Although the incidents were acknowledged as valid, both situations were completely mishandled by Principal Powell, Superintendent Trager and the entire Board of Education. Ultimately I agreed not to file a complaint with the state and sue them if they issued new regulations on staff on student bullying which they did after I reminded them of an impending deadline.

**To imply that there was Stranger Danger, while the police were by our side the entire time, while cars of parents were streaming by and dropping off their children, about a person who has lived in the community for 15 years, has a high profile, is in the newspaper all the time, whose child just left the middle school, was ridiculous and clearly retaliation.**

It was a poor attempt at a smear campaign, in retaliation for poking fun and insulting the Principal, Superintendent and the Board of Education, because of my advocacy for my son after he was bullied and denied access to a leadership program, and because of their repeated denials of the needs for services for our daughter and a pattern of acting in bad faith towards our family, despite clear evidence to the contrary on both counts, when all we have ever done for the district is save them millions of dollars because we started a school 10 years ago where our daughter Rebecca is a student.

**An expose was broadcast by the Chasing New Jersey program on My9NJ:  
<http://www.my9nj.com/story/23635731/nj-stranger-danger>**

**Have efforts been made to resolve this complaint through the internal grievance procedure of the government, organization, or institution?**

Yes  No

**If yes: what is the status of the grievance?**

**We tried to resolve these issues with numerous meetings with the Director of Special Education and Board Attorney. We never brought an attorney - even when we met with the judge.**

**After they repeatedly denied the need for services, and called me a liar, despite clear evidence to the contrary on both counts, we went to the Board of Education and Mayor several times with all of the facts, and asked them to intervene and mediate several times, as the Superintendent, Director of Special Education and board attorneys continued to deny services.**

**When we were nearing a deadline, they refused to agree to a simple extension and told us to file for Due Process with the State.**

**Ultimately they forced us to go to a judge when we were inches apart in our agreement but did it again to retaliate for our poking fun at them in hopes of getting the judge to look poorly upon us.**

**Has the complaint been filed with another bureau of the Department of Justice or any other Federal, State, or local civil rights agency or court?**

Not yet but any suggestions would be appreciated.

Yes\_\_\_\_\_ No\_\_\_X\_\_\_

If yes:

Agency or Court:

Contact Person:

Address:

City, State, and Zip Code:

Telephone Number:

Date Filed:

**Do you intend to file with another agency or court?**

Yes\_\_\_\_\_ No\_\_\_\_\_

Not sure yet.

Agency or Court:

Address:

City, State and Zip Code:

Telephone Number:

Additional space for answers:

A handwritten signature in black ink, appearing to read 'Jenny', written over a horizontal line.

Signature: \_\_\_\_\_

Date: 10/18/13

Return to:

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, NW  
Disability Rights - NYAV  
Washington, D.C. 20530

**Paperwork Reduction Act Statement:**

A federal agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. Public burden for the collection of this information is estimated to average 45 minutes per response. Comments regarding this collection of information should be directed to the Department Clearance Officer, U.S. Department of Justice, Justice Management Division, Office of the Chief Information Officer, Policy and Planning Staff, Two Constitution Square, 145 North Street, N.E., Room 2E-508, Washington, D.C. 20530.

OMB No. 1190-0009. Expiration Date: May 31, 2015.

last updated May 7, 2012

## Email from the Mayor to nearly 100 people in the community and members of the press

**From:**

"Rustin, Peter" <prustin@tenafly.net>

**To:**

'Jon Singer' <singer@eimpulse.com>, "Trager, Lynn" <ltrager@tenafly.k12.nj.us>, "Chamberlain, Robert" <rchamberlain@tenafly.net>

**Cc:**

"Bassett, Suzanne" <sbassett@tenafly.k12.nj.us>, "scherry@fogartyandhara.com" <scherry@fogartyandhara.com>, "rp@allvoiceusa.com" <rp@allvoiceusa.com>, "phyllis.kesslen@gmail.com" <phyllis.kesslen@gmail.com>, "Aronson, Mark" <maronson@tenafly.k12.nj.us>, "Kaplan, Donald" <dkaplan@tenafly.k12.nj.us>, "Stewart, Lynne" <lstewart@tenafly.k12.nj.us>, "boe@salaski.com" <boe@salaski.com>, "jteall@tealassociates.com" <jteall@tealassociates.com>, "sabtboe@gmail.com" <sabtboe@gmail.com>, Peter Newman <pnewman@gcgconnect.com>, Linda Meyer <lsmeyer.1@juno.com>, "peggy.mcdonald@doe.state.nj.us" <peggy.mcdonald@doe.state.nj.us>, "martha.arnold@doe.state.nj.us" <martha.arnold@doe.state.nj.us>, "Kopesky, Adam" <akopesky@tenafly.net>, Barbara Williams <WilliamsB@northjersey.com>, "yellin@northjersey.com" <yellin@northjersey.com>, "snowflack@northjersey.com" <snowflack@northjersey.com>, Sean Adams <sadams@wcbs880.com>, "milsop@northjersey.com" <milsop@northjersey.com>, "evanathome Cohen, Evan" <evanathome@yahoo.com>, "davidjsinger@aol.com" <davidjsinger@aol.com>, Matthew Ross <matt@oneriverschool.com>, Karen Singer <ksssinger@gmail.com>, Gary Singer <gary@pure1.com>, "emerson@dickmanalliance.com" <emerson@dickmanalliance.com>, Brian Glattstein <bgmbg@aol.com>, Marcy Block Glattstein <MBlockG@aol.com>, Greg Pitkoff <gpitkoff@gmail.com>, Kathy MacKenzie <kmvictor@aol.com>, Jay Horowitz <jay@logicalbiz.com>, Joyce Horowitz <joyce@logicalbiz.com>, Rangell family <rangellfamily@comcast.net>, Mark Rangell <mark.rangell@appliedpathways.com>, "Phil, Lori, Alec, Julia Sarna" <phil@psbmgmt.com>, Jon Zaslow <Jzaslow@atd.com>, Ben Picciotto <ben@efsilver.com>, David Gelbert <dgelbert@royalabstract.com>, Gelbert Home <gelbert4@optonline.net>, "Wendy Horowitz" <wendy@familyhorowitz.com>, Gill Horowitz <Gill.Horowitz@ImpactPOP.com>, Leslie Newman <lellipop@optonline.net>, "Inc. Robert A. Fishbein - Prudential Financial" <robfishbein18@gmail.com>, "Carla Fishbein" <carrobfish@optonline.net>, Bruce and Alison Egert <bruceegert1@aol.com>, Barry Zingler <bzing25@gmail.com>, "Justin And Shelly Wimpfheimer" <opa6tg@gmail.com>, "Randy, Howard, Cori, Rachel and Spencer Breindel" <breindel@desantisbreindel.com>, Randy Breindel <randyb1@optonline.net>, "Albalah David & Amy, Michael, Rachel" <dalbalah@albalahgroup.com>, Amy Albalah <albalah5@optonline.net>, Ron Ofeck <rzoatty@gmail.com>, Anat Ofeck <anatofeck@yahoo.com>, Nancy Leeds <nancylibasleeds@gmail.com>, Harvey Leeds <harvey@harveyleeds.com>, "June Alper" <junealper@gmail.com>, Elliott Alper <elliottalper@gmail.com>, "Carolyn Paris" <Carolyn.Paris@seattlechildrens.org>, David Tirschwell <dltirsch@gmail.com>, Greg Tracy Caylen Dorfman <tldorf4@aol.com>, "Steven (Dr) & Kaplan" <skmder@gmail.com>, Annette Kaplan <annetekaplanlbi@gmail.com>, Stanley Antonoff <Stanalbi@aol.com>, "Court Whisman" <court.whisman@gmail.com>, Lili Holland <lili@bayleafstudio.com>, Marvin Josif <marvin@josif.com>, Suzette Josif <suzette@josif.com>, "Shira Feuerstein"

<shira@foodimportgroup.com>, Lisa Feuerstein <lfeuerstein@foodimportgroup.com>, Lisa Fedder <LisaF@jfsbergen.org>, "Jeffrey Nadler" <jeffnadler@hotmail.com>, Robert Feuerstein <rfeuerstein@foodimportgroup.com>, David Feuerstein <sportsguy1031@yahoo.com>, Adam Kugler <akugler57@aol.com>, Jane Kugler <janekugler3@gmail.com>, Ruth and Bruce Pomerantz <pompoppy@aol.com>, "Kev Coleman" <kevin.coleman@healthpocket.com>, Shawn Danziger <shawndanziger@gmail.com>, Lori Danziger <loridanziger@gmail.com>, "Gloria and Andor Glattstein" <gggga@aol.com>, George & Nancy Paris <Parisgeo@comcast.net>, Donna Weintraub <donnaw64@optonline.net>, "Evan Weintraub" <WEINTRAUB@wmlp.com>, Mauricio Hilchey Scott <shilchey@yahoo.com>, Alan Yung <aiy@me.com>, Ruth Yung <rsyung@me.com>, Lori Leskin <leskin@optonline.net>, Paige Leskin <paigy@optonline.net>, Eric Leskin <eric@tslight.com>, Stephen <BorgS@northjersey.com>, Sharon Fiarman <penpal13@me.com>, Jeffrey Fiarman <jaf450@mac.com>, Litch Singer <rasinger58@gmail.com>, Al Singer <cowboyal336@gmail.com>, "Helene & Stan Landsman" <Hk2sl1@aol.com>, Arline & Castellucci <arlinecastellucci@hotmail.com>, Adam Cohen <adamfcohen@hotmail.com>, "Dolores Walther" <dolores.walther@doe.state.nj.us>, Braverlaw <braverlaw@aol.com>

**Date:**

10/01/2013 04:14 PM

**Subject:**

Are your comments really in Rebecca's best interests?

Jon,

Some time ago, I responded to your series of e-mails by reminding you that in New Jersey, Borough Hall is not and cannot be involved in school issues (this includes the Mayor). In my ten years of service to Tenafly as Mayor, I have shown a very consistent and conscientious pattern of responsiveness to all forms of communication from the public. I return phone calls immediately, answer e-mails quickly, and I meet with residents at the earliest opportunity when asked to do so. Unfortunately, as a public official I am not shielded from occasional instances of harassment. Therefore, I have chosen not to respond any further to your series of personalized attacks no matter how wide you have cast your "blanket of blame". However, after receiving the recent series of about a dozen rambling, offensive, and totally inappropriate and counter-productive e-mails I will offer one final response.

Jonathan, for over twelve years I have been witness to your family's total dedication to Rebecca's well-being. I, along with every other witness to your total commitment to your daughter, have admired and supported your efforts in one manner or another. Your work on Rebecca's behalf has benefited not only Rebecca, but the entire special needs community; as well as Tenafly and the surrounding region. The amount of goodwill and support you have developed would be impossible to quantify. **Now in a very short time, your actions have eroded such goodwill and support perhaps beyond any future repair.**

As Mayor, I learned a long time ago that when a person feels his home or his family is being threatened things can get very emotional. I understand these intense feelings, and often compensate for a person's actions in that regard. But you have taken this way too far. Your accusations are beyond credibility and totally inappropriate. Your name calling is uncalled for and beyond the bounds of propriety. How any rational person can expect assistance from people who have been called the names you have used is beyond me. The professionals at the Board of Education are paid to do a job and they must follow a process defined by state law. If you believe they are not doing that, there are avenues open to you which you can make use of to advocate for your concerns. One example is the court system. The members of the Board of Education are way outside of that process, which in your frustration, you refuse to acknowledge. So is the Mayor.

In closing, I will pass along several conversations I have had, none of which I initiated. **A relative of yours called me to ask for my assistance. She accepted the fact that I am not in a position to assist you. She also agreed that you were out of control and hurting not only your goals for Rebecca, but totally destroying your position in the community.** Three other people suggested to me that they did not understand why they are being copied on your emails and they wished that they could be removed from your list. This is too bad, Rebecca deserves better, and until recently has always gotten the best anyone could expect.

I can only hope that you will earnestly assess your recent actions and try to get back on track with more appropriate forms of advocating for your daughter's well-being.

Best wishes,

Peter Rustin

Mayor, Borough of Tenafly

**"Stranger Danger" Alert issued by Tenafly Middle School Principal Powell after a call was placed to the Tenafly Police by the Middle School and from the Board of Education offices**

From <[InstantAlert\\_1291307@Honeywell.com](mailto:InstantAlert_1291307@Honeywell.com)>

Date: October 3, 2013 at 2:23:05 PM EDT

**Subject: Message Regarding incident morning of Oct. 3**

Alert Name: Oct. 3 Incident

Alert Type: Notification

**This morning before school a high school parent with two other adults, one of whom was dressed in costume, were observed filming middle school students.**

*(wrong - we were filming an event, entertaining the throngs of carpooling moms)*

**They were parked on public property, offered students munchkins, and offered to take their pictures with a red Lamborghini. Several of our students had their pictures taken in the car as well as next to the car and several students accepted the munchkins.**

*(Rebecca and her aide were sitting in my car, and kids who wanted snacks could take them, we didn't take any pictures of kids, but if they wanted to take their own pictures in front of or in the car they were welcome to - no adult was in the car while they took pictures)*

**The police were called by building and district administrators and they responded quickly.**

*(the police were there before the kids started arriving and stayed by our side the entire time and had no problem with us being there)*

**Mrs. Trager, Ms. d'Adolf and I went to the scene as well. Students were encouraged by the administrators to continue to the middle school.**

*(they knew we were coming for days, and decided to try pulling the police card once again - the police said we know what's happening, we know why you are doing it and had no problem with us staying)*

**We encourage all parents to speak with your children about "stranger danger." Please stress that students should never speak with strangers, should never get in a stranger's car, and should never accept food from a stranger. If your child sees a stranger trying to engage children, they should tell an adult immediately.**

*("Stranger Danger" from a 15 year resident in the community, whose Drive4Rebecca foundation has raised over \$1,000,000 for charities in the community and beyond, whose child just graduated middle school, who had to complain twice to the Board of Education about the Principal, because that child was bullied two years in a row - by school staff - and who was denied access to a leadership program. This was clearly all retaliation by vindictive staff*

*members seeking revenge against a parent who simply was protecting and advocating for his kids).*

**We will also be making an announcement to our students at the end of the school day to remind and reinforce what they have been taught about "stranger danger."**

Ann Powell, Principal

School Name: Tenaflly Middle School

Sent By: Brigitte Albrecht