

## **Teacher Reinstated After '03 Dismissal; Educator Sent Racially Offensive E-Mail**

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A Boynton Beach middle school teacher fired early last year for sending a racially offensive e-mail about another teacher has won his job back.

Anthony Asci quietly returned to the school district payroll on April 12, a week after an arbitrator ruled that the former Congress Middle School art teacher should be reinstated due to officials' improper handling of the case.

The School Board in February 2003 fired Asci, who is white, for sending an e-mail that made derogatory remarks about black teacher Wayde King. A district investigation also uncovered other inappropriate messages from Asci, including one that used negative racial stereotypes to describe board member Debra Robinson, who is black.

King, who had spearheaded an effort in the black community to oust the school's former principal, is suing the district over his own firing, which occurred three weeks before Asci's. In King's claim, filed last week, he says he was harassed and fired because of his race. Administrators said King was let go because he abandoned his job during his suspension for insubordination, unprofessional conduct and creating a hostile work environment.

Bill Julien, King's attorney, learned about Asci's reinstatement Friday from a reporter.

"It does raise concerns why Mr. King is still terminated," Julien said.

Asci, who agreed to a temporary position in the district's transportation department, will be back in the classroom in August for the start of the next school year, said Helene Samango, executive director of the Classroom Teachers Association. The union helped Asci appeal his termination.

Asci could not be reached for comment Friday. He is eligible for the \$38,058 annual base salary he was receiving at the time of his firing.

Arbitrator Martin Soll of Miami denied Asci's claim for back pay and benefits because he violated the district's rules on acceptable e-mails, according to an April 8 memo from district Chief Counsel JulieAnn Rico Allison to the School Board and Superintendent Art Johnson.

Johnson said Friday he could not comment on Asci's reinstatement because the matter still involves pending litigation.

Asci's e-mail was sent to a dozen co-workers, including then- Principal Carol Blacharski.

Allison's memo said the arbitrator found that the district did not warn Asci of the "disciplinary consequences" of his conduct, and that rules concerning acceptable use of district e-mails did not specify that abusing the policy could result in termination. The arbitrator also found that Blacharski's failure to stop Asci's e-mails "fatally undermined the board's case," Allison wrote.

Blacharski, who received a reprimand and transferred to Loggers Run Middle west of Boca Raton, could not be reached for comment Friday.

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