THE CITY OF NEW YORK
CONFLICTS OF INTEREST BOARD and
THE CITY OF NEW YORK
ADMINISTRATION FOR CHILDREN'S SERVICES

In the Matter of NADINE EVANS Respondent.	**DISPOSITION** COIB Case No. 2015-311 ACS File No. 66054-438-000

WHEREAS, the New York City Administration for Children's Services ("ACS") served disciplinary charges against Nadine Evans ("Respondent"), pursuant to Section 75 of the Civil Service Law, alleging violations of Chapter 68 of the City Charter ("Chapter 68") and the ACS Code of Conduct; and

WHEREAS, given that related disciplinary charges were pending at ACS, the New York City Conflicts of Interest Board (the "Board") referred this matter to ACS pursuant to Section 2603(e)(2)(d) of Chapter 68; and

WHEREAS, the Board, ACS, and Respondent wish to resolve these matters on the following terms,

IT IS HEREBY AGREED, by and between the parties, as follows:

1. In full satisfaction of the above-captioned matter, Respondent admits to the following:

   a. I have been employed by ACS since February 11, 2008, most recently as a Child Protective Specialist II. As such, I am a "public servant" within the meaning of and subject to Chapter 68.

   b. To perform my official duties as a Child Protective Specialist II, ACS authorized me to have access to the New York State Central Register's database, CONNECTIONS. CONNECTIONS is a confidential database of child abuse and maltreatment investigations used by ACS and other child protective service agencies throughout New York State.

   c. On or about February 22, 2015, I accessed the confidential case records of an investigation involving an associated relative in CONNECTIONS without authorization from ACS. I had no official role or assignment in that case. I

accessed the case records to obtain information about the status of the case for my own personal use.

d. I acknowledge that, by using confidential City information to learn the status of an ACS case in which I had a personal interest, I violated Chapter 68, specifically Section 2604(b)(4). City Charter § 2604(b)(4) states in relevant part:

> No public servant shall disclose any confidential information concerning the property, affairs or government of the city which is obtained as a result of the official duties of such public servant and which is not otherwise available to the public, or use any such information to advance any direct or indirect financial or other private interest of the public servant or of any other person or firm associated with the public servant.

e. On May 14, 2015, ACS served me with disciplinary charges, pursuant to Section 75 of the Civil Service Law, for my unauthorized use of confidential information in CONNECTIONS as described above. I acknowledge that my above-described conduct violated the ACS Code of Conduct, as set forth in the ACS disciplinary charges.

2. In recognition of the foregoing, Respondent agrees to the following:

a. As penalty, I agree to serve a three (3) work-day suspension, valued at approximately Five Hundred Ninety Eight Dollars ($598), to be served on dates to be determined by ACS.

b. I agree that this Disposition is a public and final resolution of the ACS charges and the Board's action against me.

c. I knowingly waive on my behalf and on behalf of my successors and assigns any rights to commence any judicial or administrative proceeding or appeal before any court of competent jurisdiction, administrative tribunal, political subdivision, or office of the City or the State of New York or the United States, and to contest the lawfulness, authority, jurisdiction, or power of the Board or ACS in imposing the penalty which is embodied in this Disposition, and I waive any right to make any legal or equitable claims or to initiate legal proceedings of any kind against the Board or ACS, or any members or employees thereof relating to or arising out of this Disposition or the matters recited therein.

d. I confirm that I have entered into this Disposition freely, knowingly, and intentionally, without coercion or duress, and after having had the opportunity to be represented by the union representative of my choice; that I accept all terms and conditions contained herein without reliance on any other promises or offers previously made or tendered by any past or present representative of the Board or ACS; and that I fully understand all the terms of this Disposition.

e. I agree that any material misstatement of the facts of this matter, including of the Disposition, by me or by my attorney or agent shall, at the discretion of the Board, be deemed a waiver of confidentiality of this matter.

3. The Board and ACS accept this Disposition and the terms contained herein as a final disposition of the above-captioned matter only, and affirmatively state that other than as recited herein, no further action will be taken by the Board or ACS against Respondent based upon the facts and circumstances set forth herein, except that the Board and ACS shall be entitled to take any and all actions necessary to enforce the terms of this Disposition.

4. This Disposition shall not be effective until all parties have affixed their signatures below.

Dated: Nov. 23rd, 2015

Nadine Evans
Respondent

Dated: 11/23, 2015

Darek Robinson
Vice President of Grievances and Legal Services
SSEU Local 371, DC 37
Union Representative for Respondent

Dated: 11/27, 2015

Joseph Cardieri
General Counsel and Deputy Commissioner
NYC Administration for Children's Services

Dated: 12/22, 2015

Richard Briffault
Chair
NYC Conflicts of Interest Board