



State of New Jersey

DEPARTMENT OF EDUCATION
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JON S. CORZINE
Governor

LUCILLE E. DAVY
Commissioner

February 2, 2009

TO: County Offices of Education
FROM: Joanne Boyle, Executive Director
School Ethics Commission
RE: Financial and Personal/Relative Disclosure Statements

Each year the School Ethics Commission requires all school officials to file financial and personal/relative disclosure statements pursuant to N.J.S.A. 18A:12-25 and 26 of the School Ethics Act. The Commission is providing you with timelines in order to complete the process for school officials to properly file these disclosure statements. Please note that school officials must file through the board secretaries and charter school designees. **Also note that, due to the implementation of NJQSAC, the Commission must enforce the provisions of N.J.A.C. 6A:28-3.4, which will require the county office to provide 20 days for school officials to address incomplete disclosure statements. (See chart below.)** Where school officials fail to file disclosure statements, Orders to Show Cause will be issued; the school officials will be given 20 days to respond before the Commission takes action. The Commission appreciates your assistance in accomplishing this task.

COUNTY OFFICE TIMELINES

DATE	ACTIONS
February 2, 2009	Inform the districts and charter schools in your county that the disclosure statements are available to download and print from the Commission’s website at www.nj.gov/education/ethics/fdform.htm .
February 2, 2009	Fax or email the enclosed memorandum along with the sample reminder letter, the Board Secretary Report form and the “Certification by Board Secretary” form to board secretaries and charter school designees.
February 17, 2009	Obtain from board secretaries and charter school designees a list of all school officials required to file disclosure statements. Questions regarding who is required to file should be directed to schoolethics@doe.state.nj.us . See below, <i>Who Must File?</i>
April 30, 2009	Obtain from board secretaries and charter school designees: 1) the original disclosure statements in alphabetical order; 2) a completed “Board Secretary Report” which lists the names, positions and home addresses of school officials who have failed to file or filed incomplete statements; and

	3) a signed “Certification by Board Secretary.”
Review of Disclosure statements for Completeness	Review disclosure statements for completeness. Where statements are blank in any section, the statement is deemed incomplete and must be returned to the school official. We suggest that it be returned via <u>certified mail, return receipt</u> for QSAC recordkeeping purposes. (See sample letter.) The school official will have 20 days from the date of receipt of the returned filing to file a properly-completed form, the original with the county office and a copy to the board secretary. <i>N.J.A.C. 6A:28-3.4(a)</i> . NOTE: “N/A” is not an acceptable response on Section I, question 1 of the Financial Disclosure Statement.
June 1, 2009 (Note: This information is required for QSAC reporting. See DPR Governance, #B3.)	Submit “County Office June 1, 2009 Report” to the Commission with a list of the school officials who have: <ol style="list-style-type: none"> 1) not filed disclosure statements by April 30, 2009; or 2) filed incomplete disclosure statements on time, but failed to file completed statements by April 30, 2009 or within the 20-day completion period (above), whichever is later. <p><i>Please do not forward the names of board members who are no longer in office.</i></p>
June 1, 2009	Obtain from board secretaries/charter school designees a list of the new board members, trustees and appointees who have 30 days from taking office to file disclosure statements.
July 1, 2009	Obtain from board secretaries and charter school designees for <u>newly-elected and appointed school officials</u> : <ol style="list-style-type: none"> 1) the original disclosure statements in alphabetical order; 2) a completed “Board Secretary Report” which lists the names, positions and home addresses of school officials who have failed to file or filed incomplete statements; and 3) a signed “Certification by Board Secretary.” <p>Once submitted, please review for completeness. (See “Review” box, above)</p>
July 20, 2009 (Note: This information is required for QSAC reporting. See DPR Governance, #B3.)	Submit “County Office July 20, 2009 Report” to the Commission. List <u>newly-elected and appointed school officials</u> who have: <ol style="list-style-type: none"> 1) not filed disclosure statements within 30 days of appointment/taking office; or 2) filed incomplete disclosure statements on time, but failed to file completed statements within the 30-day deadline or within the 20-day completion period, whichever is later. <p><i>Please do not forward the names of board members who are no longer in office.</i></p>
August through December, 2009	Update the Commission with information on school officials who file disclosure statements after July 20th by emailing information to schoolethics@doe.state.nj.us with the name, district and date that the school official filed.

WHO MUST FILE?

All school officials are required to file financial and personal/relative disclosure statements. “School official” means a board member, an employee or officer of the New Jersey School Boards Association, but not including any member of the secretarial or maintenance staff of the association, or an administrator. “Administrator” means any officer, other than a board member, or employee of a local school district who: (i) holds a position which requires a certificate that authorizes the holder to serve as school administrator, principal, or school business administrator; or (ii) holds a position which does not require that the person hold any type of certificate but is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by the local school district; or (iii) holds a position which requires a certificate that authorizes the holder to serve as supervisor and who is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by the local school district. *N.J.S.A. 18A:12-23*. These provisions apply to an administrator and member of the board of trustees of a charter school. *N.J.S.A. 18A:12-23.1*.

→ School officials who serve in more than one school district should file statements in each district.

→ Board attorneys employed by private firms are not school officials required to file disclosure statements.
See the Commission's "Q & A" at: <http://www.nj.gov/education/ethics/fds/faq.htm>

E/JB/FinancialDisclosures/2009submissions/Countymemo2009.chart