

AGENCY DKT. NO. 209-7/08

IN THE MATTER OF LUCIANO ADORNATI, :
BOARD OF EDUCATION OF THE BOROUGH : COMMISSIONER OF EDUCATION
OF HELMETTA, MIDDLESEX COUNTY. : DECISION
_____ :

The record of this matter and the decision of the School Ethics Commission, forwarded to the Commissioner pursuant to *N.J.S.A.* 18A:12-29 for final determination on the Commission’s recommended penalty, have been reviewed. Respondent did not file exceptions with the Commissioner, nor did he appeal the Commission’s underlying finding of violation of the School Ethics Act (Act) pursuant to *N.J.A.C.* 6A:4; however, on September 2, 2008, respondent wrote to the Executive Director of the Commission, requesting reconsideration of the Commission’s recommended penalty and reiterating his comments in response to the Commission’s Order to Show Cause, to the effect that he had registered for the next available training and his absence from the Board would cause hardship during an extremely busy time.¹

Upon review, the Commissioner concurs with the penalty recommended by the Commission and additionally admonishes respondent for failing to timely honor an obligation placed upon board members by law, since such failure has resulted in unnecessary expenditure of administrative and adjudicative resources at both State and local levels. It is not uncommon for board of education members to have busy work schedules; however, this circumstance does not lessen their duty to obtain the training deemed necessary to fulfill the functions of their office. Similarly, the absence of a board member inevitably poses some hardship for the board on which he or she sits; however, this circumstance cannot be permitted to limit exercise of the full range of

¹ Although expressing a “wish to appeal,” respondent did not dispute the Commission’s finding that he had failed to attend training as required; rather, his comments took exception solely to the Commission’s recommended penalty. Consequently, his submission – in addition to being improperly directed – was untimely filed pursuant to *N.J.A.C.* 6A:4-2.2(b)1.

penalties the Legislature has authorized the Commission to recommend, and the Commissioner to impose, upon a finding of violation of the Act.

Accordingly, respondent is hereby suspended as a school official found to have violated the School Ethics Act, such suspension to remain in effect until the required training is completed; provided, however, that if such training is not completed by the November 15, 2008 training session, respondent shall be summarily removed from office.

IT IS SO ORDERED.²

COMMISSIONER OF EDUCATION

Date of Decision: September 10, 2008

Date of Mailing: September 10, 2008

² This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L. 2008, c. 36*.