

AGENCY DKT. NO. 615-10/10
SEC DKT. NO. C02-10

FRANK DIGESERE, :
 :
 COMPLAINANT, :
 :
 V. : COMMISSIONER OF EDUCATION
 :
 JOHN CAMPBELL, : DECISION
 KEARNY BOARD OF EDUCATION, :
 HUDSON COUNTY, :
 :
 RESPONDENT. :

The record of this matter and the decision of the School Ethics Commission (“Commission”), including the recommended penalty of censure, have been reviewed.

This matter comes before the Commissioner to impose a sanction upon Respondent John Campbell, member of the Kearny Board of Education, based upon findings of fact and conclusions of law by the Commission that he violated *N.J.S.A.* 18A:12-24.1 (d) and (e) of the Code of Ethics for School Board Members as set forth in Count 1 against him.¹

Upon issuance of the decision of the Commission, respondent was provided 13 days from the mailing of such decision to file written comments on the recommended penalty for the Commissioner’s consideration. No comments were submitted by or on behalf of respondent.

Initially, it must be emphasized that pursuant to *N.J.S.A.* 18A:12-29(c) and *N.J.A.C.* 6A:3-9.1, the determination of the Commission as to violation of the School Ethics Act is **not reviewable by the Commissioner** unless a notice of appeal is filed pursuant to

¹ Count 1 of the complaint alleges that Mr. Campbell visited the High School field house in September 2009 and verbally and physically harassed and intimidated employees whom he believed were being disrespectful to his position as a board member.

P.L. 2008,c. 36 and *N.J.A.C.* 6A:4 which did not happen here. Therefore, this decision is restricted solely to a review of the Commission's recommended penalty.

Upon a thorough review of the record, the Commissioner accepts the Commission's recommendation that censure is the appropriate penalty in this matter. As clearly stated in its decision, the Commission finds this penalty congruent with that imposed in previously decided similar cases. As such the Commissioner finds no cause to disturb the Commission's recommended penalty in this matter.

Accordingly IT IS hereby ORDERED that John Campbell be censured as a school official found to have violated the School Ethics Act.

IT IS SO ORDERED.²

ACTING COMMISSIONER OF EDUCATION

Date of Decision: December 13, 2010

Date of Mailing: December 13, 2010

² This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L.* 2008. C. 36 (*N.J.S.A.* 18A:6-9.1).