

IN THE MATTER OF FRANK MINNITI, :
GREENWICH TOWNSHIP BOARD : COMMISSIONER OF EDUCATION
OF EDUCATION, GLOUCESTER COUNTY. :
DECISION

SYNOPSIS

The School Ethics Commission (Commission) found that respondent – a member of the Board of Education of the Township of Greenwich – violated *N.J.S.A.* 18A:12-24(c) of the Code of Ethics for School Board Members of the School Ethics Act when he voted to approve the contract of the Business Administrator to whom his wife reported. The Commission recommended the penalty of reprimand in this matter.

Upon review, the Commissioner – whose jurisdiction is limited to reviewing the Commission’s recommended sanction – concurred that reprimand is the appropriate penalty for the violation found. Accordingly, the Commissioner directed that respondent be reprimanded as a school officer found to have violated the School Ethics Act.

This synopsis is not part of the Commissioner’s decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.

July 12, 2010

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OF EDUCATION, GLOUCESTER COUNTY. :
DECISION

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

This matter comes before the Commissioner to impose a sanction upon Respondent Frank Minniti, member of the Greenwich Township 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(c) of the School Ethics Act when, on February 23, 2009, he voted to approve the contract of the Business Administrator to whom his wife – a secretary in the District – reported.

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 Mr. Minniti.

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 P.L. 2008, c. 36 and *N.J.A.C.* 6A:4, which did not happen here. Therefore, the Commissioner’s jurisdiction at this time is limited to reviewing the sanction to be imposed following a finding of a violation by the Commission. Consequently, 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 reprimand 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 Frank Minniti is hereby reprimanded as a school official found to have violated the School Ethics Act.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: July 12, 2010

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* 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*)