

IN THE MATTER OF WILLIAM DEPSEE, :
BOARD OF EDUCATION OF THE BOROUGH : COMMISSIONER OF EDUCATION
OF WOODLAND PARK, PASSAIC COUNTY. : DECISION

SYNOPSIS

The School Ethics Commission (Commission) found that respondent – a member of the Woodland Park Board of Education – 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 extend the contract of the district’s Superintendent, who was the direct supervisor of respondent’s wife in her position as truant officer. Despite appropriate notices, the respondent failed to file an answer to the charges. Therefore, pursuant to *N.J.A.C. 6A:28-7.3(b)*, each allegation of the complaint was deemed admitted and the Commission proceeded to a probable cause determination on a summary basis at its meeting on November 24, 2009. The Commission subsequently 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 reprimanded the respondent 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.
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March 11, 2010

AGENCY DKT. NO. 17-1/10
SEC DKT. NO. C30-09

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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 solely for review of the Commission's recommended penalty,¹ have been reviewed. No comments were filed by respondent.

Upon review, the Commissioner concurs with the Commission that, under the circumstances, reprimand of respondent is the appropriate penalty for the violation found.

Accordingly, for the reasons expressed by the Commission, the above-named respondent is hereby reprimanded as a school official found to have violated the School Ethics Act.

IT IS SO ORDERED.²

ACTING COMMISSIONER OF EDUCATION

Date of Decision: March 11, 2010
Date of Mailing: March 11, 2010

¹ Respondent did not appeal the Commission's finding of violation to the Commissioner pursuant to *N.J.A.C.* 6A:4.

² Pursuant to *P.L.* 2008, *c.* 36 (*N.J.S.A.* 18A:6-9.1), Commissioner decisions are appealable to the Superior Court, Appellate Division.