

school official to file the personal/relative and financial disclosure statements with the School Ethics Commission. The deadline to file these disclosure statements was April 30, 2007 for school officials in office since January 30, 2006 and 30 days from swearing-in or start of employment for newly elected or appointed board members and administrators. The School Ethics Commission was advised by the County Superintendent that this school official did not file the disclosure statements as required by the Act. The Commission notes that the school official answered that he completed and signed the disclosure statements at the board's meeting in April 2007. However, the school official has not filed the disclosure statements as of the date of this decision. Therefore, the Commission finds probable cause to credit the allegation that the school official violated N.J.S.A. 18A:12-25 and 26. The Commission also finds that the material facts are not in dispute and, therefore, the Commission finds that the school official's failure to file the disclosure statements after receipt of the OTSC constitutes a clear violation of N.J.S.A. 18A:12-25 and 26.

DECISION/PENALTY RECOMMENDATION

Based on the foregoing, the Commission finds that John Peterson violated N.J.S.A. 18A:12-25 and 26. The Commission also finds that this school official was given ample opportunity to provide the complete disclosure statements. The Commission recommends that the Commissioner of Education impose a sanction of suspension until the school official files the disclosure statements, removal if the disclosure statements are not filed within 30 days of the Commissioner's decision on penalty, and censure if the disclosure statements are filed prior to issuance of the Commissioner's decision.

This decision has been adopted by a formal resolution of the School Ethics Commission. This matter shall now be transmitted to the Commissioner of Education for action on the Commission's recommendation **for sanction only**, pursuant to N.J.S.A. 18A:12-29. Within 13 days from the date on which the Commission's decision was mailed to the parties, the school official may file written comments on the recommended sanction with the Commissioner of Education, c/o Bureau of Controversies and Disputes, P.O. Box 500, Trenton, NJ 08625, marked "Attention: Comments on Ethics Commission Sanction." A copy of any comments filed must be sent to the School Ethics Commission and all other parties.

Paul C. Garbarini
Chairperson

Resolution Adopting Decision – D09-07

Whereas, the School Ethics Commission has considered its Order to Show Cause in this matter; and

Whereas, at its meeting of December 18, 2007, the Commission found that John Peterson violated N.J.S.A. 18A:12-25 and 26; and

Whereas, at its meeting of December 18, 2007, the Commission recommended that the Commissioner of Education impose a sanction of suspension until the school official files the disclosure statements, removal if the disclosure statements are not filed within 30 days of the Commissioner's decision on penalty, and censure if the disclosure statements are filed prior to issuance of the Commissioner's decision; and

Whereas, the Commission reviewed this draft decision as prepared by its staff;

Now Therefore Be It Resolved that the Commission hereby adopts the proposed decision referenced as its decision in this matter and directs its staff to notify all parties to this action of the Commission's decision herein.

Paul C. Garbarini, Chairperson

I hereby certify that the Resolution
was duly adopted by the School
Ethics Commission at its public meeting
on December 18, 2007.

Joanne Boyle
Executive Director