



State of New Jersey

CHRIS CHRISTIE
Governor

DEPARTMENT OF EDUCATION
PO Box 500
TRENTON, NJ 08625-0500

KIM GUADAGNO
Lt. Governor

DAVID C. HESPE
Commissioner

January 12, 2016

TO: Chief School Administrators, Charter School Lead Persons,
Board Secretaries/Charter and Renaissance School Designees

FROM: Joanne M. Restivo, Acting Executive Director
School Ethics Commission

SUBJECT: Filing of 2016 Personal/Relative and Financial Disclosure Statements

This memorandum is a reminder to Districts, Charter and Renaissance Schools throughout the state that the School Ethics Commission (SEC) has established an electronic method for reporting the Personal/Relative and Financial Disclosure Statement, which is required to be filed by all school officials pursuant to the School Ethics Act (Act). N.J.S.A. 18A:12-25 and 26. The Act requires the filing of the Disclosure Statement for school officials who have previously filed in the District, Charter or Renaissance Schools by **April 30**. For school officials who are newly-elected or newly-appointed to the District, Charter School, or Renaissance School, the Disclosure Statement must be filed within 30 days of taking office or assuming the position. Full instructions on the online filing application including Power Point Presentations for Board Secretaries and school officials as well as guidance on who must file disclosure statements can be found at <http://www.nj.gov/education/ethics/fds/index.html>.

Each School Board Secretary, Charter School or Renaissance School Designee (Board Secretary) must annually submit within the SEC's online filing application the List of School Officials (List) that contains the names and email addresses of those school officials¹, by office and position, whose responsibilities would require the filing of the Personal/Relative and Financial Disclosure Statements, pursuant to the criteria set forth in N.J.S.A. 18A:12-21 *et seq.* Full instructions for the online filing application are available at the SEC website at <http://www.nj.gov/education/ethics/fds/index.html>. On or before February 1, each Board Secretary must log into the online filing application and create the List of School Officials (List) at <http://education.state.nj.us/sec/>. The first step in the process requires each Board Secretary to log in and complete the List on or before **February 1**. The Board Secretary shall then inform all school officials that they will be contacted by the SEC to facilitate the filing of the Personal, Relative and Financial Disclosure Statement for the reporting year. By **April 30**, the Board Secretary must

¹ "School official" means a board member, a member of the board of trustees of a charter or Renaissance school, an administrator of a local school district, an employee or officer of the New Jersey School Boards Association and other organizations covered by the Act, but not including any member of the secretarial, clerical or maintenance staff.

complete the review of disclosure statements and submit to the County Superintendent the Certification Reporting the Status of the Disclosure Statements by **May 10**. The County must then submit the Certification Reporting the Status of the Disclosure Report to School Ethics Commission by **June 1**, at which point the February collection will close.

On **June 1** and throughout the remainder of the calendar year, Board Secretaries will begin the June List collection by again accessing the electronic link to submit the names and email addresses of newly-elected and/or newly-appointed board members, trustees and administrators, who are required to file Disclosure Statements within 30 days of taking office or assuming the position. N.J.A.C. 6A:28-3.1(c), (d), (e), (f). The Board Secretaries will electronically file these Lists for review to the Executive County Superintendent (ECS) and the County Offices through the SEC’s online filing application as new officials are appointed or sworn in during this period. By **November 1**, the Board Secretary must complete the review of disclosure statements, and by **November 15**, the Board Secretary must submit the Certification Reporting the Status of the Disclosure Statements to the County Superintendent. Each County must then file its Certification with the SEC by **December 1** at which point the June collection will close.

These Lists shall be subject to review only by the Board Secretary, the ECS and the SEC. Using the easy access online filing application, the Board Secretaries and the offices of the ECS (County Offices) will review and approve Disclosure Statements by **April 30 and November 1**.

The List locks upon submission to protect the names and Disclosure Statements of school officials. **No name shall ever be deleted from the List**. Upon the request by the Board Secretary, the SEC will open the List to allow an addition or an edit.

Below is a timeline for collection of Disclosure Statements. If you have any questions, please contact the School Ethics Commission, by email at schoolethics@doe.state.nj.us.

TIMELINES FOR THE BOARD SECRETARY

DATE	ACTIONS
<p>January/February</p> <p>Review of Online Lists of School Officials, but no later than February 1</p>	<ul style="list-style-type: none"> • Submit online the complete List of all school officials required to file Disclosure Statements, including individual email address for each official. The List must identify the Board Secretary and the telephone number of the Board Secretary. Personal email addresses may be available only to the SEC and the County Offices. The Board Secretary shall not release email addresses to the public.² • New Charter School trustees and administrators must initially file Disclosure Statements within 30 days of the grant of a charter. Renaissance School trustees and administrators must file within 30 days of the execution of a contract. Thereafter, any newly-appointed charter trustee or administrator of the Charter or Renaissance School must file within 30 days from assuming the position. After the Charter School or

² New Jersey Open Public Records Act, N.J.S.A. 47:1A.

	<p>Renaissance School has been established, the disclosure statements are required to be filed annually by April 30, as with the other school officials.</p> <ul style="list-style-type: none"> • Submission of the online List by the Board Secretary’s will trigger an email notification to the County Office that the List is now available for County Office review. The County Office will send an individual email authorization code to each school official on the List through the online filing application. This email allows the school official to file the Disclosure Statement. • Inform each school official to expect an email from the SEC that allows for the online filing of Disclosure Statements. School Officials should be advised that these emails potentially may be diverted into the “junk” email folder if perceived as “spam.” • Remind any newly elected board member or new administrator, who has not filed a Disclosure Statement in the prior year in this District/Charter/Renaissance School, that the online Disclosure Statement must be filed within 30 days of taking office or assuming the position. <u>N.J.A.C. 6A:28-3.1(c), (d), (e), (f).</u>
<p>February--April</p> <p>Review of Electronic Disclosure Statements</p>	<ul style="list-style-type: none"> • Remind school officials who have previously filed in the District, Charter School or Renaissance School in the prior year, to file the online Disclosure Statement by April 30. • Return to the online filing application to review each individual electronic Disclosure Statement for completeness. The List identifies statements that are ready for Board Secretary review. • The School Ethics Act requires that financial information pertain to the preceding calendar year. If the information has changed from the preceding calendar year, it is recommended that the official also provide financial information which is current as of five days prior to the date of this filing. No statement should be returned for failure to provide current financial information. • Review and accept the Disclosure Statement for County Office review or note the deficiency in the comment box and return the statement to the school official for correction. If the Board Secretary determines that the Disclosure Statement requires the return of the Disclosure Statement for correction, the online filing application will generate an automatic email with an accompanying authorization code notifying the school official that the Disclosure Statement requires revision and allows the school official to re-enter the online Disclosure Statement to correct and recertify.

	<ul style="list-style-type: none"> • Monitor the List for County Office review. The County Office shall electronically review each individual Disclosure Statement and either note a deficiency within the online Disclosure Statement and return to the Board Secretary or accept the Disclosure Statement as complete. A Disclosure Statement, identified as deficient by the County Office, will automatically be returned to the Board Secretary, who may return the statement to the school official for corrections. If the Board Secretary determines to return the Disclosure Statement to the school official, the online filing application will automatically generate an email with an accompanying authorization code notifying the school official that the Disclosure Statement requires a revision.³ In the alternative, the Board Secretary may determine that the Disclosure Statement is acceptable and approve it as filed. The Disclosure Statement will then be available for County Office review. • Ensure that the school official corrects and completes any identified deficiency. After the school official corrects and resubmits the Disclosure Statement, it will be available again for Board Secretary review. The Board Secretary must again review the online Disclosure Statement and return it for further correction or approve and forward the Disclosure Statement for County Office Review. The County Office shall review the Disclosure Statement again for approval. • Complete Review of Disclosure Statements by April 30.
<p>May 10</p>	<ul style="list-style-type: none"> • Submit electronically to the County Office by May 10, the completed “Board Secretary Certification” which certifies that the Disclosure Statements have been reviewed and approved and includes the names, positions, phone numbers and home addresses of any school officials who have failed to file or filed incomplete Statements. <u>N.J.A.C. 6A:28-3.2 (g) 1, (h)</u>. The “Board Secretary Certification” is found within the SEC’s List at http://education.state.nj.us/sec/. While all school officials who leave the District, Charter or Renaissance School are still required to file Disclosure Statements, the SEC does not need to enforce against a school official who has vacated the position. The Board Secretary, with the assistance of the SEC, must update the online List to identify school officials who have failed to file but are no longer in the District, Charter or Renaissance School. No name shall be deleted except to remove a name placed on the List in error and <u>only</u> with the assistance of the SEC. The names of all school officials remain on the List even when the official leaves the position or the District, Charter or Renaissance School.

³ Procedures in the event of an incomplete filing are set forth at N.J.A.C. 6A:28-3.4(a), which provides: When an ECS determines that a portion of a school official’s disclosure statement, which are timely filed pursuant to N.J.A.C. 6A:28-3.1, is incomplete, the ECS shall return the disclosure statement to the Board Secretary/Charter School or Renaissance school designee who shall then return the disclosure statement to the school official. The school official shall have 20-days from receipt of the returned filing to complete the disclosure statement and file with the board secretary or charter school designee, who shall then file the completed disclosure statement with the ECS.

	<ul style="list-style-type: none"> • Assist the SEC in enforcing that all school officials on the List successfully complete Disclosure Statements as required by the Act.
<p>June--December</p>	<ul style="list-style-type: none"> • Submit by June 1 within the online filing application, the June List that includes the names of new board members, trustees and administrators, who did not file Disclosure Statements in this District, Charter or Renaissance School in this calendar year. If there are no new officials, the Board Secretary may check a box to indicate that there are no new officials. • Request by email that the SEC reopen the June List as new school officials join the District, Charter or Renaissance School. The Board Secretary must add the name and email address of each new official to the June List to allow the school official to file. • The Board Secretary’s submission of the online List will trigger an email notification to the County Office that the List is now available for County Office review. The County Office will send an individual email authorization code to each new school official on the List through the online filing application. This email allows the school official to file the Disclosure Statement. • Inform school officials to expect an email from the SEC that allows for the online filing of Disclosure Statements. School Officials should be advised that these emails potentially may be diverted into the “junk” email folder if perceived as “spam.” • Remind any newly elected board member or new administrator, who has not filed a Disclosure Statement in the prior year in this District/Charter/Renaissance School, that the online Disclosure Statement must be filed within 30 days of taking office or assuming the position. <u>N.J.A.C. 6A:28-3.1(c), (d), (e), (f).</u> • New Charter School trustees and administrators must initially file Disclosure Statements within 30 days of the grant of a charter. Renaissance School trustees and administrators must file within 30 days of the execution of a contract. Thereafter, any newly-appointed charter trustee or administrator of the Charter or Renaissance School must file within 30 days from assuming the position. After the Charter School or Renaissance School has been established, the disclosure statements are required to be filed annually by April 30, as with the other school officials. • The Board Secretary shall follow all of the procedures identified above for the review and approval of Disclosure Statements as required by the Act.

<p>November 15-- December</p>	<ul style="list-style-type: none"> • Submit electronically to the County Office by November 15, the completed “Board Secretary Certification” that certifies that the Statements have been reviewed and approved and includes the names, positions, phone numbers and home addresses of school officials who have failed to file or filed incomplete Statements. <u>N.J.A.C. 6A:28-3.2 (g) 1, (h)</u>. The “Board Secretary Certification” is found within the School Ethics Commission’s online List at http://education.state.nj.us/sec/. While all school officials who leave the District, Charter or Renaissance School are still required to file Disclosure Statements, the SEC does not need to enforce against a school official who has vacated the position. The Board Secretary, with the assistance of the SEC, must update the online List to identify school officials who have failed to file but are no longer in the District, Charter or Renaissance School. No name shall be deleted except to remove a name placed on the List in error and <u>only</u> with the assistance of the SEC. The names of all officials remain on the List even when the official leaves the position or is no longer in the District, Charter or Renaissance School. • Continue assisting the SEC to enforce the filing and completion of Disclosure Statements as required by the Act. • Complete Review of Disclosure Statements, November 1. • At the end of the collection period between June and December, the Board Secretary must submit the Certification Reporting the Status of the Disclosure Statements to the County Superintendent by November 15. • Completed Disclosure Statements will be stored within the List beneath the name of each individual official on the Department of Education’s website.
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Date to remember:

- February List of School Officials, February 1, 2016
- Complete Review of Disclosure Statements, April 30, 2016
- Board Secretary Certification and Report, May 10, 2016
- June - December List of School Officials Opens, June 1, 2016
- Complete Review of Disclosure Statements, November 1, 2016
- Board Secretary Certification and Report, November 15, 2016

c: Members, State Board of Education
 David C. Hespe, Commissioner
 Executive County Superintendents
 Executive County Business Officials
 Senior Staff

Executive Directors for Regional Achievement Centers
NJ Lee Group