

463-98 SEC

AGENCY DKT. NO. 440-9/98

IN THE MATTER OF DELVIN SERRANO, :  
LEAP ACADEMY CHARTER SCHOOL, : COMMISSIONER OF EDUCATION  
CAMDEN COUNTY. : DECISION  
\_\_\_\_\_:

Whereas, the School Ethics Commission has acted pursuant to the authority granted to it by *N.J.S.A. 18A:12-21 et seq.* to recommend removal of the above-named school official for failure to file an annual financial disclosure statement required by *N.J.S.A. 18A:12-26* on or before April 30 of each year, or within 30 days of election or appointment; and

Whereas, the School Ethics Commission sent ample notice to the above-named school official of his failure to file an annual financial disclosure statement; and

Whereas, pursuant to *N.J.A.C. 6:3-9.3(i)*, on July 31, 1998, the Commission issued an Order to Show Cause why the school official should not be removed for such failure, which was sent via regular and certified mail, the latter being returned unclaimed, and the former, not having been returned following mailing on August 26, 1998, being deemed to have been received by Mr. Serrano on August 29, 1998; and

Whereas, the above-named school official failed to respond to such Order, notwithstanding its receipt and the Commission's advisement that the matter would be discussed at its meeting of September 22, 1998; and

Whereas, the Commission voted on September 22, 1998, to recommend removal of the above-named school official for failure to file an annual financial disclosure statement in violation of state statute, memorializing such decision through a resolution forwarded to the Commissioner, pursuant to *N.J.S.A. 18A:12-29*; and

Whereas, on September 23, 1998, the above-named school official was afforded an opportunity to submit to the Commissioner a response to said resolution recommending removal; and

Whereas, the above-named school official failed to respond to the Commissioner regarding this sanction; and

Whereas, no disclosure form has been filed as of this date; and

Whereas, the Commissioner of Education has carefully considered the record of this matter and the decision of the School Ethics Commission and, having done so, concurs with the Commission's recommendation that removal is warranted in light of the school official's failure to submit a disclosure form as required by law; now therefore

IT IS ORDERED that the above-named school official is removed from office as of the date of this decision.

COMMISSIONER OF EDUCATION

OCTOBER 15, 1998