

IN THE MATTER OF ETHYLENE GRIMSLEY, :
ROSELLE BOARD OF EDUCATION, : COMMISSIONER OF EDUCATION
UNION COUNTY. :
: DECISION
: _____ :
:

SYNOPSIS

The School Ethics Commission determined that respondent – a former member of the Roselle Board of Education – violated the Code of Ethics for School Board Members, *N.J.S.A. 18A:12-24.1(e) and (i)*, by confronting the Superintendent of Schools after a board meeting on March 1, 2004, during which the Board had voted to approve the Superintendent’s contract.

The Commissioner – whose jurisdiction is limited to reviewing the Commission’s recommended sanction – found that the Commission’s recommended penalty of censure is the appropriate penalty in this matter. Accordingly, the Commissioner ordered that the respondent be censured as a school official 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.

February 19, 2008

AGENCY DKT. NO. 36-1/08

IN THE MATTER OF ETHYLENE GRIMSLEY, :
ROSELLE BOARD OF EDUCATION, : COMMISSIONER OF EDUCATION
UNION COUNTY. : DECISION
_____ :

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

This matter comes before the Commissioner to impose a sanction upon Ethylene Grimsley, former member of the Roselle Board of Education, based upon findings of fact and conclusions of law by the Commission that respondent violated *N.J.S.A.* 18A:12-24.1(e) and (i) of the Code of Ethics for School Board Members when she confronted the Superintendent of Schools at the conclusion of the March 1, 2004 board meeting.

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. Respondent’s comments – dated February 6, 2008 and postmarked February 14, 2008 – were untimely and, therefore, are not considered herein.

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** herein. Only the Commission may determine whether a violation of the School Ethics Act occurred. The Commissioner’s jurisdiction is limited to reviewing the sanction to be imposed following a finding of a violation by the Commission.

Therefore, this decision is restricted solely to a review of the Commission's recommended penalty.

Upon a thorough review of the record, the Commissioner determines to accept the Commission's recommendation that censure is the appropriate penalty in this matter. In so ruling, the Commissioner is satisfied that, in recommending a penalty for the violations it found, the Commission fully considered the nature of the offenses and weighed the effects of aggravating and mitigating circumstances. Therefore, the Commission's recommended penalty in this matter will not be disturbed.

Accordingly, IT IS hereby ORDERED that Ethylene Grimsley be censured as a school official found to have violated the School Ethics Act.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: February 19, 2008

Date of Mailing: February 20, 2008

* This decision, as the Commissioner's final determination regarding penalty in the instant matter, may be appealed to the State Board of Education pursuant to *N.J.S.A. 18A:6-27 et seq.* and *N.J.A.C. 6A:4-1.1 et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.