

AGENCY DKT. NO. 362-12/08

IN THE MATTER OF MICHAEL MOORE, :
BOARD OF TRUSTEES OF THE RED BANK : COMMISSIONER OF EDUCATION
CHARTER SCHOOL, MONMOUTH COUNTY. : DECISION
_____ :

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 penalty¹ – have been reviewed. No comments were filed by the respondent and the required disclosure statement(s) had not been filed as of the date of this decision; however, the business manager of the Red Bank Charter School, in a letter dated December 22, 2008, indicated that the respondent was unavailable for the majority of Board meetings during 2007-08 and is not on the Board for the 2008-09 school year.

Upon review, the Commissioner concurs with the penalty recommended by the Commission and additionally admonishes the respondent for failure, while he was a member of the Board of Trustees, to file the requisite statement, in that such disregard of the law has resulted in a waste of administrative and adjudicative time by local, county and State education officials.

Accordingly, the above-named respondent is hereby censured as a school official found to have violated the School Ethics Act, since the cessation of his membership on the Board precludes the penalty of suspension or removal that would otherwise be warranted as recommended by the Commission.

IT IS SO ORDERED.²

COMMISSIONER OF EDUCATION

Date of Decision: January 26, 2009

Date of Mailing: January 27, 2009

¹ It is noted that respondent did not appeal the Commission's finding of violation to the Commissioner pursuant to *N.J.A.C.* 6A:4.

² This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L.* 2008, *c.* 36.