

AGENCY DKT. NO. 46-2/12
SEC DKT. NO. C36-11

IN THE MATTER OF JOSEPH RAINES, :
ASBURY PARK BOARD OF EDUCATION, : COMMISSIONER OF EDUCATION
MONMOUTH COUNTY. : DECISION

This matter comes before the Commissioner to impose a sanction upon Respondent Joseph Raines, member of the Asbury Park Board of Education, based upon findings of fact and conclusions of law by the Commission that he violated *N.J.S.A.* 18A:12-24 (c) of the Code of Ethics for School Board Members. The record and the decision of the School Ethics Commission (Commission), including the recommended penalty of reprimand, have been reviewed.

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 unless a notice of appeal is filed pursuant to P.L. 2008, c. 36 and *N.J.A.C.* 6A:4. Because respondent did not file such an appeal, this decision is restricted solely to a review of the Commission's recommended penalty.

Second, respondent filed no exceptions to the recommended penalty of reprimand, which is the minimum available sanction. Nor does the Commissioner find any cause to reject the Commission's recommendation.

Accordingly, IT IS HEREBY ORDERED that Joseph Raines be reprimanded as a school official found to have violated the School Ethics Act.¹

ACTING COMMISSIONER OF EDUCATION

Date of Decision: April 17, 2012

Date of Mailing: April 18, 2012

¹ This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L.* 2008, C. 36 (*N.J.S.A.* 18A:6-9.1).