133-18SEC+ (SEC Decision: http://www.state.nj.us/education/legal/ethics/disclosure/1718/D05-17.pdf)

AGENCY DKT. NO. 100-4/18

AMENDED DECISION

IN THE MATTER OF LARRY JAMES,

CAMDEN CITY SCHOOL DISTRICT, : COMMISSIONER OF EDUCATION

CAMDEN COUNTY. : DECISION

On May 3, 2018, the Commissioner issued a decision removing the respondent from his position for violating the School Ethics Act by failing to file disclosure statements that are required in accordance with *N.J.S.A.* 18A:12-25, *N.J.S.A.* 18A:12-26, and *N.J.A.C.* 6A:28-3.1. The School Ethics Commission (Commission) had recommended a sanction of removal effective upon the adoption of the decision by the Commissioner. Alternatively, if the respondent filed his disclosure statement before the Commissioner issued his final decision, the Commission recommended that the respondent be suspended for 30 days. The respondent did not file exceptions to the recommended penalty nor did he institute an appeal of the Commission's underlying finding of violation pursuant to *N.J.A.C.* 6A:4-1 *et seq.*

Subsequent to the issuance of the Commissioner's May 3, 2018 decision, the Commission advised the Commissioner that respondent had, in fact, filed the requisite disclosure statements.¹ In determining the appropriate penalty in this case, it is important to recognize that the respondent is a principal in the Camden City School District where his presence in the school is vital to the students and other staff members.² Therefore, there must be flexibility in the implementation of a penalty that is least disruptive to the school community. Based on the unique

¹ The respondent never informed the Commissioner that he filed the disclosure statements despite having the opportunity to do so prior to the May 3, 2018 decision.

² The majority of cases that are forwarded to the Commissioner for review of the Commission's recommended penalty for violating the School Ethics Act involve members of local boards of education. The suspension of a board member does not interfere with the daily operations of a school.

circumstances in this case, the Commissioner finds that the appropriate penalty is a reprimand.

Additionally, the respondent is severely admonished for his delay in filing the requisite disclosure

statements, thereby causing the unnecessary expenditure of administrative and adjudicative

resources at both State and local levels.

Accordingly, respondent is hereby reprimanded as a school official found to have

violated the School Ethics Act.

IT IS SO ORDERED.³

ACTING COMMISSIONER OF EDUCATION

Date of Decision:

May 17, 2018

Date of Mailing:

May 21, 2018

³ 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).