

Agency Dkt. No.. 290-11/18  
SEC Dkt. No. C08-15

In the Matter of Obdulia Gonzalez,	:	
Israel Varela, Milady Tejada, Samuel	:	Commissioner of Education
Lebreault and Kenneth Puccio,	:	
Board of Education of the City of	:	Decision
Perth Amboy, Middlesex County.	:	

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The record of this matter and the decision of the School Ethics Commission have been reviewed. The Commission found that respondents Gonzalez, Varela and Tejada<sup>1</sup> violated *N.J.S.A.* 18A:12-24(c) of the School Ethics Act for voting to approve a settlement agreement that resulted in a personal benefit to each respondent – specifically, the dismissal of ethics charges against them – and recommended a 60-day suspension or, to the extent that any of the respondents no longer serve as a board member, the Commission recommended a penalty of censure. The Commission’s decision was forwarded pursuant to *N.J.S.A.* 18A:12-29 for the Commissioner’s final determination on the recommended penalty. Respondents did not file exceptions to the recommended penalty, nor was the Commission’s underlying finding of violation appealed to the Commissioner pursuant to *N.J.A.C.* 6A:4. Counsel for the respondents did, however, inform the Commissioner that all three respondents had resigned from the Board, so they would only be subject to a censure rather than a suspension.

Upon review, the Commissioner concurs with the penalty recommended by the Commission. Accordingly, respondents Gonzalez, Varela and Tejada shall each be censured as school officials found to have violated the School Ethics Act.

IT IS SO ORDERED.<sup>2</sup>

COMMISSIONER OF EDUCATION

Date of Decision: January 14, 2019  
Date of Mailing: January 17, 2019

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<sup>1</sup> Respondent Puccio was dismissed from this matter, and Respondent Lebreault accepted a penalty of censure as part of a settlement agreement. Accordingly, this decision only involves respondents Gonzalez, Varela and Tejada.

<sup>2</sup> 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).