

SEC # C11-02/C20-02
C # 416-02SEC
SB # 53-02

IN THE MATTER OF THE REMOVAL OF :
VINCE ORDINI PURSUANT TO : STATE BOARD OF EDUCATION
N.J.S.A. 18A:12-29(c), EWING TOWNSHIP : DECISION
BOARD OF EDUCATION, MERCER COUNTY.:

Decided by the School Ethics Commission, October 29, 2002

Decided by the Commissioner of Education, December 3, 2002

Decision on motion by the Commissioner of Education, January 8, 2003

Decision on motion by the State Board of Education, February 5, 2003

For the Respondent-Appellant, Vince Ordini, pro se

For the Participant School Ethics Commission, Kimberley Lake Franklin,
Deputy Attorney General (David Samson, Attorney General of New
Jersey)

After a thorough review of the record, we affirm for the reasons expressed therein the decision of the School Ethics Commission that the respondent violated N.J.S.A. 18A:12-31, in conjunction with N.J.A.C. 6A:28-1.7(b), and N.J.S.A. 18A:12-24(b) of the School Ethics Act when he sought an advisory opinion from the Commission in which he misled it to believe that the situation posed was his when, in fact, the facts pertained to another board member. We also affirm for the reasons expressed therein the decision of the Commissioner of Education that the appropriate

penalty for such violation is the removal of the respondent from his membership on the Ewing Township Board of Education.

We add in so doing that the respondent appended to his briefs several documents that were not included in the record on appeal, N.J.A.C. 6A:4-1.8(a), in violation of N.J.A.C. 6A:4-1.14(c). These include a news article dated December 17, 2002, two letters from the Ewing Board's personnel office dated March 18, 2003 and September 4, 1990, and a copy of his wife's instructional certificate. The respondent did not move to supplement the record on appeal with these materials as required by N.J.A.C. 6A:4-1.9(b). Nor do we find such documents to be material to the issues on appeal. Id. Consequently, we have not considered these items in determining this matter.

Dr. Thelma Napoleon-Smith recused herself.

May 7, 2003

Date of mailing _____