

IN THE MATTER OF RAYMOND A. DELBURY, :

SUSSEX-WANTAGE REGIONAL BOARD OF : COMMISSIONER OF EDUCATION

EDUCATION, SUSSEX COUNTY. : DECISION

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### SYNOPSIS

The School Ethics Commission (Commission) found that respondent – a member of the Sussex-Wantage Regional Board of Education – violated *N.J.S.A.* 18A:12-24(d), (e), (i) and (j) of the Code of Ethics for School Board Members of the School Ethics Act through actions which included, *inter alia*: voicing questions and concerns directly to reporters without attempting to address them through the district administration, and contacting teachers and administrators directly without going through the superintendent. The Commission recommended the penalty of censure in this matter.

The Commissioner – whose jurisdiction is limited to reviewing the Commission’s recommended sanction – adopted the Commission’s recommendation that respondent be censured, finding that the Commission fairly considered the nature and circumstances of respondent’s violations, as well as applicable case precedent pertaining to penalty.

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| <p>This synopsis is not part of the Commissioner’s decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.</p> |
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December 6, 2007

AGENCY DKT. NO. 337-11/07

IN THE MATTER OF RAYMOND A. DELBURY, :

SUSSEX-WANTAGE REGIONAL BOARD OF : COMMISSIONER OF EDUCATION

EDUCATION, SUSSEX COUNTY. : DECISION

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The record of this matter and the decision of the School Ethics Commission (“Commission”) – finding that Sussex-Wantage Regional Board of Education (Board) member Raymond A. Delbury violated *N.J.S.A.* 18A:12-24.1(d), (e), (i) and (j) of the Code of Ethics for School Board Members of the School Ethics Act (Act) and recommending a penalty of censure – have been reviewed pursuant to *N.J.S.A.* 18A:12-29(c) and *N.J.A.C.* 6A:3-9.1. Although Mr. Delbury was afforded 13 days from the mailing date of the decision to file written exceptions to the Commission’s recommended penalty pursuant to *N.J.A.C.* 1:6C-18.3(b), no exceptions were received.

Initially, the Commissioner emphasizes 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 herein. Rather, the Commissioner’s jurisdiction is limited to review of the sanction recommended by the Commission following its finding of violation.

Upon a thorough review of the record, the Commissioner determines to accept the Commission’s recommendation that censure of Mr. Delbury is the appropriate penalty in this matter for the reasons expressed in the Commission’s decision. In so ruling, the Commissioner is satisfied that, in recommending a penalty for the violations it found, the Commission adequately considered the nature and circumstances of Mr. Delbury’s offenses, so that there is no basis upon which to disturb its recommendation.

Accordingly, IT IS hereby ORDERED that Raymond A. Delbury be censured as a member of the Sussex-Wantage Regional Board of Education.

IT IS SO ORDERED.\*

COMMISSIONER OF EDUCATION

Date of Decision: December 6, 2007

Date of Mailing: December 7, 2007

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\* This decision may be appealed to the State Board of Education pursuant to *N.J.S.A. 18A:6-27 et seq.* and *N.J.A.C. 6A:4-1.1 et seq.*