

SCHOOL ETHICS COMMISSION DKT. NO. C13-07
AGENCY DOCKET NO. 14-11/08A

STEPHEN BROWN, CAROL LISA :
AND GLENN GARRISON, :
 :
 PETITIONERS, :
 :
 V. : COMMISSIONER OF EDUCATION
 :
 DAVID MATTHEWS, BOARD OF EDUCATION : DECISION
 OF THE CITY OF ENGLEWOOD, :
 BERGEN COUNTY, :
 :
 RESPONDENT. :
 _____ :

Decision issued by the School Ethics Commission, October 28, 2008

For the Respondent-Appellant, Schwartz, Simon, Edelstein, Celso
and Kessler, LLC (Marc H. Zitomer, Esq.)

For the Complainants-Respondents, Schenck, Price, Smith & King, LLP
(Sidney A. Sayovitz, Esq.)

Upon a comprehensive consideration of the record and the parties’
submissions on appeal, and cognizant of the applicable standard of review in this matter,¹
the Commissioner affirms the decision of the School Ethics Commission – for the
reasons expressed therein – that the appellant violated *N.J.S.A.* 18A:12-24.1,
Code of Ethics for School Board Members, (d) when he attended the January 4, 2007
meeting with Bergen Tech without Board authorization, (e) as a consequence of his
interactions with respect to Ms. Mullins; and (i) as a result of his refusal to cooperate

¹ “In determining appeals from decisions of ...the School Ethics Commission..., the Commissioner shall ascertain whether the decision is supported by sufficient credible evidence in the record and shall not disturb the decision unless the appellant has demonstrated that the ...Commission acted in a manner that was arbitrary, capricious or contrary to law.” *N.J.A.C.* 6A:4-4.1(a)

with affirmative action officer Ms. Finn-Bruce's investigation and his making statements of an offensive nature to her. The Commissioner, additionally, adopts the recommendation of the School Ethics Commission – for the reasons stated in its decision – that the appropriate sanction under the circumstances is a censure.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: April 14, 2009

Date of Mailing: April 15, 2009

* This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L. 2008, c. 36*.