

AGENCY DKT NO. 36-2/05

IN THE MATTER OF CAROL ANN KOUPIARIS, :
BOUND BROOK BOROUGH BOARD OF : COMMISSIONER OF EDUCATION
EDUCATION, SOMERSET COUNTY. : DECISION

The record of this matter and the decision of the School Ethics Commission (“Commission”), finding that Bound Brook Borough Board of Education member Carol Ann Koupiaris violated the School Ethics Act, *N.J.S.A.* 18A:12-24(c), when she voted on the reappointment of a principal who supervised and evaluated her husband, a member of the teaching staff, and recommending a penalty of reprimand, have been reviewed. Upon issuance of the decision of the Commission, Ms. Koupiaris was provided 13 days from the mailing date of the decision to file written comments on the recommended penalty for the Commissioner’s consideration. No comments were filed by or on behalf of Ms. Koupiaris.

Initially, it must be emphasized 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 by the Commissioner** herein. Only the Commission may determine whether a violation of the School Ethics Act occurred. The Commissioner’s jurisdiction is limited to reviewing the sanction to be imposed based upon a finding of a violation by the Commission. Therefore, this decision is restricted solely to a review of the Commission’s recommended penalty.

Upon a thorough review of the record, the Commissioner determines to accept the Commission’s recommendation that reprimand 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 violation it found, the Commission fully considered the nature of the offense and weighed the effects of aggravating and mitigating circumstances. Therefore, the Commission's recommended penalty in this matter will not be disturbed.

Accordingly, IT IS hereby ORDERED that Carol Ann Koupiaris be reprimanded as a school official found to have violated the School Ethics Act.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: March 18, 2005

Date of Mailing: March 21, 2005

* 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.*