

IN THE MATTER OF CARMELO GARCIA, :
HOBOKEN BOARD OF EDUCATION, : COMMISSIONER OF EDUCATION
HUDSON COUNTY. : DECISION

SYNOPSIS

The School Ethics Commission determined that respondent, a member of the Board of Education of the City of Hoboken, committed two separate violations of *N.J.S.A.* 18A:12-24(c) at a Board meeting in August 2005 when he voted for: 1) the appointment of his brother to a paid position with the school district; and 2) the approval of a contract with a public relations firm owned by a Hudson County Freeholder, when respondent was an employee of Hudson County. After considering the nature of the charge, the Commission recommended that the Commissioner of Education impose a penalty of reprimand upon the respondent.

Upon a thorough review of the record, the Commissioner, whose decision is restricted solely to a review of the Commission's recommended penalty pursuant to *N.J.S.A.* 18A:12-29(c) and *N.J.A.C.* 6A:3-9.1, concurs with the Commission's recommendation. The Commissioner thus orders that Carmelo Garcia be reprimanded as a school official found to have violated the School Ethics Act.

<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>

December 8, 2006

the facts presented and took the operative circumstances into account, reasonably concluding that its recommended penalty was commensurate with the violations found. Therefore, the Commission's recommendation will not be disturbed by the Commissioner.

Accordingly, IT IS ORDERED that Carmelo Garcia be reprimanded as a school official found to have violated the School Ethics Act.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: December 8, 2006

Date of Mailing: December 8, 2006

* This decision, as the Commissioner's final determination regarding penalty in the instant matter, 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.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.