

AGENCY DKT. NO. 410-11/06

IN THE MATTER OF STEVEN COLE, :
STATE-OPERATED DISTRICT OF THE CITY : COMMISSIONER OF EDUCATION
OF NEWARK, ESSEX COUNTY. : DECISION

The record of this matter and the decision of the School Ethics Commission, forwarded to the Commissioner pursuant to N.J.S.A. 18A:12-29 solely for review of the Commission's recommended penalty, have been reviewed.

Mr. Cole's comments to the Commission's recommended penalty, in pertinent part, stated

***I have been employed as a school administrator for twenty (20) years. Throughout my tenure, I have never failed to adhere to my job responsibilities nor have I failed to file required disclosure statements of any kind. Over the past year, I have had additional personal pressures that may have led to the late submission. My wife was recently diagnosed with breast cancer and has to undergo chemotherapy and ultimately surgery. With the decline of my wife[s] health, I have been taking on the duties to care for my autistic child alone. It has been a difficult year for me personally, however, I continued to have a successful year professionally as a school administrator, as a father to two children and as a mentor to young students of Newark.

While these personal difficulties do not excuse a failure to adhere to the statutory code, I submit to you that given my past performance record, the fact no such infraction of this kind has ever been brought against me in twenty (20) years and the personal difficulties I have had over the past year, should excuse me from any penalty of reprimand.

Upon her review – notwithstanding Mr. Cole's violation of the School Ethics Act as a result of his untimely filing of the requisite disclosure statement – under the particular

circumstances in this matter, the Commissioner cannot agree with the Commission that any penalty against him is warranted. However, Mr. Cole is hereby directed to insure that all future requisite submissions are filed in a timely fashion.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: December 12, 2006

Date of Mailing: December 12, 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.* Pursuant to *N.J.A.C. 6A:4-1.4(a)*, Commissioner decisions are deemed filed three days after the date of mailing to the parties.