

AGENCY DKT. NO. 2-1/06

AMENDED DECISION

IN THE MATTER OF KAREN :
HARRISON-BOWERS, NEW HORIZONS : COMMISSIONER OF EDUCATION
COMMUNITY CHARTER SCHOOL, : DECISION
ESSEX COUNTY :

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. No comments were filed by respondent, but subsequent to issuance of the Commissioner's January 24, 2006 decision in this matter, respondent concurrently filed the required disclosure statements and notified the Commission and Commissioner of her recent resignation from the Board of Trustees; she later explained, in conjunction with a Motion for Reconsideration, that – although she tendered her resignation on January 6, 2006 – she had been inactive as a Board member since the end of the 2004-05 school year.¹

Upon review, in light of respondent's resignation from the Board, her eventual filing of the necessary disclosure statements, and her inactivity during the second half of 2005 – but mindful that she did not actually resign until January 2006 – the Commissioner deems a reprimand to be the appropriate penalty for the violation found in this matter, and admonishes respondent for her dilatoriness, which has resulted in a waste of administrative and adjudicative time at the local, county and State levels.

Accordingly, the above-named respondent is hereby reprimanded as a school official found to have violated the School Ethics Act.

IT IS SO ORDERED.²

COMMISSIONER OF EDUCATION

Date of Decision: August 8, 2007

Date of Mailing: August 8, 2007

¹ Respondent's motion was filed on June 11, 2007, but heard in the interest of justice pursuant to *N.J.A.C. 6A:3-1.16*. The Commissioner notes that the School Ethics Commission has not vacated or otherwise altered its December 27, 2005 decision finding respondent in violation of the School Ethics Act, although the decision has been removed from the Commission's page on the Department of Education web site at respondent's request. Respondent has moved to have the Commissioner's decision and its underlying record sealed, but that motion has been denied for failure to advance a good cause pursuant to *N.J.A.C. 1:1-14.1(b)*.

² 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.*