

AGENCY DKT. NO. 20-1/08

IN THE MATTER OF JEREMIAH GRACE, :
BOARD OF EDUCATION OF THE : COMMISSIONER OF EDUCATION
CITY OF ELIZABETH, UNION COUNTY. : DECISION

The record of this matter and the decision of the School Ethics Commission (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, as have exceptions filed by the respondent pursuant to *N.J.A.C.* 1:6C-18.3.

In his exceptions, the respondent reiterates his arguments before the Commission as to why he should not be penalized for failing to file the requisite statement in a timely manner, noting that: 1) his omission was unintended and due to lack of prior experience and familiarity with the requirements of public office; 2) the public interest was not harmed because he, in fact, had no conflicting interest to report; and 3) he regrets his oversight and has taken steps to ensure that it does not recur.

Upon review, the Commissioner concurs with the penalty recommended by the Commission and admonishes the respondent for failure to timely file the requisite statement, in that such delay has resulted in a waste of administrative and adjudicative time by local, county and State education officials. While the Commissioner appreciates the respondent’s good intentions, the fact remains that the Commission found a violation to have occurred, and the Commissioner cannot

disagree that a penalty is warranted even where the violation resulted from oversight rather than deliberate disregard of the law.¹

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: February 11, 2008

Date of Mailing: February 11, 2008

¹ The Commissioner notes that reprimand is the least of the penalties available for imposition under the School Ethics Act.

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.*