

AGENCY DKT. NO. 18-1/08

IN THE MATTER OF JACQUELINE :
STIVALA, BOARD OF EDUCATION OF : COMMISSIONER OF EDUCATION
THE TOWNSHIP OF PEQUANNOCK, : DECISION
MORRIS COUNTY. :

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 comments filed by the respondent pursuant to *N.J.A.C.* 1:6C-18.3.

In her comments, the respondent does not take exception to the decision of the Commission. Rather, she notes that she filed the requisite statement incorrectly due to distraction caused by a recent personal loss, but rectified her error by refiled upon receiving the Commission’s Order to Show Cause and now seeks to ensure that she is in full compliance.

Upon review, the Commissioner concurs with the penalty recommended by the Commission and admonishes the respondent for failure to file the requisite statement in a timely manner – such delay having resulted in a waste of administrative and adjudicative time by local, county and State education officials. While the Commissioner appreciates the respondent’s circumstances and good intentions, the fact remains that the Commission found a violation to have occurred, and the Commissioner cannot disagree that a penalty is warranted in light of school officials’ obligation – regardless of personal difficulties – to comply with the law while they are holding office.¹

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

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

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.*