

218-21SEC

SEC Dkt. No. D06-21
Agency Dkt. No. 136-8/21

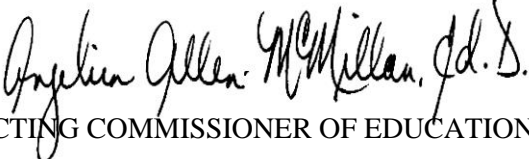
New Jersey Commissioner of Education
Final Decision

In the Matter of Oliverto Agosto,
City of Orange Township Board of Education,
Essex County.

The Commissioner has reviewed the record of this matter and the decision of the School Ethics Commission (SEC), finding that respondent violated the School Ethics Act for failure to timely file Personal/Relative and Financial Disclosure Statements (“Disclosure Statements”) in accordance with *N.J.S.A. 18A:12-25*, *N.J.S.A. 18A:12-26*, and *N.J.A.C. 6A:28-3.1*. The SEC’s decision was forwarded to the Commissioner for final determination on the recommended penalty pursuant to *N.J.S.A. 18A:12-29(c)*. The SEC recommended a sanction of censure.¹ Respondent has neither filed exceptions to the recommended penalty, nor instituted an appeal of the SEC’s underlying finding of violation pursuant to *N.J.A.C. 6A:4-1 et seq.*

Upon review, the Commissioner concurs with the penalty recommended by the SEC for respondent’s failure to timely honor an obligation placed upon school officials by law. Accordingly, respondent is hereby censured for violating the School Ethics Act.

IT IS SO ORDERED.²


ACTING COMMISSIONER OF EDUCATION

Date of Decision: October 7, 2021
Date of Mailing: October 7, 2021

¹ Although it was not indicated in the SEC’s decision, it appears that respondent is no longer a member of the Board of Education. Therefore, while the penalty for failure to file Disclosure Statements is typically removal, the Commissioner is limited in these circumstances to a penalty of censure.

² This decision may be appealed to the Appellate Division of the Superior Court pursuant to *N.J.S.A. 18A:6-9.1*. Under *N.J.Ct.R. 2:4-1(b)*, a notice of appeal must be filed with the Appellate Division within 45 days from the date of mailing of this decision.