



identification numbers and homeroom numbers in order to mail campaign literature. The Commission recommends that the Commissioner censure Ms. Russo for this violation.

## **FINDING OF FACT**

Based on the pleadings, the documents submitted and the testimony presented, the Commission believes that the following facts are undisputed.

At all times relevant to the allegations in this complaint, Michele Russo was a member of the Hoboken Board of Education. Also at all times relevant to the allegations in this complaint, Ms. Russo was the wife of former mayor Anthony Russo. During the week of April 23, 2001, Ms. Russo contacted the Superintendent's office and requested a mailing list with student names and addresses. Staff members and community groups routinely requested student information from the Superintendent's office. Carmella Mezzina, secretary to the Superintendent, provided Ms. Russo with a computer printout of student names and addresses. Ms. Russo subsequently contacted Ms. Mezzina and indicated that she needed mailing labels, not a list. The labels that were provided for Ms. Russo contained additional information including student identification numbers and homeroom numbers. The labels were later affixed to postcards containing campaign literature in support of former mayor Anthony Russo's reelection and mailed.

## **CONCLUSION OF LAW**

The Commission found probable cause that Ms. Russo violated N.J.S.A. 18A:12-24(b), which provides::

No school official shall use or attempt to use his official position to secure unwarranted privileges, advantages or employment for himself, members of his immediate family or others.

The Commission concludes that if a Board member uses her position to acquire student information for a political campaign, she could be considered to be using her position to secure unwarranted privileges or advantages for herself or others. In the present case the facts indicate that Ms. Russo used her position to acquire the labels and the labels were used for her husband's mayoral political campaign.

The Commission finds probable cause that she used her official Board status to obtain the labels which facilitated their appropriation for political purposes. Thus, Ms. Russo was ultimately responsible for the misuse of the aforementioned student labels.

For the foregoing reasons, the Commission concludes that respondent Michele Russo used her official position to secure unwarranted privileges, advantages or employment for herself and others in violation of N.J.S.A. 18A:12-24(b), when she used her official position as a board member to acquire mailing labels containing student information, that were later used for the political campaign of her husband, former mayor Anthony Russo.

## **PENALTY**

The Commission finds that the appropriate penalty for Ms. Russo's violation in this case is a censure. A censure is a formal public resolution read into the record of the School Ethics Commission and the school official's local board of education to rebuke a school official who has been determined by the Commission to have violated the School Ethics Act, N.J.S.A. 18A:12-21 et seq. N.J.A.C. 6A:28-1.2. This penalty requires a public statement of her violation at his local school board, which the public can take into account in the next election.

This decision, having been adopted by the School Ethics Commission, shall now be transmitted to the Commissioner of Education for action on the Commission's recommendation for sanction only, pursuant to N.J.S.A. 18A:12-29. Within thirteen (13) days from the date on which the Commission's decision was mailed to the parties, the respondent may file written comments on the recommended sanction with the Commissioner of Education, c/o Bureau of Controversies and Disputes, P.O. Box 500, Trenton, NJ 08625, marked "Attention: Comments on Ethics Commission Sanction." A copy of any comments filed must be sent to the School Ethics Commission and all other parties.

Robert W. Bender  
Acting Chairperson

### **Resolution Adopting Decision – C18-01**

Whereas, the School Ethics Commission has considered the pleadings filed by the parties and the documents submitted in support thereof and the testimony of the parties; and

Whereas, the Commission found probable cause to credit the allegations that Ms. Russo violated N.J.S.A. 18A:12-24(b) of the School Ethics Act; and

Whereas, the Commission reviewed the written submissions of Ms. Russo in response to the finding of probable cause; and

Whereas, the Commission now finds that respondent violated the School Ethics Act and believes that a censure would be the appropriate penalty;

Now Therefore Be It Resolved that the Commission hereby adopts the proposed decision referenced as its decision in this matter finding Michele Russo in violation of the Act and recommends that the Commissioner of Education impose a penalty of censure.

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Robert W. Bender, Acting Chairman

I hereby certify that the School Ethics Commission adopted this decision at its public meeting on February 26, 2002.

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Jacqueline Richmond  
Acting Executive Director