

SEC # 36-01  
C # 272-02SEC  
SB # 32-02

IN THE MATTER OF THE CENSURE OF :  
EDWARD VICKNER PURSUANT TO : STATE BOARD OF EDUCATION  
N.J.S.A. 18A:12-29(c), EWING TOWNSHIP : DECISION ON MOTION  
BOARD OF EDUCATION, MERCER COUNTY.:

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Decided by the School Ethics Commission, May 28, 2002

Decided by the Commissioner of Education, July 16, 2002

Decision on motion by the State Board of Education, December 4, 2002

For the Respondent-Appellant, Edward Vickner, pro se

For the Participant School Ethics Commission, Kimberley M. Lake, Deputy  
Attorney General (Peter C. Harvey, Acting Attorney General of New  
Jersey)

Edward Vickner (hereinafter "respondent"), a former member of the Board of Education of the Township of Ewing, filed an appeal to the State Board of Education challenging both the conclusion of the School Ethics Commission that he had violated the School Ethics Act and the decision of the Commissioner of Education that the appropriate penalty for such violation was a censure.

In a decision rendered on December 4, 2002, the State Board denied the respondent's motions to supplement the record on appeal and to compel production of documents. The State Board found that the respondent had not demonstrated that the proposed exhibits were material to the issues on appeal.

On January 6, 2003, the respondent filed a motion for reconsideration of our decision of December 4.

Although the respondent did not file the instant motion within ten days after the filing date of the decision being challenged as required by N.J.A.C. 6A:4-2.7, we have enlarged the time for such filing so as to consider his motion. Id. However, after reviewing the papers filed, we deny the motion. We find that the respondent has not provided any basis for reconsideration of our December 4 decision.

We also deny the respondent's request for "an appearance before a closed session meeting of the State Board of Education to clarify any inaccuracies, inconsistencies, etc." Brief in support of motion, at 5. To the extent that the respondent is seeking oral argument, we deny that request as not necessary for a fair determination of the motion. N.J.A.C. 6A:4-3.2.

Thelma Napoleon-Smith recused herself.

March 5, 2003

Date of mailing \_\_\_\_\_