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January 3, 2017

TO: Chief School Administrators, Charter School Lead Persons,
Board Secretaries/Charter and Renaissance School Designees

FROM: Kathryn A. Whalen, Director
School Ethics Commission

SUBJECT: Filing of 2017 Personal/Relative and Financial Disclosure Statements

This memorandum is a reminder to all districts, charter and renaissance schools that the School Ethics Commission (SEC) has established an electronic method for completing Personal/Relative and Financial Disclosure Statements (Disclosure Statements), which are required to be filed by all school officials¹ annually. The School Ethics Act, and *N.J.S.A. 18A:12-25* and *N.J.S.A. 18A:12-26* in particular, requires school officials who filed Disclosure Statements in the previous year (2016) to file new Disclosure Statements by **April 30**. For school officials who are newly elected or newly appointed to the district, charter school, or renaissance school, the Disclosure Statements must be filed within thirty (30) days of taking office or assuming the position. The SEC's website provides [detailed instructions](#) on the online filing application, and includes PowerPoint presentations and frequently asked questions.

Each school board secretary, charter school and renaissance school designee (board secretary) must annually submit electronically/online a List of School Officials (List). The List will contain the names and email addresses of those school officials, by office and position, who are required to file Disclosure Statements based on the criteria set forth in *N.J.S.A. 18A:12-21* et seq. Full instructions for the online filing application are available on the [SEC's website](#).

Board secretaries can access the SEC's [electronic filing system online](#).

¹ "School official" means a board member, a member of the board of trustees of a charter or renaissance school, an administrator of a local school district, an employee or officer of the New Jersey School Boards Association and other organizations covered by the School Ethics Act, but not including any member of the secretarial, clerical or maintenance staff.

Summary of Process

The first step in the process requires each board secretary to log in and complete the List on or before **February 1**. The board secretary shall then inform all school officials that they will be contacted by the SEC to facilitate the filing of the Disclosure Statements for the reporting year (2017). By **April 30**, the board secretary must complete the review of Disclosure Statements, and by **May 10**, the board secretary must submit the “Certification Reporting the Status of Disclosure Statements” to the New Jersey Department of Education’s County Office. After review, the County Office must submit the “Certification Reporting the Status of Disclosure Statements” to the SEC by **June 1**, at which point the February collection will close.

On **June 1**, board secretaries will begin the June List collection by compiling the names and email addresses of newly elected and/or newly appointed school officials who are required to file Disclosure Statements within thirty (30) days of taking office or assuming the position. Each board secretary will electronically file this List for review by the County Office through the SEC’s online filing application. *It is important for Board Secretaries to remember that the List needs to be updated whenever a new school official is elected or appointed.* By **November 1**, the board secretary must complete the review of Disclosure Statements, and by **November 15**, the board secretary must submit the “Certification Reporting the Status of Disclosure Statements” to the County Office. After review, the County Office must submit the “Certification Reporting the Status of Disclosure Statements” with the SEC by **December 1**, at which point the June collection will close.

The Lists submitted by board secretaries shall be subject to review only by the board secretary, the County Offices and the SEC. Using the online filing application, board secretaries will complete their review of the Disclosure Statements by **April 30 and November 1**. The Lists will lock after being submitted in order to protect the names and Disclosure Statements of school officials. **No name shall ever be deleted from the List.** Upon request by the board secretary, the SEC will open the List to allow an addition or an edit.

Detailed Timelines and Required Actions

The following is a detailed timeline for collection of Disclosure Statements. If you have any questions, please contact the SEC at schoolethics@doe.state.nj.us.

TIMELINES FOR THE BOARD SECRETARY	
Date	Actions
January to February 1 Review of Online Lists of School Officials, but	<ul style="list-style-type: none"> Submit online the complete List of all school officials required to file Disclosure Statements. The List shall include the names and email addresses for all school officials, by office and position. The List must also identify the board secretary and include his/her telephone number.

<p>no later than February 1</p>	<p>Personal email addresses may be available only to the SEC and the County Offices, and shall not be released to the public.²</p> <ul style="list-style-type: none"> • New charter school trustees and administrators must initially file Disclosure Statements within thirty (30) days of the grant of a charter. Renaissance school trustees and administrators must file within thirty (30) days of the execution of a contract. Thereafter, any newly appointed charter trustee or administrator of the charter or renaissance school must file within thirty (30) days of assuming the position. After the charter school or renaissance school has been established, the disclosure statements are required to be filed annually by April 30, as with the other school officials. • When the board secretary submits the List, an email will be sent to the County Office to advise that the List is available for review. The County Office will send an email to each school official containing an authorization code that permits completion of the Disclosure Statements. • Advise each school official that an email will be sent from the SEC allowing him/her to complete the Disclosure Statements online. School officials should also be advised that these emails may be diverted into a “junk” email folder if perceived as “spam.” • Remind any newly appointed or elected school official who did <i>not</i> file Disclosure Statements in the previous year (2016) that he/she must do so within thirty (30) days of taking office or assuming the position (<i>N.J.A.C. 6A:28-3.1(c), (d), (e), (f)</i>).
<p>February to April 30</p> <p>Review of Electronic Disclosure Statements</p>	<ul style="list-style-type: none"> • Remind school officials who filed Disclosure Statements in the previous year (2016) to file their annual Disclosure Statements by April 30. • Review Disclosure Statements for completeness/deficiencies. • The School Ethics Act requires that the financial information provided by the school official pertain to the <i>preceding</i> calendar year (2016). If the information changed in the current year (2017), it is recommended that the school official also provide financial information which is current as of five (5) days prior to the date of filing. Disclosure Statements should <i>not</i> be returned for failure to provide current financial information. • Review and accept the Disclosure Statements for County Office review, or note the deficiency in the comment box and return the Disclosure Statements to the school official for correction. If the board secretary

² New Jersey Open Public Records Act, *N.J.S.A. 47:1A*.

	<p>determines that the Disclosure Statements require correction, the online filing application will automatically generate an email with an accompanying authorization code notifying the school official that the Disclosure Statements require a revision/correction.</p> <ul style="list-style-type: none"> • Monitor the List for County Office review. The County Office shall electronically review all Disclosure Statements, and either note a deficiency and return the Disclosure Statements to the board secretary, or accept the Disclosure Statements as complete. Disclosure Statements identified as incomplete or deficient by the County Office will automatically be returned to the board secretary, who shall return the Disclosure Statements to the school official for correction. When returned to the school official, the online filing application will automatically generate an email with an accompanying authorization code notifying the school official that the Disclosure Statements require a revision/correction • Ensure that the school official corrects and completes any identified deficiency. After the school official corrects and resubmits the Disclosure Statements, it will be available again for review by the board secretary. The board secretary must again review the Disclosure Statements, and return them for further correction, or approve and forward the Disclosure Statements to the County Office for review. The County Office shall again review the Disclosure Statements for approval. • Complete review of Disclosure Statements by April 30.
<p>By May 10</p>	<ul style="list-style-type: none"> • Electronically submit the “Certification Reporting the Status of Disclosure Statements” to the County Office by May 10. This document certifies that the Disclosure Statements have been reviewed and approved; it also includes the names, positions, telephone numbers and home addresses of any school officials who failed to file or filed incomplete Disclosure Statements (<i>N.J.A.C. 6A:28-3.2 (g) 1, (h)</i>). While all school officials who leave the district, charter or renaissance school are still required to file Disclosure Statements, the SEC does not enforce against school officials who have vacated the position (e.g., due to resignation, retirement, etc.). The board secretary, with the assistance of the SEC, must update the online List to identify school officials who failed to file Disclosure Statements but are no longer in the district, charter or renaissance school. No name shall be deleted except those that were placed on the List in error, and only then with the assistance of the SEC. The names of all school officials remain on the List even when the official leaves the position or the district, charter or renaissance school.

	<ul style="list-style-type: none"> • Assist the SEC in ensuring that all school officials successfully complete their Disclosure Statements as required by the School Ethics Act.
<p>June to November 1</p>	<ul style="list-style-type: none"> • By June 1, submit through the online filing application the June List that includes the names and email addresses of all newly elected or newly appointed school officials. If there are no new school officials, the board secretary may check the appropriate box to indicate that is the case. • Request by email that the SEC reopen the June List as new school officials join the district, charter or renaissance school. The board secretary must add the name and email address of each new school official so that he/she can file his/her Disclosure Statements. • When the board secretary submits the List, an email will be sent to the County Office to advise that the List is available for review. The County Office will send an email to each new school official containing an authorization code that enables completion of the Disclosure Statements. • Advise each school official that an email will be sent from the SEC allowing him/her to complete the Disclosure Statement online. School officials should also be advised that these emails may be diverted into a “junk” email folder if perceived as “spam.” • Remind any newly appointed or elected school official who did <i>not</i> file Disclosure Statements in the previous year (2016) that he/she must do so within thirty (30) days of taking office or assuming the position. (<i>N.J.A.C. 6A:28-3.1(c), (d), (e), (f)</i>). • New charter school trustees and administrators must initially file Disclosure Statements within thirty (30) days of the grant of a charter. Renaissance school trustees and administrators must file within thirty (30) days of the execution of a contract. Thereafter, any newly appointed charter trustee or administrator of the charter or renaissance school must file within thirty (30) days of assuming the position. After the charter school or renaissance school has been established, the disclosure statements are required to be filed annually by April 30, as with the other school officials. • The board secretary shall follow all of the procedures identified above for the review and approval of Disclosure Statements as required by the School Ethics Act. • Complete review of Disclosure Statements by November 1.

<p>November 15 to December</p>	<ul style="list-style-type: none"> • Electronically submit the “Certification Reporting the Status of Disclosure Statements” to the County Office by November 15. This document certifies that the Disclosure Statements have been reviewed and approved, and also includes the names, positions, telephone numbers and home addresses of any school officials who failed to file or filed incomplete Disclosure Statements (<i>N.J.A.C. 6A:28-3.2(g)1, (h)</i>). While all school officials who leave the district, charter or renaissance school are still required to file Disclosure Statements, the SEC does not enforce against school officials who have vacated the position (e.g., due to resignation, retirement, etc.). The board secretary, with the assistance of the SEC, must update the online List to identify school officials who failed to file Disclosure Statements but are no longer in the district, charter or renaissance School. No name shall be deleted except those that were placed on the List in error, and only then with the assistance of the SEC. The names of all school officials remain on the List even when the official leaves the position or the district, charter or renaissance school. • Continue assisting the SEC in ensuring that all school officials successfully complete their Disclosure Statements as required by the School Ethics Act. • Completed Disclosure Statements will be stored within the List beneath each individual school official’s name, and will be immediately available to the public on the Department of Education’s website.
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- c: Members, State Board of Education
 Kimberley Harrington, Acting Commissioner
 Interim Executive County Superintendents
 Interim Executive County Business Officials
 Senior Staff
 Executive Directors for Regional Achievement Centers
 NJ LEE Group