

New Jersey Commissioner of Education
Final Decision

Anthony M. Fleres,

Complainant,

v.

Yu Taylor Zhong, West Windsor-Plainsboro
Board of Education, Mercer County,

Respondent.

Synopsis

Petitioner, a member of the Board of Education of the West Windsor-Plainsboro Board of Education, alleged that respondent, a fellow Board member, violated *N.J.S.A.* 18A:12-24.1(g) of the School Ethics Act when he forwarded a message to members of his immediate family about an incident involving a student that resulted in discipline. The matter was heard in the Office of Administrative Law in December 2018, and the ALJ issued an Initial Decision concluding that the respondent's actions violated the confidentiality provision of *N.J.S.A.* 18A:12-24.1(g), and that a penalty of reprimand was warranted. The School Ethics Commission (SEC) adopted the findings of fact and conclusions of the ALJ, but rejected the ALJ's penalty recommendation, determining instead that censure is the appropriate penalty in this case.

Upon review, the Commissioner concurred with the penalty recommendation of the SEC. Accordingly, the respondent shall be censured as a school official found to have violated the School Ethics Act.

This synopsis is not part of the Commissioner's decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.

June 18, 2019

New Jersey Commissioner of Education

Final Decision

Anthony M. Fleres,

Complainant,

v.

Yu Taylor Zhong, West Windsor-Plainsboro
Board of Education, Mercer County,

Respondent.

The record of this matter and the decision of the School Ethics Commission (SEC) have been reviewed. The SEC found that respondent violated *N.J.S.A.* 18A:12-24.1(g) when he forwarded a message to members of his immediate family about an incident involving a student that resulted in discipline (which was subsequently shared by a family member with countless others), and recommended a penalty of censure. The SEC's decision was forwarded pursuant to *N.J.S.A.* 18A:12-29 for the Commissioner's final determination on the recommended penalty. Respondent did not file exceptions to the recommended penalty, nor was the SEC's underlying finding of a violation appealed to the Commissioner pursuant to *N.J.A.C.* 6A:4.

Upon review, the Commissioner concurs with the penalty recommended by the SEC. Accordingly, the respondent shall be censured as a school official found to have violated the School Ethics Act.

IT IS SO ORDERED.¹

COMMISSIONER OF EDUCATION

Date of Decision: June 18, 2019

Date of Mailing: June 19, 2019

¹ This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L.* 2008, *c.* 36 (*N.J.S.A.* 18A:6-9.1).