
IN THE MATTER OF	:	Before the School
	:	Ethics Commission
	:	
VIOLET HARRISON,	:	Docket No.: C02-97
HAMILTON TOWNSHIP BOARD OF	:	
EDUCATION,	:	
MERCER COUNTY	:	DECISION
	:	

PROCEDURAL HISTORY

This matter arises from a claim brought by Armando A. Agabiti against Violet Harrison, a member of the Hamilton Township Board of Education. Mr. Agabiti alleges that Ms. Harrison violated the School Ethics Act, N.J.S.A. 18A:12-21 et seq. when she made an ethnic comment regarding the hiring of Italians to Mr. Tanzini the Personnel Administrator. Mr. Agabiti filed his complaint on January 7, 1997. Ms. Harrison filed her answer on June 16, 1997 in which she responded that there were not any facts or allegations that she could either admit or deny.

The Commission invited the parties to attend the Commission’s meeting on June 24, 1997 and present witnesses and testimony to aid in the Commission’s investigation. Both parties appeared and Ms. Harrison appeared with her counsel. The Commission tabled the matter at its public meeting on June 24, 1997, and issued this decision at its meeting of July 23, 1997. The Commission gave Ms. Harrison the opportunity to submit a supplemental response because she had not received all of complainant’s documentation. Ms. Harrison filed her supplemental response on July 2, 1997.

FACTS

On the basis of the pleadings, testimony and documents submitted, the Commission finds the following facts to be undisputed. Respondent is a member of the Hamilton Township Board of Education. Complainant is a citizen of Hamilton Township.

At the March 27, 1996 Hamilton Township Board of Education meeting, Ms Harrison was publicly censured for her alleged ethnic comment to Mr. Tanzini. The vote for public censure was 5 to 3.

ANALYSIS

Complainant alleges that respondent violated N.J.S.A. 18A:12-21 et seq. by making inappropriate ethnic comments concerning the number of Italian-Americans hired into the district’s administration in a conversation with Mr. Tanzini the Personnel Administrator. Ms.

Harrison admits speaking with Mr. Tanzini regarding her concern that the district was not making an effort to diversify its administrative staff through the inclusion of minorities and women. Ms. Harrison also admits that in that same conversation she pointed out that the vast majority of the district's top administration was of Italian-American descent.

The Commission is limited to reviewing violations of the School Ethics Act which is a set of minimum ethical standards to which all school officials must abide. While the provisions are quite broad in their scope, they simply do not prohibit all conduct by a school official which might be considered inappropriate or unprofessional. The conduct of Ms. Harrison does not fall within the purview of the School Ethics Act and is not in violation of the Act. The facts do not support a finding of probable cause that respondent violated the School Ethics Act. Therefore, the Commission finds no probable cause to credit the allegations that respondent violated the School Ethics Act.

DECISION

For the foregoing reasons, the Commission finds no probable cause to credit the allegations in the complaint that respondent violated N.J.S.A. 18A: 12-21 et seq. Therefore, it dismisses the charges against her.

The decision dismissing the complaint is a final decision of an administrative agency. Therefore, it is appealable only to the Superior Court--Appellate Division.

Paul C. Garbarini
Chairperson

Resolution Adopting Decision -- C02-97

Whereas, the School Ethics Commission has considered the pleadings filed by the parties and the documents submitted in support thereof and has considered the arguments raised by parties in subsequent submissions; and

Whereas, the Commission has found no probable cause to credit the allegations that respondent violated the School Ethics Act, N.J.S.A. 18A:12-21 et seq. and therefore dismisses the charges against her; and

Whereas the Commission has reviewed the proposed decision of its staff; and

Whereas, the Commission agrees with the proposed decision;

Now Therefore Be It Resolved that the Commission hereby adopts the proposed decision referenced as its decision in this matter and directs its staff to notify all parties to this action of the Commission's decision herein.

Paul C. Garbarini, Chairperson

I hereby certify that the Resolution
was duly adopted by the School
Ethics Commission at its public meeting
on July 22, 1997

Mary E. Torres
Acting Director

