

<b>SCHOOL ETHICS COMMISSION</b>  <b>v.</b>  <b>DELVIN SERRANO,</b> <b>LEAP Academy Charter School</b> <b>Camden County</b> <hr/>	: : : : : : : : : :	<b>BEFORE THE</b> <b>SCHOOL ETHICS COMMISSION</b>  <b>DOCKET NO. R02-98</b>  <b>RESOLUTION</b>
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**WHEREAS**, the School Ethics Act, N.J.S.A. 18A:12-21 *et seq.* was enacted by the New Jersey State Legislature to ensure and preserve public confidence in school board members and school administrators and to provide specific ethical standards to guide their conduct; and

**WHEREAS**, N.J.S.A. 18A:12-25 requires each school official to file a personal/relative disclosure statement and N.J.S.A. 18A:12-26 requires each school official to file a financial disclosure statement for the School Ethics Commission; and

**WHEREAS**, Delvin Serrano is a member of LEAP Academy Charter School Trustees and thus a “school official” under the Act; and

**WHEREAS**, the deadline to file these disclosure statements was April 30, 1998; and

**WHEREAS**, the School Ethics Commission was advised by the County Superintendent that this school official did not file his disclosure statement with his school district and the County Superintendent’s office as required by the Act; and

**WHEREAS**, the Commission did not take action against school officials who failed to file disclosure statements until September 1998; and

**WHEREAS**, the Commission issued an Order on July 31, 1998, directing this school official to Show Cause why the Commission should not find him in violation of the Act for failing to file the disclosure statements; and

**WHEREAS**, this school official failed to reply to the Order to Show Cause although it was forwarded via regular mail on August 26, 1998, and not returned thus, he is deemed to have received the order on August 29, 1998; and

**WHEREAS**, in its letter enclosing the Order, the Commission notified this school official that the Commission would discuss this matter at its September 22, 1998 meeting, that he had the right to attend, and he could be found in violation of the School Ethics Act and receive a penalty up to removal; and

**WHEREAS**, the Commission finds that the failure to file a disclosure statement constitutes a clear violation of N.J.S.A. 18A:12-25 and 26; and

**WHEREAS**, the Commission finds that this school official has been given the opportunity to provide the disclosure statements, but has declined; and

**WHEREAS**, the appropriate penalty for the violation is removal from the board, especially in light of the failure to respond to the Commission's correspondence;

**NOW THEREFORE BE IT RESOLVED** that the School Ethics Commission finds that Delvin Serrano violated N.J.S.A. 18A:12-25 and 26 of the School Ethics Act and recommends that the Commissioner of Education impose a sanction of removal from the board.

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Paul C. Garbarini, Chairperson  
School Ethics Commission

Dated: September 22, 1998

This matter shall be transmitted to the Commissioner of Education for action on the Commission's recommendation for sanction 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, you may file written comments on the recommended sanction with the Commissioner of Education, c/o Bureau of Controversies and Disputes, 100 Riverview Plaza, 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.