
SCHOOL ETHICS COMMISSION	:	BEFORE THE SCHOOL
	:	ETHICS COMMISSION
V.	:	
	:	Docket No.: D15-06
	:	
ROCIO C. DAY	:	DECISION FOR FAILURE TO
GUTTENBERG BOARD	:	FILE A DISCLOSURE STATEMENT
OF EDUCATION	:	
HUDSON COUNTY	:	

WHEREAS, N.J.S.A. 18A:12-25 of the School Ethics Act 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 with the School Ethics Commission; and

WHEREAS, Rocio C. Day is a member of the Board of Education for the Guttenberg School District and thus a "school official" under N.J.S.A. 18A:12-23 of the Act and N.J.A.C. 6A:28-1.2 of the Code; and

WHEREAS, the deadline to file these disclosure statements was May 1, 2006 for school officials in office since January 30, 2005 and 30 days from swearing-in or start of employment for newly elected or appointed board members and administrators; and

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

WHEREAS, the Commission issued an Order on September 28, 2006, through regular and certified mail return receipt requested, 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, in its letter enclosing the Order, the Commission notified this school official that he had 20 days to respond to the Order, that the Commission would discuss this matter at its October 24, 2006 meeting, that he had the right to attend the meeting, and he could be found in violation of the School Ethics Act and receive a penalty up to removal; and

WHEREAS, the school official filed the completed disclosure statement with the County Superintendent on October 18, 2006,

WHEREAS, the school official did not file an answer; and

WHEREAS, the Commission finds that this school official was given ample opportunity to provide the complete disclosure statement; and

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

WHEREAS, the appropriate penalty for the violation is reprimand since the form has been filed;

NOW THEREFORE BE IT RESOLVED that the School Ethics Commission finds that Rocio C. Day 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 reprimand.

Paul C. Garbarini, Chairperson
School Ethics Commission

Dated: October 31, 2006

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 you, 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.