

658-03 SEC  
AGENCY DKT. NO. 430-11/03

IN THE MATTER OF KAREN :  
JACKSON, GALLOWAY COMMUNITY : COMMISSIONER OF EDUCATION  
CHARTER SCHOOL BOARD OF : DECISION  
TRUSTEES, ATLANTIC COUNTY. :  
\_\_\_\_\_ :

Whereas, the School Ethics Commission (Commission) has acted pursuant to the authority granted to it by *N.J.S.A.* 18A:12-21 *et seq.* to recommend removal of the above-named Board member from office for failure to attend the Board member training sessions required by *N.J.S.A.* 18A:12-33 and *N.J.A.C.* 6A:28-1.6; and

Whereas, *N.J.S.A.* 18A:12-33 requires new school board members to attend training within one year of election or appointment to the board to gain skills and knowledge necessary to serve as a school board member; and

Whereas, the above-named Board member was appointed to the Galloway Community Charter School in July 2001; and

Whereas, the above-named Board member was duly apprised of the training requirement via the New Jersey School Boards Association’s (NJSBA) “candidate kit,” together with correspondence to her dated January 3, 2003 and February 19, 2003; and

Whereas, the NJSBA conducted eight training sessions between July 2001 and April 2003 at varying locations and continuously published the dates and times of the sessions in its publication, *School Board Notes*; and

Whereas, the last training session to fulfill the requirement was held in March 2003; and

Whereas, pursuant to *N.J.A.C.* 6A:28-1.6(e), on June 9, 2003, the Commission issued an Order to Show Cause why she had not attended a training up until that time; and

Whereas, the Commission granted an extension for similarly situated board members to attend one of the October 2003 training sessions; and

Whereas, the above-named Board member provided no response to the Order; and

Whereas, the Commission notified her by letter dated June 12, 2003 that it would discuss this matter at its October 28, 2003 meeting and, if she did not attend training by that time, she could be found in violation of the School Ethics Act and receive a penalty up to removal; and

Whereas, the Commission found at its meeting on October 28, 2003 that this failure to attend board member training from July 2001 until April 2003 constitutes a violation of *N.J.S.A.* 18A:12-33; and

Whereas, on October 29, 2003, the above-named Board member filed a letter and doctor's note with the Commission, explaining that she had intended to attend training in October but had been prevented by illness from doing so; and

Whereas, on October 30, 2003, the Charter School principal submitted a letter including correspondence from the NJSBA illustrating some confusion over whether the above-named Board member was required to attend training; and

Whereas, at a meeting on October 31, 2003, the Commission reconsidered this matter based on the aforementioned submissions and found suspension to be inappropriate under the circumstances, deciding instead to recommend removal if the above-named Board member failed to attend training by the end of January 2004, memorializing such decision through a resolution forwarded to the Commissioner, pursuant to *N.J.S.A.* 18A:12-29; and

Whereas, on November 12, 2003, the above-named Board member was afforded an opportunity to submit to the Commissioner a response to said resolution; and

Whereas, no response was submitted; and

Whereas, the Commissioner of Education has carefully considered the record of this matter and the decision of the Commission, and, while he has determined to adopt the recommendation of the Commission that the above-named Board member not be suspended pending her completion of training, he also finds that some penalty is warranted for her violation of the School Ethics Act as found by the Commission; now therefore

IT IS ORDERED that, in the event the above-named Board member fails to complete a training session during January 2004, she shall be summarily removed from office as of the date of the final session offered that month. Additionally, IT IS ORDERED that the above-named school official shall be reprimanded for her failure to abide by the requirements of the School Ethics Act, thereby causing administrative and adjudicative time to be wasted by local, county and state education officials.<sup>1 2</sup>

#### COMMISSIONER OF EDUCATION

Date of Decision: December 18, 2003

Date of Mailing: December 19, 2003

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<sup>1</sup> It is noted in this regard that respondent was appointed to the Board of Trustees in July 2001 and made no apparent attempt to arrange for training or clarify her status as to training requirements until after issuance of the Commission's June 2003 Show Cause Order, to which she filed no response. Additionally, she gave the Commission no indication of her intention to attend the October training session prior to the Commission's October 28, 2003 meeting, and waited until after that meeting to communicate, directly or through the charter school, with the Commission regarding the circumstances of her nonattendance.

<sup>2</sup> This decision, as the Commissioner's final determination regarding penalty in the instant matter, may be appealed to the State Board of Education pursuant to *N.J.S.A. 18A:6-27 et seq.* and *N.J.A.C. 6A:4-1.1 et seq.* Pursuant to *N.J.A.C. 6A:4-1.4(a)*, Commissioner decisions are deemed filed three days after the date of mailing to the parties.