

240-99SEC

AGENCY DKT. NO. 149-6/99

IN THE MATTER OF MARGARET :  
CAHILL, TETERBORO BOARD OF : COMMISSIONER OF EDUCATION  
EDUCATION, BERGEN COUNTY.: DECISION  
\_\_\_\_\_:

Whereas, the School Ethics Commissioner 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. 6:3-9.4*; and

Whereas, the School Ethics Commission sent ample notice to the above-named Board member of his failure to attend such training sessions; and

Whereas, pursuant to *N.J.A.C. 6:3-9.3(i)*, on April 26, 1999, the Commission issued an Order to Show Cause why a penalty should not be impose for such failure; and

Whereas, the above-named Board informed the Commission that she would attend a training session at the end of the year;

Whereas, the Commission determined on May 26, 1999 that the above-named board member's failure to attend board member training from April 1998 to April 1999 constitutes a violation of *N.J.S.A. 18A:12-33*; and

Whereas, the Commission determined to recommend removal of the above-named Board member if she fails to attend a training session by the end of October, 1999,

memorializing such decision through a resolution forwarded to the Commissioner, pursuant to *N.J.S.A. 18A:12-29*; and

Whereas, on June 7, 1999, the above-named Board member was afforded an opportunity to submit to the Commissioner a response to said resolution recommending removal if she fails to attend a training session by the end of October, 1999; and

Whereas, the above-named board member did not submit a response to the resolution; and

Whereas, the Commissioner of Education has carefully considered the record of this matter and the decision of the School Ethics Commission and concurs with and adopts as his own the recommendation of the Commission that Ms. Cahill be permitted to remain on the Board pending her attendance at the October 1999 training session, in that she is one of only two such members serving a small non-operating school district and her suspension would preclude the district from functioning as required by law; now therefore

IT IS ORDERED that the above-named Board member is removed from office as of November 1, 1999 if she fails to attend a training session by the end of October, 1999.

COMMISSIONER OF EDUCATION

July 28, 1999