

AGENCY DKT. NO. 141-6/99

IN THE MATTER OF DOUGLAS ADAMS,	:	COMMISSIONER OF EDUCATION
BUENA REGIONAL BOARD OF	:	
EDUCATION, ATLANTIC COUNTY.	:	DECISION
_____	:	

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. 6:3-9.4*; and

Whereas, the 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 imposed for such failure; and

Whereas, the above-named Board member submitted a response to the Commission indicating that his family obligations and demanding work schedule precluded his prior attendance, but that he planned to attend the October 26, 1999 session; and

Whereas, the Commission voted on May 26, 1999 to recommend that the above-named Board member be allowed to attend a June 1999 training session, if he can, and, if he fails to do so, that he be suspended until he does attend a required training; and

Whereas, the Commission further voted on May 26, 1999 that the above-named Board member be removed from office if he fails to so attend a required training program by the end of October 1999 and memorialized such decision through a resolution forwarded to the Commissioner of Education, 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 of Education a response to said resolution; and

Whereas, no response was forthcoming; and

Whereas, the Commissioner of Education has confirmed the above-named Board member did not attend a June training session; and

Whereas, the Commissioner of Education has carefully considered the record of this matter and the decision of the Commission and concurs with and adopts as his own the recommendations of the Commission; now therefore

IT IS ORDERED that the above-named Board member, having failed to attend a June training session, is on this date suspended from office until he attends the required training program and, should he fail to do so by the end of October 1999, he shall be removed from office effective November 1, 1999.*

COMMISSIONER OF EDUCATION

July 28, 1999

* This decision, as the Commissioner's final determination 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.* 6:2-1.1 *et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.