

295-01 SEC
AGENCY DKT. NO. 244-7/01

IN THE MATTER OF JUDITH A. WIELAND, :
BOARD OF EDUCATION OF THE BOROUGH : COMMISSIONER OF EDUCATION
OF ALPHA, WARREN 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.* 6A:28-1.6; and

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

Whereas, pursuant to *N.J.A.C.* 6A:28-1.6(e), on April 6, 2001, 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 informed the Commission by letter dated April 17, 2001, that she had signed up for the March 10, 2001 training program but was unable to attend due to a last minute illness and has now signed up for the October 23, 2001 session; and

Whereas, the Commission voted on June 26, 2001 to recommend that the above-named Board member be suspended until she completes the required training; and

Whereas, the Commission further voted on June 26, 2001 that the above-named

Board member be removed from office if she fails to so attend a required training program by the end of October 2001 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 July 12, 2001, the above-named Board member was afforded an opportunity to submit to the Commissioner a response to said resolution recommending removal; and

Whereas, the above-named Board member submitted a comment to the Commissioner which reported that she had delayed signing up for training until March 2001 because she believed she would best benefit from the training after she had some experience on the Board, and further advised that she had cancelled her registration for the October training, instead signing up for the weekend session offered in September, in order to assure timely compliance with the Commission's directive; and

Whereas, the Commissioner of Education has carefully considered the record of this matter and the decision of the Commission recommending suspension and removal of the above-named Board member if the Board member fails to attend the required training by October, 2001; now therefore

IT IS ORDERED that the above-named Board member is suspended from office as of the filing date of this decision, and shall remain suspended pending completion of the requisite training, and, in the event the Board member fails to complete the required training by

October 23, 2001, the above-named Board member is hereby summarily removed from office effective October 24, 2001.*

COMMISSIONER OF EDUCATION

Date of Decision: September 6, 2001
Date of Mailing: September 11, 2001

*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.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.