

310-01 SEC
AGENCY DKT. NO. 249-7/01

IN THE MATTER OF CATHERINE L. WADA, :
BOARD OF EDUCATION OF THE : COMMISSIONER OF EDUCATION
BOROUGH OF BERGENFIELD, BERGEN : DECISION
COUNTY. :
_____ :

Whereas, the School Ethics 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 required by *N.J.S.A.* 18A:12-33 and *N.J.A.C.* 6A:28-1.6; and

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

Whereas, pursuant to *N.J.A.C.* 6A:28-1.6(e), on April 9, 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 replied to the Commission, indicating that her non-attendance at training was not intentional and assuring that she was not trying to shirk any responsibility; and

Whereas, the Commission voted on June 26, 2001, to recommend suspension of the above-named Board member until she attends the required training, and to remove her from the Board if she fails to timely attend such training in violation of State statute, memorializing such decision through a resolution forwarded to the Commissioner, 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 the Commission's resolution recommending suspension, pending attendance at training and removal, if she fails to so attend in October 2001; and

Whereas, on July 26, 2001 the above-named Board member responded to the Commissioner, informing him that she could not attend the June 2001 training since it was an extremely busy month because her two children were graduating from their respective schools, and requesting that the Commissioner not suspend her because she has already registered to attend a September 2001 training session and she works diligently on behalf of the children of Bergenfield; and

Whereas, the Commissioner of Education has carefully considered the record of this matter and the decision of the School Ethics Commission recommending suspension and removal of the above-named Board member if she fails to attend a training session 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 18, 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.