

AGENCY DKT. NO. 687-11/10

IN THE MATTER OF CHRISTINA OZTAN, :
GREATER BRUNSWICK CHARTER SCHOOL, : COMMISSIONER OF EDUCATION
MIDDLESEX COUNTY. : DECISION
_____ :

On November 23, 2010, the School Ethics Commission (Commission) recommended that respondent be reprimanded for failure to attend a training session in finance during the third year of her term as a charter school trustee – purportedly in violation of *N.J.S.A. 18A:12-33*. The Commissioner of Education concurred with the Commission and issued a decision imposing the recommended penalty. *In the Matter of Christina Oztan, Greater Brunswick Charter School, Middlesex County, Commissioner Decision No. 23-11SEC (January 10, 2011)*.

In March 2011, pursuant to an inquiry concerning the applicability of the 2007 revisions to *N.J.S.A. 18A:12-33* to respondent Oztan, the Commission revisited its recommendation that respondent be reprimanded. The Commission determined that Oztan had completed her first term as a trustee prior to the 2007 revision of *N.J.S.A. 18A:12-33*, which revision required for the first time that board members and charter trustees take training courses in the second and third years of their term. Finding nothing in the language or history of *N.J.S.A. 18A:12-33* which indicated that the 2007 revision was meant to be retroactive, the Commission concluded that respondent Oztan was not subject to the expanded training requirements of same, and vacated its prior decision.

Accordingly, given that the finding of violation upon which it was based has now been vacated by the Commission, the Commissioner's decision of January 10, 2011 is concomitantly VACATED and shall be deemed of no force and effect.

IT IS SO ORDERED.*

ACTING COMMISSIONER OF EDUCATION

Date of Decision: June 2, 2011

Date of Mailing: June 2, 2011

* This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L. 2008, c. 36*. (*N.J.S.A. 18A:6-9.1*)