432-26SEC
SEC Dkt. No. T04-26
Agency Dkt. No. 413-09-26

New Jersey Commissioner of Education

Final Decision

In the Matter of Vincent Giardina, Plumsted Township Board of Education, Ocean County

The record of this matter and the decision of the School Ethics Commission (SEC) have been reviewed. The SEC found that respondent violated *N.J.S.A.* 18A:12-33 by failing to timely complete the required board member training. The SEC's decision was forwarded to the Commissioner for final determination on the recommended penalty pursuant to *N.J.S.A*. 18A:12-29(c). The SEC recommended a sanction of removal effective upon the adoption of the decision by the Commissioner. Alternatively, if respondent completed the required training before the issuance of the Commissioner's final decision and notified the SEC accordingly, the SEC recommended a sanction of a thirty-day suspension. To date, respondent has not notified the SEC that he has completed the required training. Respondent has neither filed exceptions to the recommended penalty, nor instituted an appeal of the SEC's underlying finding of violation pursuant to *N.J.A.C.* 6A:4-1 *et seq.*

Upon review, the Commissioner concurs with the penalty recommended by the SEC for respondent's failure to timely honor an obligation placed upon school officials by law. Accordingly, respondent is removed from the Board for violating the School Ethics Act.

IT IS SO ORDERED.[1]



COMMISSIONER OF EDUCATION

Date of Decision: October 22, 2026
Date of Mailing: October 23, 2026

[1] This decision may be appealed to the Appellate Division of the Superior Court pursuant to *N.J.S.A.* 18A:6-9.1. Under *N.J.Ct.R.* 2:4-1(b), a notice of appeal must be filed with the Appellate Division within 45 days from the date of mailing of this decision.

Before the School Ethics Commission
Docket No.: T04-26
Decision for Failure to Complete Mandatory Training Requirement in a Timely Manner

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***I/M/O Vincent Giardina*,**
Plumsted Township Board of Education, Ocean County

I. Procedural History

This matter arises from an Order to Show Cause (OTSC) that was issued by the School Ethics Commission (Commission) in connection with the above-captioned matter at its meeting on July 28, 2026, directing Vincent Giardina (Respondent), a "board member" as defined in *N.J.S.A.* 18A:12-23 of the School Ethics Act (Act), *N.J.S.A.* 18A:12-21 *et seq.*, to show cause as to why the Commission should not find Respondent in violation of the Act, for failing to complete training as required by *N.J.S.A.* 18A:12-33 and *N.J.A.C.* 6A:28-4.1.

In the OTSC that was served on July 28, 2026, the Commission notified Respondent that he had twenty (20) days to respond to the OTSC. Respondent was further advised that failure to respond would be deemed an admission of the facts set forth in the OTSC, and the Commission may take action on a summary basis, in accordance with *N.J.A.C.* 6A:28-1.6(c).

II. Analysis

The Act was enacted by the New Jersey State Legislature to ensure and preserve public confidence in members of local boards of education and local school administrators. *N.J.S.A.* 18A:12-33 and *N.J.A.C.* 6A:28-4.1 require every board member to complete a training program prepared and offered by the New Jersey School Boards Association (NJSBA).

Respondent is a member of the Plumsted Township Board of Education, located in Ocean County. As a result of his position as a board of education member, and in accordance with *N.J.S.A.* 18A:12-33 and *N.J.A.C.* 6A:28-4.1, Respondent is required to complete a mandated training program on an annual basis. For convenience and ease, the training is offered online so any board member may complete it at any time, from anywhere. According to NJSBA, Respondent was required to complete the Governance 4 training program by December 31, 2025.

On or about March 20, 2026, the NJSBA provided the Commission with the names of those board of education members who failed to complete mandated training by December 31, 2025, and the list provided included Respondent.

Thereafter, the Commission's staff sent e-mails to Respondent dated April 16, 2026, June 9, 2026, and June 24, 2026, advising Respondent that the Commission required completion of the training to avoid the issuance of an OTSC for non-compliance. Again, notwithstanding this correspondence, Respondent did not complete the required training. As a result, an OTSC was issued by the Commission at its meeting on July 28, 2026.

There is no dispute that Respondent did not complete his required training by December 31, 2025, or to date, and therefore, the Commission issued an OTSC at its meeting on July 28, 2026. After having been served with the OTSC, Respondent failed to respond to the Commission's OTSC as to why he did not complete training by December 31, 2025, and also failed to complete training as required by *N.J.S.A.* 18A:12-33 and *N.J.A.C.* 6A:28-4.1.

III. Decision/Penalty Recommendation

N.J.A.C. 6A:28-4.2(d) provides that school board members and charter school trustees who fail to comply with their training mandate shall be considered in violation of *N.J.S.A.* 18A:12-33. Based on the record as set forth above, at its meeting on August 25, 2026, the Commission found that Respondent violated *N.J.S.A.* 18A:12-33. Respondent received repeated notifications of his training requirement, and had ample opportunity to complete the mandated training in a timely fashion; nonetheless, Respondent failed to complete training as required.

Where a violation of the Act is found by the Commission, it may recommend to the Commissioner of Education that a penalty be imposed. The recommended penalty can include a reprimand, censure, suspension or removal of the school official. *N.J.A.C.* 6A:28-9.11. Specifically, unless good cause is shown or the school official previously has been the subject of an OTSC, "the Commission shall recommend that a board member or trustee who completes training after the Commission issues its decision, but before the Commissioner issues a final decision, receives a suspension for 30 days." *N.J.A.C.* 6A:28-4.3(c). However, "the Commission will recommend this penalty only if the board member or the trustee provides to the [NJSBA] and the Commission written notice before the Commissioner issues a final decision." *Ibid.* If the board member or trustee fails to complete training as of the date the Commissioner issues its final decision, the Commission will recommend removal of the board member or trustee from his or her position. *N.J.A.C.* 6A:28-4.3(d).

For the reasons set forth above, the Commission recommends that the Commissioner of Education impose a penalty of **removal**, with such removal to become effective immediately upon issuance of the Commissioner of Education's decision. However, if Respondent completes training before the Commissioner of Education adopts a final decision (which will be within forty-five (45) days after the mailing date of this decision), then the Commission recommends that the Commissioner of Education, in lieu of removal, impose a **thirty (30) day suspension**, with such suspension to become effective immediately upon issuance of the Commissioner of Education's decision, provided the board member or trustee provides written notice of successful completion of the training requirement.

Pursuant to *N.J.S.A.* 18A:12-29(c), this decision shall be forwarded to the Commissioner of Education for review of the Commission's recommended penalty. Respondent may either: 1) file exceptions to the recommended sanction; 2) file an appeal of the Commission's finding of a violation; or 3) file both exceptions to the recommended sanction together with an appeal of the finding of a violation.

Parties taking exception to the recommended sanction of the Commission but *not disputing* the Commission's finding of a violation may file, within **thirteen (13) days** from the date the Commission's decision is forwarded to the Commissioner, written exceptions regarding the

recommended penalty to the Commissioner. The forwarding date shall be the mailing date to the parties, as indicated below. Such exceptions must be forwarded to: Commissioner of Education, c/o Bureau of Controversies and Disputes, P.O. Box 500, Trenton, New Jersey 08625, marked "Attention: Comments on Ethics Commission Sanction." as well as to (ControversiesDisputesFilings@doe.nj.gov). A copy must also be sent to the Commission (school.ethics@doe.nj.gov) and all other parties.

Parties seeking to appeal the Commission's finding of violation *must* file an appeal pursuant to the standards set forth at *N.J.A.C.* 6A:4:1 *et seq.* within **thirty (30) days** of the filing date of the decision from which the appeal is taken. The filing date shall be three (3) days after the date of mailing to the parties, as shown below. In such cases, the Commissioner's review of the Commission's recommended sanction will be deferred and incorporated into the Commissioner's review of the finding of violation on appeal. Where a notice of appeal has been filed on or before the due date for exceptions to the Commission's recommended sanction (thirteen (13) days from the date the decision is mailed by the Commission), exceptions need not be filed by that date, but may be incorporated into the appellant's briefs on appeal.

Dennis M. Roberts, Chairperson

Mailing Date: August 25, 2026

Resolution Adopting Decision for Failure to Complete Mandatory Training Requirement in a Timely Manner
Docket No.: T04-26

Whereas, Vincent Giardina (Respondent) is a "board member" as defined in *N.J.S.A.* 18A:12-23 of the School Ethics Act (Act); and

Whereas, as a board member, Respondent is required to complete a training program prepared and offered by the New Jersey School Boards Association (NJSBA) on an annual basis; and

Whereas, Respondent failed to complete his training program by December 31, 2025; and

Whereas, at its meeting on July 28, 2026, the School Ethics Commission (Commission) issued an Order to Show Cause (OTSC) directing Respondent to show cause as to why he failed to complete his mandatory training by December 31, 2025, as required by *N.J.S.A.* 18A:12-33 and *N.J.A.C.* 6A:28-4.1; and

Whereas, after having been served with the OTSC, Respondent failed to respond to the Commission's OTSC as to why he did not complete training by December 31, 2025, and also failed to complete training as required by *N.J.S.A.* 18A:12-33 and *N.J.A.C.* 6A:28-4.1; and

Whereas, at its meeting on August 25, 2026, the Commission found that Respondent violated *N.J.S.A.* 18A:12-33 and *N.J.A.C.* 6A:28-4.1 by failing to complete the training requirement he was obligated to complete; and

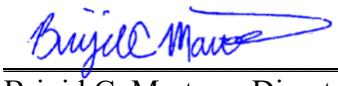
Whereas, at its meeting on August 25, 2026, the Commission recommended that the Commissioner of Education impose a penalty of removal, with such removal to become effective immediately upon issuance of a final decision by the Commissioner of Education. However, if Respondent completes training before the Commissioner of Education adopts a final decision (which will be within forty-five (45) days after the mailing date of this decision), then the Commission recommends that the Commissioner of Education, in lieu of removal, impose a thirty (30) day suspension, with such suspension to become effective immediately upon issuance of a final decision by the Commissioner of Education, provided the board member or trustee provides written notice of the successful completion of the training requirement; and

Whereas, at its meeting on August 25, 2026, the Commission agreed that the within decision accurately memorializes its findings and recommendations; and

Now Therefore Be It Resolved, that the Commission hereby adopts the within decision and directs its staff to notify all parties to this action of the decision.

Dennis M. Roberts, Chairperson

I certify that the within Resolution was duly adopted by the School Ethics Commission at its public meeting on August 25, 2026.



Brigid C. Martens, Director
School Ethics Commission