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**SCHOOL ETHICS COMMISSION** : **BEFORE THE**  
 : **SCHOOL ETHICS COMMISSION**  
 :  
 v. :  
 : **RESOLUTION**  
 :  
**STEPHAN LYNCH** , :  
**Hackensack Board of Education** :  
**Bergen County** :  
 :  
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**WHEREAS**, the School Ethics Act, N.J.S.A. 18A:12-21 et. seq. was enacted by the New Jersey State Legislature to ensure and preserve public confidence in school board members and school administrators and to provide specific ethical standards to guide their conduct; and

**WHEREAS**, N.J.S.A. 18A:12-33 requires new board members to attend training within one year of election or appointment to the board to gain the skills and knowledge necessary to serve as a school board member; and

**WHEREAS**, Stephan Lynch was elected to serve a three-year term on the Hackensack Board of Education on April 15, 1996; and

**WHEREAS**, the New Jersey School Boards Association (NJSBA) advises prospective board members of the training requirement in the “candidate kit” before their election and mails correspondence to all new board members who have failed to register for or attend an orientation and did mail such correspondence to this board member on February 13, 1997; and

**WHEREAS**, at the request of the School Ethics Commission, the NJSBA published a notice with the heading “Last Chance to Meet Training Requirements” on the front page of the February 21, 1997 edition of *School Board Notes* advising that the March 15, 1997 session was the last that new board members could attend without penalty; and

**WHEREAS**, the NJSBA conducted seven training sessions between April 1996 and April 1997 at varying locations and continuously published the dates and times of the sessions; and

**WHEREAS**, the last training session to fulfill the requirement was held on March 15, 1997; and

**WHEREAS**, the Commission issued an Order on March 27, 1997, directing Stephan Lynch to Show Cause why he had not attended training up until that time; and

**WHEREAS**, Mr. Lynch replied and the superintendent replied on Mr. Lynch’s behalf that Mr. Lynch could not attend the March 15, 1997, session for which he was scheduled due to a death in the family but that he would sign up for the next available session on June 6-8, 1997; and

**WHEREAS**, the Commission notified Mr. Lynch that the Commission would discuss this matter at its May 27, 1997 meeting, that he had the right to attend, and she could be found in violation of the School Ethics Act and receive a penalty up to removal; and

**WHEREAS**, Mr. Lynch has failed to attend the required training program for the one year allowed; and

**WHEREAS**, the Commission finds that his failure to attend board member training from April 1996 to April 1997 constitutes a violation of N.J.S.A. 18A:12-33; and

**WHEREAS**, Mr. Lynch's response does not provide an adequate explanation of why he failed to attend training within the year allowed by law in light of other sessions offered before March; and

**WHEREAS**, the Commission finds that if Mr. Lynch fails to attend the June session as he has set forth, the Commission finds that it would be appropriate to have him removed from the board;

**NOW THEREFORE BE IT RESOLVED** that the School Ethics Commission finds that Stephan Lynch violated N.J.S.A. 18A:12-33 of the School Ethics Act and recommends that the Commissioner of Education impose a reprimand if he attends the June session, but removal from the board if he does not attend the June 6-8, 1997, training session.

Dated: May 27, 1997

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Paul C. Garbarini, Chairperson

I certify that the within Resolution was duly adopted by the School Ethics Commission at its Public Meeting on May 27, 1997.

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Lisa James-Beavers, Executive Director

This matter shall be transmitted to the Commissioner of Education for action on the Commission's recommendation for sanction pursuant to N.J.S.A. 18A:12-29. Within thirteen (13) days from the date on which the Commission's decision was mailed to the parties, any party may file written comments on the recommended sanction with the Commissioner of Education, c/o Bureau of Controversies and Disputes, 100 Riverview Plaza, CN 500, Trenton, NJ 08625, marked "Attention: Comments on Ethics Commission Sanction." A copy of any comments filed must be sent to the School Ethics Commission and all other parties.