

SCHOOL ETHICS COMMISSION	:	BEFORE THE
	:	SCHOOL ETHICS COMMISSION
	:	DECISION FOR
v.	:	FAILURE TO ATTEND TRAINING
HARRY WYATT, JR.	:	DOCKET NO. T30-08
Roselle Board of Education	:	
Union County	:	

This matter arises from an Order to Show Cause (OTSC) issued on June 20, 2008 by the School Ethics Commission alleging that Harry Wyatt Jr., a member of the Roselle Board of Education (Board), violated N.J.S.A. 18A:12-33 for failure to complete, during the first year of the member's first term, a training program offered by the New Jersey School Boards Association (NJSBA) regarding the skills and knowledge necessary to serve as a local school board member or charter school trustee.

The respondent was advised by the NJSBA of the training requirement in writing upon election or appointment as well as through notices published in its newsletter *School Board Notes*. The NJSBA mailed correspondence to all new board members who failed to register for, or attend, an orientation training. The NJSBA mailed such correspondence to the respondent on July 30, 2007 and December 27, 2007. The NJSBA conducted seven training sessions between April, 2007 and March, 2008 at varying locations and continuously published the dates and times of the sessions in the *School Board Notes*.

As required pursuant to N.J.A.C. 6A:28-4.2(c), the NJSBA provided the School Ethics Commission with a report listing those board members and trustees who had not fulfilled the training mandate for the first year of their first term. A report from the NJSBA indicated that the respondent failed to attend the training program within the required time period. The respondent was so notified by letter dated May 1, 2008 from the School Ethics Commission and encouraged to fulfill the training requirement. Thereafter, the NJSBA offered two additional training opportunities in May and June 2008.

The June 20, 2008 OTSC was sent to the respondent by regular and certified mail. The respondent filed a timely response with the Commission through his attorney, John E. Croot, Jr., Esq., wherein he provided a sworn affidavit certifying that he attended the NJSBA New Board Member Orientation training on September 7-9, 2007. A member of the Willingboro Board of Education also provided a sworn affidavit certifying that the respondent was present on all three days of the training and they were in the same small group session. The respondent further provided proof of payment to the NJSBA for his attendance at the September 7-9, 2007 training and proof of payment for the hotel accommodations for the training. Finally, the respondent provided a September 18, 2007 letter from the NJSBA informing the Roselle board secretary that the respondent satisfied the orientation training mandate.

DECISION

Based on the response filed by Harry Wyatt, Jr. indicating that he attended the September 7-9, 2007 training, and in the absence of unambiguous attendance records provided by the NJSBA, the Commission finds that Mr. Wyatt did not violate N.J.S.A. 18A:12-33 and dismisses the OTSC.

Paul C. Garbarini, Chairperson
School Ethics Commission

I hereby certify that the Decision was duly adopted by the School Ethics Commission at its public meeting on July 22, 2008.

Joanne Boyle, Executive Director