

SCHOOL ETHICS COMMISSION	:	BEFORE THE
	:	SCHOOL ETHICS COMMISSION
v.	:	
	:	DOCKET NO. T04-05
ANA M. BETANCES,	:	
Guttenberg Board of Education	:	DECISION FOR FAILURE
Hudson County	:	TO ATTEND TRAINING
	:	

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 each newly elected or appointed board member 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 school board member or charter school trustee; and

WHEREAS, Ana M. Betances was newly elected or appointed in April 2004 to a local school board or charter school board and therefore, had until April 2005, to complete the training requirement; and

WHEREAS, the NJSBA 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 December 6, 2004 and February 10, 2005; and

WHEREAS, the NJSBA conducted seven training sessions between April 2004 and March 2005 at varying locations and continuously published the dates and times of the sessions in its publication, *School Board Notes*; and

WHEREAS, the last training session to fulfill the requirement was held on July 8-10, 2005; and

WHEREAS, the Commission issued an Order on August 2, 2005, directing Ana M. Betances to Show Cause why she had not attended training up until that time; and

WHEREAS, Ms. Betances responded that she had failed to attend training due to her son's disabilities, but she was registered for the October 25, 2005 training session; and

WHEREAS, the Commission notified Ms. Betances that the Commission would discuss this matter at its September 27, 2005 meeting; and

WHEREAS, Ms. Betances has failed to attend the required training program for the one year allowed; and

WHEREAS, the Commission finds that her failure to attend board member training from April 2004 to March 2005 constitutes a clear violation of N.J.S.A. 18A:12-33; and

WHEREAS, the Commission finds that the appropriate penalty for the violation is suspension from the board if she fails to attend the NJSBA's October 25, 2005 training session and removal if she fails to attend the January 28, 2006 session;

NOW THEREFORE BE IT RESOLVED that the School Ethics Commission finds that Ana M. Betances violated the N.J.S.A. 18A:12-33 of the School Ethics Act and recommends that the Commissioner of Education impose a penalty of suspension until January 28, 2006 if she fails to attend the October 25, 2005 training session and removal from the board if she fails to attend the January 28, 2006 session.

Paul C. Garbarini, Chairman
School Ethics Commission

Dated: September 27, 2005

I certify that the within Resolution was duly adopted by the School Ethics Commission at its Public Meeting on September 27, 2005.

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.