

SCHOOL ETHICS COMMISSION	:	BEFORE THE
	:	SCHOOL ETHICS COMMISSION
v.	:	
	:	DOCKET NO. T06-07
Harry Luna	:	
Trenton Board of Education	:	DECISION FOR FAILURE
Mercer 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, Harry Luna was newly elected or appointed in May 2006 to a local school board or charter school board and therefore, had until May 2007, 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 July 31, 2006, and December 28, 2006; and

WHEREAS, the NJSBA conducted seven training sessions between April 2006 and March 2007 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 September 7-9, 2007; and

WHEREAS, the Commission issued an Order on August 17, 2007, directing Mr. Luna to Show Cause why he had not attended training up until that time; and

WHEREAS, Mr. Luna did not respond to the Order; and

WHEREAS, the Commission notified Mr. Luna that the Commission would discuss this matter at its September 25, 2007 meeting; and

WHEREAS, Mr. Luna has failed to attend the required training program during the first year of the board member’s first term as required in N.J.S.A. 18A:12-33; and

WHEREAS, the Commission finds that his failure to attend board member training from April 2006 to March 2007 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 until he attends the October 23, 2007 training session and removal if he fails to attend the October 23, 2007 session;

NOW THEREFORE BE IT RESOLVED that the School Ethics Commission finds that Harry Luna 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 from the board until he attends the October 23, 2007 training session and removal if he fails to attend the October 23, 2007 training session.

Paul C. Garbarini, Chairman
School Ethics Commission

Dated: October 11, 2007

I certify that the within Resolution was duly adopted by the School Ethics Commission at its Public Meeting on September 25, 2007.

Mary E. Torres
Acting 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.