

SCHOOL ETHICS COMMISSION	:	BEFORE THE
	:	SCHOOL ETHICS COMMISSION
v.	:	
	:	RESOLUTION
LOUIS SCALDINO	:	
Linden Board of Education	:	SEC Docket No.: T28-03
Union County	:	
	:	

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, Respondent Louis Scaldino was elected to serve a three-year term on the Linden Board of Education in April 2002; and

WHEREAS, the New Jersey School Boards Association (NJSBA) advises prospective board members of the training requirement in the “candidate kit”; 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 January 3, 2003 and February 19, 2003; and

WHEREAS, the NJSBA conducted seven training sessions between April 2002 and April 2003 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 in March 2003; and

WHEREAS, the Commission issued an Order on May 21, 2003, directing Respondent to Show Cause why he had not attended training up until that time; and

WHEREAS, the Commission granted an extension for similarly situated board members to attend one of the June training sessions; and

WHEREAS, Mr. Scaldino responded and advised Commission staff on July 17, 2003, that he was registered for the October 2003 training session; and

WHEREAS, the Commission notified Respondent by letter dated July 15, 2003, that it would discuss this matter at its July 22, 2003 meeting, that he had the right to attend, and

could be found in violation of the School Ethics Act and receive a penalty up to removal;
and

WHEREAS, Respondent provided no reasons for failing to attend the required training program for the one year allowed; and

WHEREAS, the Commission finds that this failure to attend board member training from April 2002 to April 2003 constitutes a violation of N.J.S.A. 18A:12-33; and

WHEREAS, the Commission finds suspension to be the appropriate penalty for failure to attend through June; and

WHEREAS, the Commission finds that if Mr. Scaldino fails to attend training by the end of **October 2003**, 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 Mr. Scaldino violated N.J.S.A. 18A:12-33 of the School Ethics Act and recommends that the Commissioner of Education suspend him until he attends, but remove him from the board if he fails to attend by the October training session.

Dated: July 22, 2003

Paul C. Garbarini, Chairperson

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, the board member may file written comments on the recommended sanction with the Commissioner of Education, c/o Bureau of Controversies and Disputes, 100 River View Plaza, P.O. Box 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.

I certify that the within Resolution was duly adopted by the School Ethics Commission at its Public Meeting on July 22, 2003.

Lisa James-Beavers, Executive Director