

224-00 SEC  
AGENCY DKT. NO. 191-6/00

IN THE MATTER OF ANNE DORETY, :  
BOARD OF EDUCATION OF OLDMANS : COMMISSIONER OF EDUCATION  
TOWNSHIP, SALEM COUNTY. : DECISION  
\_\_\_\_\_:

Whereas, the School Ethics Commission has acted pursuant to the authority granted to it by *N.J.S.A. 18A:12-21 et seq.* to recommend that the above-named Board member, who was elected to the Oldmans Township Board of Education in April 1999, be removed from office for failure to attend the Board member training sessions by April 2000 as required by *N.J.S.A. 18A:12-33* and *N.J.A.C. 6A:28-1.6*; and

Whereas, the School Ethics Commission sent ample notice to the above-named Board member of her failure to attend such training sessions; and

Whereas, pursuant to *N.J.A.C. 6A:28-1.5(j)*, on April 14, 2000 the Commission issued an Order to Show Cause why the Board member had not attended such training ; and

Whereas, the above-named Board member failed to provide a timely signed and notarized response to the Order of the Commission; and

Whereas, the Commission voted on May 23, 2000, to recommend removal of the above-named Board member for failure to timely attend training sessions in violation of State statute, memorializing such decision through a resolution forwarded to the Commissioner, pursuant to *N.J.S.A. 18A:12-29*; and

Whereas, on May 24, 2000, subsequent to the Commission's meeting, correspondence, signed by the above-named Board member but still not notarized, was received

by the Commission in response to the Show Cause Order assuring that she will fulfill the training requirements as soon as possible and explaining that, although she had good intentions of honoring her commitment to the Board, her efforts to date had been unsuccessful because, *inter alia*: the birthday of one of her young children fell on the date of the October 1999 training, which was the first training session reasonably close to her home; a snow storm fell on the date of the January 2000 training and she wrongly assumed that the training was cancelled, but, admittedly, even if she had known it was not cancelled, she would not have driven on icy rural roads to attend; and, although she registered for the April 2000 training, at the last moment a situation with respect to the family's "adopted" great-grandmother required her attention; and

Whereas, on May 24, 2000, the above-named Board member was afforded an opportunity to submit to the Commissioner a response to the Commission's resolution recommending removal; and

Whereas, the above-named Board member submitted to the Commissioner a copy of her response to the Commission cited *ante*, together with a letter averring that the penalty of removal is too harsh and that a sanction of reprimand, censure or suspension would be justified; and

Whereas, the Commissioner has carefully considered the record of this matter, including the decision of the School Ethics Commission and the above-named Board member's response, and, having done so, determines that removal from the Oldman's Board of Education is justified under the circumstances due to her repeated failure to attend the statutorily required training session within one year of her election to the Oldman's Board in April 1999; now therefore

IT IS ORDERED that the above-named Board member be removed from office.\*

COMMISSIONER OF EDUCATION

Date of Decision: July 10, 2000

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\*This decision, as the Commissioner's final determination regarding penalty in the instant matter, may be appealed to the State Board of Education pursuant to *N.J.S.A. 18A:6-27 et seq.* and *N.J.A.C. 6A:4-1.1 et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.