

299-01SEC
AGENCY DKT. NO. 256-7/01

IN THE MATTER OF KARLHEINZ HAAS, :
RED BANK BOROUGH BOARD : COMMISSIONER OF EDUCATION
OF EDUCATION, MONMOUTH COUNTY. : DECISION

Whereas, the School Ethics Commission (Commission) has acted pursuant to the authority granted to it by *N.J.S.A.* 18A:12-21 *et seq.* to recommend removal of the above-named Board member from office for failure to attend the Board member training sessions required by *N.J.S.A.* 18A:12-33 and *N.J.A.C.* 6A:28-6; and

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

Whereas, pursuant to *N.J.A.C.* 6A:28-1.6(e), on April 9, 2001, the Commission issued an Order to Show Cause why a penalty should not be imposed for such failure; and

Whereas, the above-named Board member informed the Commission, by letter dated April 14, 2001, that he did not attend any of the scheduled trainings because he believed that he was not required to do so, inasmuch as he was appointed to the Board in June 2000 to fill a vacant seat and did not initially intend to run for reelection in April 2001, but that having determined to run, he would comply with training requirements if re-elected; and

Whereas the above-named Board member further informed the Commission by letter dated June 22, 2001 that he planned to attend the October 2001 training session; and

Whereas, the Commission voted on July 20, 2001 to recommend suspension of the above-named Board member, and that he be removed from office if he fails to so attend a required training program by the end of October 2001 and memorialized such decision through a

resolution forwarded to the Commissioner of Education, pursuant to *N.J.S.A.* 18A:12-29; and

Whereas, by letter dated July 20, 2001, the above-named Board member was afforded an opportunity to submit to the Commissioner a response to said resolution recommending removal if he does not attend a training session by October 2001; and

Whereas, the above-named Board member submitted comment to the Commissioner by letter dated July 26, 2001, indicating that he was registered to attend the September 14-16, 2001 training session and further attached a copy of the Board's purchase order indicating payment of the registration fee for that session; and

Whereas, the Commissioner of Education has carefully considered the record of this matter and the decision of the Commission and concurs with and adopts as his own the recommendations of the Commission; now therefore

IT IS ORDERED that the above-named Board member is suspended from office as of the filing date of this decision, and shall remain suspended pending completion of the requisite training, and, in the event the Board member fails to complete the required training by October 23, 2001, the above-named Board member is hereby summarily removed from office effective October 24, 2001.*

COMMISSIONER OF EDUCATION

Date of Decision: September 6, 2001
Date of Mailing: September 18, 2001

*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.