

312-01 SEC  
AGENCY DKT. NO. 248-7/01

IN THE MATTER OF PATRICIA COLACCI, :  
BOARD OF EDUCATION OF THE TOWN : COMMISSIONER OF EDUCATION  
OF GUTTENBERG, HUDSON 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 removal of the above-named Board member from office for failure to attend the Board member training 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; 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 replied that she could not attend due to serious health issues; and

Whereas, the Commission voted on June 26, 2001, to recommend suspension of the above-named Board member until she attends the required training, and to remove her from the Board if she fails to timely attend such training 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 July 12, 2001, the above-named Board member was afforded an opportunity to submit to the Commissioner a response to the Commission's resolution

recommending suspension, pending attendance at training, and removal if she fails to so attend in October 2001; and

Whereas, on July 20, 2001, the above-named Board member sent a facsimile transmission to the School Ethics Commission stating that she had resigned from the Guttenberg Board of Education; and

Whereas, the above-named Board member's resignation has been confirmed; now therefore

It is determined that the within matter has been rendered moot by the above-named Board member's resignation from the Guttenberg Board of Education and it is, accordingly, dismissed.\*

COMMISSIONER OF EDUCATION

Date of Decision: September 6, 2001

Date of Mailing: September 18, 2001

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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.