333-02SEC

AGENCY DOCKET NO. 236-7/02

IN THE MATTER OF BERT AMMERMAN, :

RIVER VALE BOARD OF EDUCATION, : COMMISSIONER OF EDUCATION

BERGEN COUNTY. : DECISION

Bert Ammerman, Pro Se

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 suspension of the abovenamed Board member from office until he attends Board training in October, and removal if he fails to do so, as required by *N.J.S.A.* 18A:12-33 and *N.J.A.C.* 6A:28-1.6; 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 23, 2002, 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 May 28, 2002, that, *inter alia*, he previously served as a Board member and had been unable to schedule his time to attend training, but had registered for the October 22, 2002 training session; and

Whereas, the Commission voted on July 23, 2002 to recommend that the abovenamed Board member be suspended from the Board until he attends the October 22, 2002 training session and removed if he fails to attend the October 22, 2002 session, and memorialized such decision through a resolution forwarded to the Commissioner of Education, pursuant to

N.J.S.A. 18A:12-29; and

Whereas, on July 26, 2002, the above-named Board member was afforded an

opportunity to submit to the Commissioner a response to said resolution recommending removal;

and

Whereas, no such comments were submitted; 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 of this decision and shall remain suspended pending completion of the requisite

training, and, in the event he fails to complete the training session on October 22, 2002, the

above-named Board member shall be summarily removed from office as of that date.*

COMMISSIONER OF EDUCATION

Date of Decision:

September 5, 2002

Date of Mailing:

September 6, 2002

* 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.

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