

	:	BEFORE THE
SCHOOL ETHICS COMMISSION	:	SCHOOL ETHICS COMMISSION
	:	
v.	:	DECISION FOR
LYNN SMITH	:	FAILURE TO ATTEND TRAINING
Greenwich Twp. Board of Education	:	
Warren County	:	DOCKET NO. T33-08
	:	

This matter arises from an Order to Show Cause (OTSC) issued on June 20, 2008 by the School Ethics Commission alleging that Lynn Smith, a member of the Greenwich Township Board of Education (Board), violated N.J.S.A. 18A:12-33 for failure to complete, during the first year of the member’s first term, a training program offered by the New Jersey School Boards Association (NJSBA) regarding the skills and knowledge necessary to serve as a local school board member or charter school trustee.

The respondent was advised by the NJSBA of the training requirement in writing upon election or appointment as well as through notices published in its newsletter *School Board Notes*. The NJSBA mailed correspondence to all new board members who failed to register for, or attend, an orientation training. The NJSBA mailed such correspondence to the respondent on July 30, 2007 and December 27, 2007. The NJSBA conducted seven training sessions between April, 2007 and March, 2008 at varying locations and continuously published the dates and times of the sessions in the *School Board Notes*.

As required pursuant to N.J.A.C. 6A:28-4.2(c), the NJSBA provided the School Ethics Commission with a report listing those board members and trustees who had not fulfilled the training mandate for the first year of their first term. A report from the NJSBA indicated that the respondent failed to attend the training program within the required time period. The respondent was so notified by letter dated May 1, 2008 from the School Ethics Commission and encouraged to fulfill the training requirement. Thereafter, the NJSBA offered two additional training opportunities in May and June 2008. The respondent did not attend either training.

The June 20, 2008 OTSC was sent to the respondent by regular and certified mail. The certified mail was returned to the Commission as unclaimed. However, the OTSC sent by regular mail was not returned to the Commission as undeliverable. The respondent did not respond to the OTSC.

DECISION

N.J.A.C. 6A:28-4.2(d) provides that board members and trustees failing to comply with the training mandate shall be considered in violation of N.J.S.A. 18A:12-33. Lynn Smith failed to comply with N.J.S.A. 18A:12-33 and the Commission finds her in violation of N.J.S.A. 18A:12-33. Ms. Smith received repeated notifications of the long-standing training requirement and has had ample opportunities to attend the training. Ms. Smith did not provide any response to the Commission’s OTSC and the Commission believes that the appropriate penalty, based on her failure to respond to the OTSC, is removal, so as to underscore to this and all similarly situated board members and charter school trustees that the Commission will not tolerate the

dedication of additional administrative and adjudicative time tracking attendance at a training program well after the timeline established in N.J.S.A. 18A:12-33. Therefore, the Commission recommends to the Commissioner of Education that the respondent be removed from the Greenwich Township Board of Education.

Paul C. Garbarini, Chairperson
School Ethics Commission

I hereby certify that the Decision was duly adopted by the School Ethics Commission at its public meeting on July 22, 2008.

Joanne Boyle, Executive Director