

IN THE MATTER OF :
WILLIAM G. MENNEN, IV, : COMMISSIONER OF EDUCATION
SOMERSET HILLS BOARD OF : DECISION
EDUCATION, SOMERSET COUNTY. :
_____ :

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 sessions required by *N.J.S.A.* 18A:12-33 and *N.J.A.C.* 6:3-9.4; and

Whereas, the School Ethics 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.* 6:3-9.3(I), on March 25, 1997, 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 affidavit dated April 11, 1997 that he had registered to attend the training program held on March 15, 1997 but was, ultimately, required to be out of state on business on that date; and

Whereas, the Commission voted on May 27, 1997, to recommend reprimand of the above-named Board member if he attends either of the training sessions scheduled for June 1997, or

removal from the board if he fails to attend either of these sessions, in accordance with 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 28, 1997, the above-named Board member was afforded an opportunity to submit to the Commissioner a response to said resolution recommending removal; and

Whereas, no response was forthcoming; and

Whereas, the Commissioner of Education received notice from the above-named Board member, and has confirmed with the Board, that the above-named Board member resigned from his position as a Board member on June 23, 1997; and

Whereas, the Commissioner of Education has carefully considered the record and the decision of the School Ethics Commission, and, having done so, he declines to issue a reprimand in view of the Board member's resignation; now therefore

IT IS ORDERED that the above matter be dismissed as moot.

COMMISSIONER OF EDUCATION

JULY 3, 1997