

412-98 SEC

AGENCY DKT. NO. 210-6/98

IN THE MATTER OF SHERI A. SMITH, :  
BARRINGTON BOARD OF EDUCATION, : COMMISSIONER OF EDUCATION  
CAMDEN 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 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 her failure to attend such training sessions; and

Whereas, pursuant to *N.J.A.C.* 6:3-9.3(i), on April 15, 1998, the Commission issued an Order to Show Cause why a penalty should not be imposed for such failure; however, the above-named Board member apparently never received the Order; and

Whereas, the Commission resent the Order on May 13, 1998, followed by a reminder letter on June 5, 1998; and

Whereas, the above-named Board member replied that she could not attend a session within the year due to her husband's hospitalization six months prior to his heart transplant on April 5, 1998, but that she plans to attend the October 26, 1998 session; and

Whereas, the Commission ruled that the above-named Board member could have attended one of the sessions offered prior to her husband's hospitalization in November 1997 or could have attended one of the June sessions rather than wait for the October 1998 session; and

Whereas, the Commission voted on June 23, 1998, to recommend suspension of the above-named Board member until she attends the October 1998 training session, and removal for failure to attend training sessions in violation of State statute if she fails to attend the October session, memorializing such decision through a resolution forwarded to the Commissioner, pursuant to *N.J.S.A. 18A:12-29*; and

Whereas, on June 25, 1998, the above-named Board member was afforded an opportunity to submit to the Commissioner a response to said resolution; and

Whereas, no response was forthcoming; and

Whereas, the Commissioner of Education has carefully considered the record of this matter and the decision of the School Ethics 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 date of this decision until she completes the October training session, and is removed from office for failure to attend training sessions in violation of State statute if she fails to attend the October session.

COMMISSIONER OF EDUCATION

SEPTEMBER 21, 1998