426-98 SEC

CORRECTED CAPTION

AGENCY DKT. NO. 169-5/98

IN THE MATTER OF JAMES SEVERNS, :

NEW HANOVER BOARD OF : COMMISSIONER OF EDUCATION

EDUCATION, BURLINGTON 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 his 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; and

Whereas, the above-named Board member responded that he had failed to attend the session for which he was registered because he had not been informed of his registration, but that he planned to attend the October session because his obligations prevent him from attending other than a one-day session; and

Whereas, the Commission voted on May 26, 1998, to recommend removal of the abovenamed Board member for failure to attend training sessions in violation of State statute, finding that he had been notified by the NJSBA of the many sessions offered within the year and could have attended one notwithstanding any failure of his business administrator to register and inform him, memorializing such decision through a resolution forwarded to the Commissioner, pursuant to *N.J.S.A.* 18A:12-29; and

Whereas, on May 27, 1998, 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 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 removed from office as of the date of this decision.

COMMISSIONER OF EDUCATION

OCTOBER 1, 1998