

429-98 SEC

AGENCY DKT. NO. 179-5/98

IN THE MATTER OF R. SHANNON :  
OSBORNE, ALLAMUCHY BOARD OF : COMMISSIONER OF EDUCATION  
EDUCATION, WARREN 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 acknowledged this failure with “complete humility” but asserted that professional and voluntary commitments, which involve extensive travel, had precluded his attendance at any of the training sessions, including the one for which he had registered, but that he planned to attend June 1998 training session; and

Whereas, the Commission ruled that the above-named Board member could have attended one of the sessions within the year, notwithstanding his representation of his many commitments; and

Whereas, the Commission voted on May 26, 1998, to recommend a one-meeting suspension of the above-named Board member if he attends the *June* training session, but removal for failure to attend training sessions in violation of State statute if he fails to attend the June session, 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; and

Whereas, the above-named Board member responded with a request that the Commission's recommended sanction be changed to one of private reprimand due to the commitment demonstrated by his attendance at the June session and his voluntary attendance at the NJSBA School Finance Program in December 1997; 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 for the next regularly scheduled meeting as of the date of this decision.

COMMISSIONER OF EDUCATION

OCTOBER 1, 1998