

IN THE MATTER OF DOUGLAS ADAMS,	:	COMMISSIONER OF EDUCATION
BUENA REGIONAL BOARD OF	:	
EDUCATION, ATLANTIC COUNTY.	:	DECISION
_____	:	

Whereas, the School Ethics Commission (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 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 26, 1999, 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 submitted a response to the Commission indicating that his family obligations and demanding work schedule precluded his prior attendance, but that he planned to attend the October 26, 1999 session; and

Whereas, the Commission voted on May 26, 1999 to recommend that the above-named Board member be allowed to attend a June 1999 training session, if he can, and, if he fails to do so, that he be suspended until he does attend a required training; and

Whereas, the Commission further voted on May 26, 1999 that the above-named Board member be removed from office if he fails to so attend a required training program by the

end of October 1999 and memorialized such decision through a resolution forwarded to the Commissioner of Education, pursuant to *N.J.S.A.* 18A:12-29; and

Whereas, on June 7, 1999, the above-named Board member was afforded an opportunity to submit to the Commissioner of Education a response to said resolution; and

Whereas, no response was forthcoming; and

Whereas, the Commissioner of Education has subsequently been informed by the Commission that the above-named Board member did in fact attend a June training session as directed¹; now therefore

IT IS ORDERED that the Commission's recommendation to suspend and/or remove the above-named Board member is accordingly declined as moot.²

COMMISSIONER OF EDUCATION

September 27, 1999

¹ Contrary to the information previously provided to the Commission by the New Jersey School Boards Association, NJSBA has advised the Commission, and the Commission has confirmed, that the above-named Board member attended training from June 18-20, 1999.

² This decision, as the Commissioner's final determination in the instant matter, may be appealed to the State Board of Education pursuant to *N.J.S.A.* 18A:6-27 *et seq.* and *N.J.A.C.* 6:2-1.1 *et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.