

IN THE MATTER OF KIM SCOTT : COMMISSIONER OF EDUCATION  
HEINLE, TUCKERTON BOARD : DECISION  
OF EDUCATION, OCEAN COUNTY. :  
\_\_\_\_\_ :

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. 6A:28-1.6*; 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. 6A:28-1.6(e)*, on May 21, 2003, the Commission issued an Order to Show Cause why he had not attended a training up until that time; and

Whereas, the Commission granted an extension for similarly situated board members to attend one of the June training sessions; and

Whereas, the above-named Board member advised that he was unable to attend in June due to business and family obligations but that he would attend the October 2003 training session; and

Whereas, the Commission voted on July 22, 2003 to recommend that the above-named Board member be suspended from the Board until he attends the October 2003 session and removed if he fails to so attend, 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 July 29, 2003, the above-named Board member was afforded an opportunity to submit to the Commissioner a response to said resolution; and

Whereas, no comments were received from, or on behalf of, the above-named Board member; and

Whereas, the Commissioner of Education has carefully considered the record of this matter and the decision of the 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 filing of this decision and shall remain suspended pending completion of the requisite training, and, in the event he fails to complete such training by October 2003, the above-named Board member shall be summarily removed from office as of the date of the October 2003 session.\*

COMMISSIONER OF EDUCATION

Date of Decision: August 19, 2003

Date of Mailing: August 20, 2003

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\* This decision, as the Commissioner's final determination regarding penalty 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. 6A:4-1.1 et seq.* Pursuant to *N.J.A.C. 6A:4-1.4(a)*, Commissioner decisions are deemed filed three days after the date of mailing to the parties.