

196-18SEC (SEC Decision: Not available online)

AGENCY DKT. NO. 134-5/18

IN THE MATTER OF KIMBERLY SCHIELA, :
BOARD OF EDUCATION OF THE BOROUGH : COMMISSIONER OF EDUCATION
OF AVALON, CAPE MAY COUNTY. : DECISION
_____ :

The Commissioner has reviewed the record of this matter and the decision of the School Ethics Commission (Commission) – finding that respondent violated the School Ethics Act for failure to timely complete school board member training in accordance with *N.J.S.A.* 18A:12-33 and *N.J.A.C.* 6A:28-4.1. The Commission’s decision was forwarded to the Commissioner for final determination on the recommended penalty, pursuant to *N.J.S.A.* 18A:12-29(c). The Commission recommended a sanction of removal effective upon the adoption of the decision by the Commissioner. Alternatively, if the respondent completes the required training before the Commissioner issues his final decision, the Commission recommends that the respondent be suspended for 30 days. Respondent did not file exceptions, nor has she submitted proof that she completed the training program. Respondent also did not appeal the Commission’s underlying finding of violation pursuant to *N.J.A.C.* 6A:4 *et seq.*

Upon review, the Commissioner concurs with the penalty recommended by the Commission for respondent’s failure to timely honor an obligation placed upon board members by law. Additionally, respondent is admonished for causing the unnecessary expenditure of administrative and adjudicative resources at both State and local levels.

Accordingly, the respondent is removed from her position as a school official, as of the date of this decision, for violating the School Ethics Act.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: June 28, 2018
Date of Mailing: July 3, 2018

* This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L.* 2008, c. 36. (*N.J.S.A.* 18A:6-9.1)