

BOARD OF EDUCATION OF THE	:	
BOROUGH OF BERLIN, CAMDEN	:	
COUNTY,	:	
	:	
PETITIONER,	:	COMMISSIONER OF EDUCATION
	:	
V.	:	
	:	DECISION
CHARLOTTE LEE,	:	
	:	
RESPONDENT.	:	

SYNOPSIS

Petitioning Board averred that respondent was in conflict of interest pursuant to *N.J.S.A.* 18A:12-2. The Board sought removal of respondent as a Board member.

Because respondent had a tort claim against the school district on behalf of her two minor children, the ALJ declared respondent in conflict of interest.

The Commissioner concurred that, for the reasons set forth in the Initial Decision, respondent was not eligible to be a member of the petitioning Board.

This synopsis is not part of the Commissioner's decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.
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June 14, 2002

OAL DKT. NO. EDU 6050-01
AGENCY DKT. NO. 143-5/01

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The record of this matter and the Initial Decision of the Office of Administrative Law have been reviewed. The parties did not file exceptions.

Upon careful and independent review, the Commissioner concurs, for the reasons set forth in the Initial Decision, that respondent is not eligible to be a member of the petitioning Board, pursuant to *N.J.S.A.* 18A:12-2.¹

IT IS SO ORDERED.²

COMMISSIONER OF EDUCATION

Date of Decision: June 14, 2002

Date of Mailing: June 14, 2002

¹ The Commissioner notes that he does not concur that this matter was properly converted “from a motion for summary decision to a request for declaratory ruling***.” (Initial Decision at 2) (*See, N.J.A.C.* 6A:3-2.1(a).) However, since the outcome herein would have been the same in either event, the Commissioner finds no cause to disturb the ALJ’s decision.

² This decision, as the Commissioner’s final determination, 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.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.