

336-02SEC

AGENCY DKT. NO. 231-7/02

IN THE MATTER OF STEPHEN CAVA, :
BOARD OF EDUCATION OF THE BOROUGH : COMMISSIONER OF EDUCATION
OF WEST WILDWOOD, CAPE MAY 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.* 6A:28-1.6; 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.* 6A:28-1.6(e), on April 26, 2002 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 did not reply to the Order issued by the Commission, but registered for the October 22, 2002 session; and

Whereas, the Commission voted on July 23, 2002, to recommend that the above-named Board member be suspended until he attends the October 22, 2002 training session, and removed if he fails to attend the October session, memorializing such decision through a resolution forwarded to the Commissioner, pursuant to *N.J.S.A.* 18A:12-29; and

Whereas, on July 26, 2002, 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 submitted no response; 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 date of this decision, and shall remain suspended pending completion of the requisite training, and, in the event he fails to complete the training session on October 22, 2002, the above-named Board member is hereby summarily removed from office as of that date.*

COMMISSIONER OF EDUCATION

Date of Decision: September 5, 2002

Date of Mailing: September 9, 2002

*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.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.