

**SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY
PUBLIC BOARD MEETING
December 16, 2019**

RESOLUTION 3959

FOR ACTION

SUBJECT: 30 DAY SUSPENSION OF BOARD MEMBER

Whereas, the above-captioned matter arises from a Complaint that was filed on May 25, 2018, by Walter L. Fields (Complainant), alleging that Stephanie Lawson-Muhammad (Respondent), a member of the South Orange-Maplewood Board of Education (Board) violated the School Ethics Act (Act), *N.J.S.A.* 18A: 12-21 *et seq.*; and

Whereas, and more specifically, the Complaint alleged that Respondent violated *N.J.S.A.* 18A: 12-24.1(e) and *N.J.S.A.* 18A: 12-24.1(f) of the Code of Ethics for School Board Members (Code); and

Whereas, at its meeting on November 27, 2018, the School Ethics Commission (Commission) held a plenary hearing in connection with the above-captioned matter. At this hearing, both Complainant and Respondent appeared, and offered testimony and documentary evidence in support of their respective positions; and

Whereas, at its meeting on March 26, 2019, the Commission adopted a decision finding that Complainant had proven, by a preponderance of the competent and credible evidence (testimonial and documentary), that Respondent violated *N.J.S.A.* 18A: 12-24.1(e) *md* *N.J.S.A.* 18A: 12-24.1(f) of the Code; and

Whereas, having found that Respondent violated *N.J.S.A.* 18A: 12-24.1(e) and *N.J.S.A.* 18A: 12-24.1(f) of the Code, the Commission recommended a penalty of suspension for six (6) months; and

Whereas, on or about April 8, 2019, Respondent filed a Notice of Appeal of the Commission's decision with the Commissioner of Education (Commissioner); and

Whereas, by decision dated October 31, 2019, the Commissioner found that Respondent had not established that the Commission's decision finding a violation of *N.J.S.A.* 18A: 12-24.1(e) and *N.J.S.A.* 18A: 12-24.1(f) of the Code was arbitrary, capricious, or contrary to law; and

Whereas, by decision dated October 31, 2019, the Commissioner agreed with the Commission that the proven conduct necessitated some form of penalty, but modified the penalty from a six (6) month suspension to a thirty (30) day suspension; and

Whereas, N.J.A.C. 6A:28-10.12(d) provides that for a penalty of censure, suspension or removal, a Resolution shall be adopted at the Commission's next meeting following the Commissioner's decision, and the Resolution shall be read at the Board's next public meeting following adoption by the Commission, and shall be posted in such places as the Board posts its public notices for thirty (30) days; and

Now Therefore Be It Resolved, that the Commission adopts this Resolution stating that Respondent is hereby *SUSPENDED* as a school official for a **PERIOD OF THIRTY (30) DAYS** (from November 19, 2019, through December 19, 2019) as a penalty for having violated the cited provisions of the Act (as set forth above); and

Be It Further Resolved, that the Board is ordered to read this Resolution at its next regularly scheduled public meeting, and to post it in such places as the Board posts its public notices for a period of thirty (30) days; and

Be It Further Resolved, that the Board shall provide the Commission with the minutes, once adopted, from the meeting at which it reads the within Resolution.