

**SCHOOL ETHICS COMMISSION MEETING
PUBLIC SESSION MINUTES**

MAY 24, 2016

Robert Bender called the meeting to order at 9:32 a.m.

Notice of the meeting was provided to the State House Press Corps and the Secretary of State and filed as required by the Open Public Meetings Act. In attendance were Commission members Frank Digesere, Dan Kaplan, Louis Modugno, Dennis Roberts and Chairperson Robert Bender. Commission members Mark Finkelstein and Ellen Polaner were absent.

Acting Executive Director Joanne Restivo, Legal Specialist Jesse Landon, Administrative Assistant Karin Molnar and Deputy Attorney General Donna Arons were also in attendance.

9:34 a.m. Motion was made by Dennis Roberts and seconded by Dan Kaplan to adjourn to Executive Session to discuss confidential matters and to obtain legal advice regarding the following complaints, advisory requests, and matters involving possible litigation: C12-16, C07-16, C14-16, C01-16, C04-16, C06-16, A15-16, A16-16, A17-16, A18-16, A19-16, A14-15, A05-16, A06-16, A12-16, A13-16, A14-16, C56-14 and Doctrines of Necessity filed by the Woodbridge Township, Beach Haven and Washington Township Boards of Education

11:45 p.m. Open Session

Minutes

April 26, 2016 Minutes, Motion was made by Dennis Roberts and seconded by Dan Kaplan to approve the Minutes of the March 22, 2016 meeting as written. Vote 4 – Yes 0 – No 1 Abstention (Louis Modugno abstained.)

Complaints

C12-16 Motion was made by Dennis Roberts and seconded by Louis Modugno to table this matter. Vote: 4 – Yes 0 – No 1 – Abstention (Frank Digesere abstained.)

C07-16 Motion was made by Dennis Roberts and seconded by Frank Digesere to deny the motion to dismiss and find not frivolous. Vote: 5 – Yes 0 – No

C14 -16 Motion was made by Frank Digesere and seconded by Dan Kaplan to dismiss the alleged violation of N.J.S.A. 18A:12-22(a) entirely and transmit this matter to the Office of Administrative Law (“OAL”) for a hearing on the remaining allegations at a later date. Vote: 5 – Yes 0 – No

C01-16 Motion was made by Dennis Roberts and seconded by Dan Kaplan to adopt the decision as written. Vote: 4 – Yes 0 – No 1 – Abstention (Louis Modugno abstained.)

C04-16 Motion was made by Dan Kaplan and seconded by Frank Digesere to adopt the decision as written. Vote: 4 – Yes 0 – No 1 – Abstention (Louis Modugno abstained.)

C06-16 Motion was made by Dennis Roberts and seconded by Frank Digesere to table this matter and request additional information from the parties. Vote: 4 – Yes 0 – No 1 – Abstention (Louis Modugno abstained.)

Advisory Opinions

A15-16 Motion was made by Dennis Roberts and seconded by Louis Modugno to advise as discussed. Vote: 5 – Yes 0 – No

A16-16 Motion was made by Dan Kaplan and seconded by Louis Modugno to advise as discussed. Vote: 5 – Yes 0 – No

A17-16 Motion was made by Louis Modugno and seconded by Frank Digesere to advise as discussed. Vote: 5 – Yes 0 – No

A18-16 Motion was made by Dennis Roberts and seconded by Louis Modugno to advise as discussed. Vote: 5 – Yes 0 – No

A19-16 Motion was made by Louis Modugno and seconded by Dennis Roberts to advise as discussed. Vote: 5 – Yes 0 – No

A14-15 Motion was made by Dennis Roberts and seconded by Louis Modugno to adopt this Opinion as written. Vote: 5 – Yes 0 – No

A05-16 Motion was made by Frank Digesere and seconded by Louis Modugno to adopt this Opinion as written. Vote: 5 – Yes 0 – No

A06-16 Motion was made by Dennis Roberts and seconded by Louis Modugno to adopt this Opinion as written. Vote: 5 – Yes 0 – No

A12-16 Motion was made by Dennis Roberts and seconded by Louis Modugno to adopt this Opinion as written. Vote: 5 – Yes 0 – No

A13-16 Motion was made by Frank Digesere and seconded by Louis Modugno to adopt this Opinion as written. Vote: 5 – Yes 0 – No

A14—16 Motion was made by Dennis Roberts and seconded by Louis Modugno to adopt this Opinion as written. Vote: 5 – Yes 0 – No

Other Business

Chairperson Nominating Committee The Committee recommended that Robert Bender be reappointed to the position of Chairperson of the School Ethics Commission. The

nomination of Robert Bender was moved by Dennis Roberts and seconded by Frank Digesere.
Vote: 5 – Yes 0 – No

Robert Bender accepted the appointment and thanked the Commission for their support.

2016 Meeting Dates Resolution. Motion was made by Dennis Roberts and seconded by Louis Modugno to adopt the Resolution with the June date change. Vote: 5 – Yes 0- No

2017 Meeting Dates Resolution Motion was made by Louis Modugno and seconded by Dan Kaplan to adopt the Resolution as written. Vote: 5 – Yes 0 – No

C08-16 Motion was made by Frank Digesere and seconded by Louis Modugno to designate Ellen Polaner to review this matter. Vote: 5 - 0 – No

11:53 a.m. Motion was made by Dennis Roberts and seconded by Frank Digesere to adjourn. Vote: 5 – Yes 0 - No

Submitted by:

Karin L. Molnar

Approved by:

Joanne M. Restivo, Acting Executive Director

Minutes 05-24-16 Public