

SCHOOL ETHICS COMMISSION MEETING PUBLIC SESSION MINUTES

JANUARY 24, 2017

Robert Bender called the meeting to order at 9:45 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 (by telephone), Louis Modugno and Chairperson Robert Bender. Commission members Mark Finkelstein and Ellen Polaner were absent.

Director Kathryn Whalen, Legal Specialist Jesse Landon, Administrative Assistant Karin Molnar and Deputy Attorney General Donna Arons were also in attendance.

9:47 a.m. Motion was made by Frank Digesere and seconded by Louis Modugno 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: C40-16, C41-16, C38-16, C26-14, A28-16, A29-16, A30-16, A01-17, A02-17, A03-17, A16-16, A26-16, A27-16, Doctrines of Necessity filed by the Woodbridge Township, North Wildwood, Elizabeth, Bayonne and Phillipsburg Boards of Education, C25-16, T01-16, T02-16, T03-16, T04-16, Training and Disclosure Statements enforcement efforts, proposed correspondence to the Superintendent of the South River Public Schools, and the New Jersey School Boards Association (NJSBA) Workshop. Vote: 4 – Yes 0 – No

10:42 a.m. Open Session

Complaints

C40-16 Motion was made by Frank Digesere and seconded by Louis Modugno to find this matter not frivolous and draft a decision immediately transmitting this matter to the Office of Administrative Law (“OAL”) for a hearing to be held at a later date. Vote: 4 – Yes 0 – No

C41-16 Motion was made by Louis Modugno and seconded by Frank Digesere to draft a decision immediately transmitting this matter to the OAL for a hearing to be held at a later date. Vote: 4 – Yes 0 – No

C38-16 Motion was made by Louis Modugno and seconded by Frank Digesere to adopt the decision as written. Vote: 4 – Yes 0 – No

C26-14 Motion was made by Dan Kaplan and seconded by Louis Modugno to adopt the decision as written. Vote: 4 – Yes 0 – No

Advisory Opinions

A28-16 Motion was made by Frank Digesere and seconded by Louis Modugno to advise as discussed. Vote: 4 – Yes 0 – No

A29-16 Motion was made by Frank Digesere and seconded by Louis Modugno to advise as discussed. Vote: 4 – Yes 0 – No

A30-16 Motion was made by Dan Kaplan and seconded by Frank Digesere to advise as discussed. Vote: 4 – Yes 0 – No

A01-17 Motion was made by Louis Modugno and seconded by Frank Digesere to advise as discussed. Vote: 4 – Yes 0 – No

A02-17 Motion was made by Louis Modugno and seconded by Frank Digesere to advise as discussed. Vote: 4 – Yes 0 – No

A03-17 Motion was made by Frank Digesere and seconded by Louis Modugno to direct staff to draft a letter as discussed. Vote: 4 – Yes 0 – No

A16-16 This matter was tabled as there were not enough Commission members in attendance to consider making the decision public.

A26-16 Motion was made by Dan Kaplan and seconded by Louis Modugno to adopt this Opinion as written. Vote: 4 – Yes 0 – No

A27-16 Motion was made by Frank Digesere and seconded by Louis Modugno to adopt this Opinion as written. Vote: 4 – Yes 0 – No

Other Business

Doctrines of Necessity Motion was made by Frank Digesere and seconded by Louis Modugno to direct staff to draft a letter to the North Wildwood Board of Education as discussed. Vote: 4- Yes 0 - No

C25-16 Motion was made by Louis Modugno and seconded by Frank Digesere to take this matter out of abeyance and docket it for the February School Ethics Commission meeting. Vote: 4 – Yes 0 – No

T01-16 Motion was made by Frank Digesere and seconded by Louis Modugno to adopt the Resolution of Suspension and Possible Removal as drafted. Vote: 4 – Yes 0 – No

T02-16 Motion was made by Frank Digesere and seconded by Louis Modugno to adopt the Resolution of Suspension and Possible Removal as drafted. Vote: 4 – Yes 0 – No

T03-16 Motion was made by Frank Digesere and seconded by Louis Modugno to adopt the Resolution of Suspension and Possible Removal as drafted. Vote: 4 – Yes 0 – No

T04-16 Motion was made by Frank Digesere and seconded by Louis Modugno to adopt the Resolution of Suspension and Possible Removal as drafted. Vote: 4 – Yes 0 – No


Correspondence from South River Public Schools Motion was made by Louis Modugno and seconded by Frank Digesere to authorize staff to send a letter to the South River Superintendent of Schools as drafted. Vote: 4- Yes 0 – No

Minutes

Motion was made by Frank Digesere and seconded by Louis Modugno to adopt the minutes of the December 20, 2016 meeting as written. Vote: 4 – Yes 0 – No

11:49 a.m. Motion was made by Louis Modugno and seconded by Frank Digesere to adjourn. Vote: 4 – Yes 0 - No

Submitted by:


Karin L. Molnar

Approved by:


Kathryn A. Whalen, Director