

**SCHOOL ETHICS COMMISSION MEETING
PUBLIC SESSION MINUTES**

NOVEMBER 22, 2016

Robert Bender called the meeting to order at 9:30 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, Mark Finkelstein (participated via telephone), Dan Kaplan, Ellen Polaner and Chairperson Robert Bender. Commission member Louis Modugno was absent.

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

9:31 a.m. Motion was made by Ellen Polaner 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: C31-16, C34-16, C35-16, C09-16, T01-16, T02-16, T03-16, T04-16, A25-16, C28-16, D02-16 and Doctrines of Necessity filed by the Linwood and Phillipsburg Boards of Education. Vote: 5 – Yes 0 – No

11:13 a.m. Open Session

Complaints

C31-16 Motion was made by Frank Digesere and seconded by Mark Finkelstein to draft a written decision in this matter as discussed. Vote: 5 – Yes 0 – No

C34-16 Motion was made by Ellen Polaner and seconded by Frank Digesere to draft a written decision in this matter as discussed. Vote: 5 – Yes 0 – No

C35-16 Motion was made by Frank Digesere and seconded by Ellen Polaner to place this matter in abeyance until the conclusion of a matter pending in New Jersey Superior Court. Vote: 5 – Yes 0 – No

C09-16 Motion was made by Dan Kaplan and seconded by Ellen Polaner to rescind and reconsider the motion passed on October 24, 2016 as to the penalty for the filing of a frivolous complaint. Vote: 5 – Yes 0 – No

A second motion was made by Dan Kaplan and seconded by Ellen Polaner to impose a penalty of \$500.00 for the filing of a frivolous complaint. Vote: 5 – Yes 0 - No

Finally, a third motion was made by Dan Kaplan and seconded by Ellen Polaner to adopt the decision as written. 5 – Yes 0 - No

Orders to Show Cause

T01-16 Motion was made by Mark Finkelstein and seconded by Frank Digesere to adopt as written the decision memorializing the penalty in this matter. Vote: 5 – Yes 0 - No

T02-16 Motion was made by Mark Finkelstein and seconded by Frank Digesere to adopt as written the decision memorializing the penalty in this matter. Vote: 5 – Yes 0 – No

T03-16 Motion was made by Mark Finkelstein and seconded by Frank Digesere to adopt as written the decision memorializing the penalty in this matter. Vote: 5 – Yes 0 - No

T04-16 Motion was made by Mark Finkelstein and seconded by Frank Digesere to adopt as written the decision memorializing the penalty in this matter. Vote: 5 – Yes 0 - No

Advisory Opinions

A25-16 Motion was made by Dan Kaplan and seconded by Ellen Polaner to advise as discussed. Vote: 5 – Yes 0 – No

Administrative Dismissals

C28-16 This matter was on the agenda for informational purposes only.

Other Business

D02-16 Motion was made by Mark Finkelstein and seconded by Frank Digesere to adopt the Resolution in this matter as written. Vote: 5 – Yes 0 – No

Minutes

Motion was made by Frank Digesere and seconded by Ellen Polaner to table the vote to approve the minutes of the September 27, 2016 meeting as written, and to table the vote on the minutes of the October 24, 2016 meeting. Vote 5 – Yes 0 – No

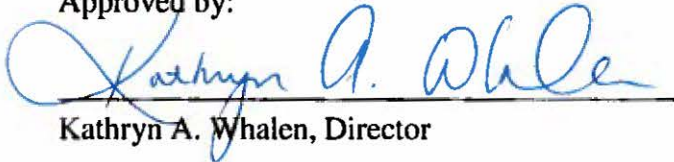
11:18 a.m. Motion was made by Dan Kaplan and seconded by Ellen Polaner to adjourn. Vote: 5 – Yes 0 - No

Submitted by:



Karin L. Molnar

Approved by:



Kathryn A. Whalen, Director

Minutes 11-22-16 public