

**SCHOOL ETHICS COMMISSION MEETING
PUBLIC SESSION MINUTES**

AUGUST 22, 2017

Robert Bender called the meeting to order at 9:35 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, Dan Kaplan, Ellen Polaner and Chairperson Robert Bender. Commission member Louis Modugno was absent.

Also in attendance were Kathryn Whalen, Director, Office of School Ethics and Compliance, and staff members Karin Molnar, Jeannine Pizzigoni and Nichole Simmons-Graham, along with Deputy Attorneys General (DAsG) Donna Arons, James Esposito (arrived at 9:43 a.m.) and Geoffrey Stark. (DAG Stark and DAG Esposito departed at 10:12 a.m.)

9:37 a.m. Motion was made by Dan Kaplan and seconded by Frank Digesere 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: C33-16; C39-17; C45-17; C52-17; C54-17; D01-17, D02-17, D03-17, D04-17, C14-16, C30-16, C47-17, A23-17, A24-17, A26-17, C48-17, C53-17, Doctrines of Necessity filed by the Middle Township, Hammonton and Wayne Township Boards of Education; C17-12, C18-12, C21-12, C16-12, C12-15, C43-17, C46-17, T28-16, T32-16, and correspondence from counsel for the Woodbridge Township Board of Education. Vote: 5 – Yes 0 - No

12:45 p.m. Open Session

Complaints

C33-16 Motion was made by Frank Digesere, and seconded by Dan Kaplan, to table this matter, and to direct staff to draft correspondence to the parties as discussed. Vote: 5 – Yes 0 – No

C39-17 Motion was made by Mark Finkelstein, and seconded by Ellen Polaner, to draft a letter decision as discussed. Vote: 5 – Yes 0 – No

C45-17 Motion was made by Frank Digesere, and seconded by Mark Finkelstein, to draft a decision as discussed. Vote: 5 – Yes 0 – No

C52-17 Motion was made by Mark Finkelstein, and seconded by Frank Digesere, to draft a letter decision as discussed. Vote: 5 – Yes 0 – No

C54-17 Motion was made by Dan Kaplan, and seconded by Ellen Polaner, to draft a letter decision as discussed. Vote: 5- Yes 0 - No

Orders To Show Cause

D01-17 through D04-17 Motion was made by Ellen Polaner, and seconded by Mark Finkelstein, to adopt the Orders to Show Cause as written, and to mail them. Vote: 5 – Yes 0 – No

Decisions to Adopt

C14-16 Motion was made by Dan Kaplan, and seconded by Frank Digesere, to adopt the decision as written. Vote: 5 – Yes 0 – No

C30-16 Motion was made by Dan Kaplan, and seconded by Mark Finkelstein, to adopt the decision as written. Vote: 5 – Yes 0 – No

C47-17 Motion was made by Dan Kaplan, and seconded by Frank Digesere, to adopt the decision as written. Vote: 5- Yes 0 – No

Advisory Opinions

A23-17 Motion was made by Frank Digesere, and seconded by Mark Finkelstein, to advise as discussed. Vote: 4 – Yes 0 – No 1 – Abstention (Ellen Polaner abstained.)

A24-17 Motion was made by Ellen Polaner, and seconded by Frank Digesere, to advise as discussed. Vote: 5 – Yes 0 – No

A26-17 Motion was made by Mark Finkelstein, and seconded by Frank Digesere, to advise as discussed. Vote: 5 - Yes 0 – No

Administrative Dismissals

C48-17 This matter was on the Agenda for informational purposes only.

C53-17 This matter was on the Agenda for informational purposes only.

Other Business

Doctrines of Necessity Robert Bender acknowledged receipt of Doctrines of Necessity submitted by the Middle Township, Hammonton and Wayne Township Boards of Education.

C16-12, C17-12, C18-12 and C21-12 These matters were on the Agenda for informational purposes only

C12-15 This matter was on the Agenda for informational purposes only

Woodbridge Township Counsel Correspondence Motion was made by Frank Digesere, and seconded by Mark Finkelstein, to direct staff to draft correspondence as discussed. Vote: 5 – Yes 0 – No

C43-17 and C46-17 These matters were on the Agenda for informational purposes only.

T28-16 Motion was made by Mark Finkelstein, and seconded by Frank Digesere, to rescind the July 25, 2017 decision of the School Ethics Commission in this matter. Vote: 5 – Yes 0 - No

T32-16 Motion was made by Mark Finkelstein, and seconded by Frank Digesere, to rescind the July 25, 2017 decision of the School Ethics Commission in this matter. Vote: 5 – Yes 0 - No

Minutes

Motion was made by Mark Finkelstein, and seconded by Ellen Polaner, to adopt the minutes of the July 25, 2017 meeting as written. Vote: 5 – Yes 0 – No

New Business

Robert Bender thanked the staff of the Office of School Ethics and Compliance for their hard work and dedication.

Kathryn Whalen announced that the telephone number for the Office of School Ethics and Compliance will be changing in the near future due to the updating of the telephone system of the entire Department of Education.

Kathryn Whalen also announced that she will be providing dates and times shortly for planning meetings for this years' New Jersey School Boards Association Workshop.

12:53 p.m. Motion was made by Ellen Polaner, and seconded by Mark Finkelstein, to adjourn. Vote: 5 – Yes 0 - No

Submitted by:

Karin L. Molnar

Approved by:

Kathryn A. Whalen, Director