

SCHOOL ETHICS COMMISSION MEETING PUBLIC SESSION MINUTES

OCTOBER 30, 2018

Chairperson Robert Bender called the meeting to order at 9:40 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 School Ethics Commission (Commission) members Michael Collins, Mark Finkelstein, Dan Kaplan, Jude Tanella, Richard Tomko (arrived at 9:48 a.m.), and Chairperson Bender. Commission members Michael Carucci and Dennis Roberts were absent.

Also in attendance were Kathryn Whalen, Director, Offices of School Ethics and Compliance, staff members Jeannine Pizzigoni and Karin Molnar, along with Deputy Attorneys General (DAsG) Beth Shore (arrived at 9:52 a.m., and departed at 10:03 a.m.) and Donna Arons.

C68-17 Motion was made by Mark Finkelstein, and seconded by Jude Tanella, to add this matter to the agenda. Vote: 5 – Yes 0 - No

9:42 a.m. Motion was made by Dan Kaplan, and seconded by Michael Collins, to adjourn to Executive Session to discuss confidential matters and to obtain legal advice regarding the following complaints and matters involving possible litigation: C08-15; C51-17; C24-18; C38-18; C44-18; C47-18; C52-18; C53-18; T01-18 through T14-18; C29-18; C35-18; C42-18; C48-18; A31-18; A32-18; A29-18; A30-18; C37-18; C43-18; a Doctrine of Necessity filed by the Woodbridge Township Board of Education; C10-18; C68-17; and proposed revisions to the Chapter 28 regulations. Vote: 5 – Yes 0 – No

12:25 p.m. Open Session

Complaints to Review

C08-15 Motion was made by Dan Kaplan, and seconded by Michael Collins, to draft a decision as discussed. Vote: 6 – Yes 0 – No

C51-17 Motion was made by Michael Collins, and seconded by Mark Finkelstein, to draft a decision as discussed. Vote: 6 – Yes 0 - No

C24-18 Motion was made by Jude Tanella, and seconded by Mark Finkelstein, to draft a decision as discussed. Vote: 6 – Yes 0 – No

C38-18 Motion was made by Richard Tomko, and seconded by Dan Kaplan, to draft a decision as discussed. Vote: 6 – Yes 0 – No

C44-18 Motion was made by Dan Kaplan, and seconded by Jude Tanella, to draft a decision as discussed. Vote: 6 – Yes 0 – No

C47-18 Motion was made by Michael Collins, and seconded by Richard Tomko, to draft a decision as discussed. Vote: 6 – Yes 0 – No

C52-18 Motion was made by Dan Kaplan, and seconded by Mark Finkelstein, to draft a decision as discussed. Vote: 6 – Yes 0 – No

C53-18 Motion was made by Mark Finkelstein, and seconded by Richard Tomko, to draft a decision as discussed. Vote: 6 – Yes 0 – No

Orders to Show Cause

T01-18 through T14-18 Motion was made by Richard Tomko, and seconded by Jude Tanella, to adopt the Orders to Show Cause as written, and to mail them. Vote: 6 – Yes 0 – No

Decisions to Adopt as Written

C29-18 Motion was made by Michael Collins, and seconded by Dan Kaplan, to adopt the decision as written. Vote: 4 – Yes 0 – No 2 – Abstentions (Mark Finkelstein and Richard Tomko abstained)

C35-18 Motion was made by Jude Tanella, and seconded by Richard Tomko, to adopt the decision as written. Vote: 5 – Yes 0 – No 1 – Abstention (Mark Finkelstein abstained)

C42-18 Motion was made by Dan Kaplan, and seconded by Michael Collins, to adopt the decision as written. Vote: 4 – Yes 0 – No 2 – Abstentions (Mark Finkelstein and Richard Tomko abstained)

C48-18 Motion was made by Michael Collins, and seconded by Jude Tanella, to adopt the decision as written. Vote: 5 – Yes 0 – No 1 – Abstention (Mark Finkelstein abstained)

Advisory Opinions

A31-18 Motion was made by Michael Collins, and seconded by Dan Kaplan, to advise as discussed. Vote: 6 – Yes 0 – No

A32-18 Motion was made by Dan Kaplan, and seconded by Jude Tanella, to table this matter. Vote: 6 – Yes 0 - No

A29-18 Motion was made by Richard Tomko, and seconded by Dan Kaplan, to adopt this Advisory Opinion as written. Vote: 5 – Yes 0 – No 1 – Abstention (Mark Finkelstein abstained)

A30-18 Motion was made by Richard Tomko, and seconded by Dan Kaplan, to adopt this Advisory Opinion as written. Vote: 5 – Yes 0 – No 1 – Abstention (Mark Finkelstein abstained)

Administrative Dismissals

C37-18 This matter was on the agenda for informational purposes only.

C43-18 This matter was on the agenda for informational purposes only.

Other Business

Doctrines of Necessity Chairperson Bender acknowledged receipt of a Doctrine of Necessity submitted by the Woodbridge Township Board of Education.

C37-18 This matter was on the agenda for informational purposes only.

C10-18 This matter was on the agenda for informational purposes only.

C68-17 This matter was on the agenda for informational purposes only.

Proposed Revisions to Chapter 28 Regulations The Commission was updated by Director Whalen as to the process for submitting proposed revisions to the Commission’s Chapter 28 regulations. Suggested revisions were discussed, as well as the potential need to set up a special meeting in December.

Minutes

Motion was made by Jude Tanella, and seconded by Michael Collins, to adopt the minutes of the September 25, 2018, meeting as written. Vote: 5 – Yes 0 – No 1 – Abstention (Mark Finkelstein abstained)

1:07 p.m. Motion was made by Dan Kaplan, and seconded by Richard Tomko, to adjourn. Vote: 6 – Yes 0 - No

Submitted by:

Karin L. Molnar

Approved by:

Kathryn A. Whalen, Director