

School Ethics Commission Meeting Public Session Minutes

February 26, 2019

Chairperson 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 School Ethics Commission (Commission) members Michael Collins (participated via telephone), Mark Finkelstein, Dan Kaplan (participated via telephone), Dennis Roberts, Jude Tanella (participated via telephone), Richard Tomko (arrived at 9:55 a.m.), and Chairperson Bender. Commission member Michael Carucci was absent.

Also in attendance were Kathryn Whalen, Director, Offices of School Ethics and Compliance, and staff member Jeannine Pizzigoni, along with Deputy Attorney General (DAG) Donna Arons.

9:41 a.m. Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adjourn to Executive Session to discuss confidential matters and to obtain legal advice regarding the following Complaints and matters involving possible litigation: C43-17; C02-18; C45-18; C61-18; C64-18; C69-18; C71-18; C76-17; C24-18; C39-18; C44-18; C50-18; C68-18; A01-19; A02-19; A03-19; C67-18; C01-19; Doctrines of Necessity filed by the Wayne Township (x2), Elizabeth, and Upper Deerfield Township Boards of Education; C58-18; C74-17; C08-15; C63-18; and C72-18.

Vote: 6 – Yes 0 – No

11:48 a.m. Open Session

Complaints to Review

C43-17 Motion was made by Dennis Roberts, and seconded by Jude Tanella, to draft a decision as discussed.

Vote: 6 – Yes 0 – No 1 – Abstention (Richard Tomko)

C02-18 Motion was made by Mark Finkelstein, and seconded by Dennis Roberts, to draft a decision as discussed.

Vote: 6 – Yes 0 – No 1 – Abstention (Richard Tomko)

C45-18 Motion was made by Dennis Roberts, and seconded by Richard Tomko, to draft a decision as discussed.

Vote: 7 – Yes 0 – No

C61-18 Motion was made by Richard Tomko, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 7 – Yes 0 – No

C64-18 Motion was made by Dennis Roberts, and seconded by Jude Tanella, to draft a decision as discussed.

Vote: 7 – Yes 0 – No

C69-18 Motion was made by Dennis Roberts, and seconded by Richard Tomko, to draft a decision as discussed.

Vote: 7 – Yes 0 – No

C71-18 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 6 – Yes 1 – No

Decisions to Adopt as Written

C76-17 Motion was made by Dennis Roberts, and seconded by Jude Tanella, to adopt the decision as written.

Vote: 7 – Yes 0 – No

C24-18 Motion was made by Richard Tomko, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 7 – Yes 0 – No

C39-18 Motion was made by Dennis Roberts, and seconded by Dan Kaplan, to adopt the decision as written.

Vote: 7 – Yes 0 – No

C44-18 Motion was made by Jude Tanella, and seconded by Dennis Roberts, to adopt the decision as written.

Vote: 6 – Yes 0 – No 1 – Abstention (Mark Finkelstein)

C50-18 Motion was made by Dan Kaplan, and seconded by Dennis Roberts, to adopt the decision as written.

Vote: 7 – Yes 0 – No

C68-18 Motion was made by Dennis Roberts, and seconded by Jude Tanella, to adopt the decision as written.

Vote: 7 – Yes 0 – No

Advisory Opinions

A01-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to advise as discussed.

Vote: 7 – Yes 0 – No

A02-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to advise as discussed.

Vote: 7 – Yes 0 – No

A03-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to advise as discussed.

Vote: 6 – Yes 0 – No 1 – Abstention (Mark Finkelstein)

Administrative Dismissals

C67-18 The matter was on the agenda for informational purposes only.

C01-19 The matter was on the agenda for informational purposes only.

Other Business

Doctrines of Necessity Chairperson Bender acknowledged receipt of Doctrines of Necessity submitted by the Wayne Township (x2), Elizabeth, and Upper Deerfield Township Boards of Education.

C58-18 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a letter as discussed.

Vote: 7 – Yes 0 – No

C74-17 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to table this matter for a future Commission meeting.

Vote: 7 – Yes 0 – No

C08-15 Motion was made by Mark Finkelstein, and seconded by Dennis Roberts, to adopt the resolution as drafted.

Vote: 7 – Yes 0 – No

C63-18 The matter was on the agenda for informational purposes only.

C72-18 The matter was on the agenda for informational purposes only.

Minutes

Motion was made by Richard Tomko, and seconded by Dennis Roberts, to adopt the minutes of the January 22, 2019, meeting as written.

Vote: 7 – Yes 0 – No

11:55 a.m. Motion was made by Richard Tomko, and seconded by Dennis Roberts, to adjourn.

Vote: 7 – Yes 0 – No

Submitted by:

Jeannine Pizzigoni

Approved by:

Kathryn A. Whalen, Director