

School Ethics Commission Meeting Public Session Minutes

March 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 Carucci, Michael Collins, Mark Finkelstein, Dennis Roberts, Jude Tanella, Richard Tomko and Chairperson Bender. Commission member Dan Kaplan 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 (DAsG) James Esposito, Geoffrey Stark, and Donna Arons.

9:37 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: C17-12, C18-12, C21-12 (Consolidated); C35-16; C17-18; C58-18; C60-18; C62-18; C75-18; C43-17; C02-18; C34-18; C45-18; C61-18; C64-18; C69-18; C71-18; A04-19; A05-19; A06-19; A07-19; A09-19; A01-19; A02-19; C39-16; C02-19; Doctrine of Necessity filed by the Wayne Township Board of Education; C68-17; C85-17; and scheduling of a special meeting.

Vote: 7 – Yes 0 – No

12:29 p.m. Open Session

Complaints to Review

C17-12, C18-12 and C21-12 (Consolidated) Motion was made by Jude Tanella, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 7 – Yes 0 – No

C35-16 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 7 – Yes 0 – No

C17-18 Motion was made by Michael Collins, and seconded by Richard Tomko, to draft a decision as discussed.

Vote: 7 – Yes 0 – No

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

Vote: 7 – Yes 0 – No

C60-18 Motion was made by Michael Carucci, and seconded by Michael Collins, to draft a decision as discussed.

Vote: 7 – Yes 0 – No

C62-18 Motion was made by Michael Carucci, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 7 – Yes 0 – No

C75-18 Motion was made by Richard Tomko, and seconded by Dennis Roberts, to draft a decision as discussed.

Vote: 7 – Yes 0 – No

Decisions to Adopt as Written

C43-17 Motion was made by Dennis Roberts, and seconded by Jude Tanella, to adopt the decision as written.

Vote: 6 – Yes 0 – No 1 – Abstention (Michael Carucci)

C02-18 Motion was made by Mark Finkelstein, and seconded by Jude Tanella, to adopt the decision as written.

Vote: 6 – Yes 0 – No 1 – Abstention (Michael Carucci)

C34-18 Motion was made by Dennis Roberts, and seconded by Jude Tanella, to adopt the decision as written.

Vote: 6 – Yes 0 – No 1 – Abstention (Michael Collins)

C45-18 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 6 – Yes 0 – No 1 – Abstention (Michael Carucci)

C61-18 Motion was made by Richard Tomko, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 6 – Yes 0 – No 1 – Abstention (Michael Carucci)

C64-18 Motion was made by Dennis Roberts, and seconded by Jude Tanella, to adopt the decision as revised.

Vote: 6 – Yes 0 – No 1 – Abstention (Michael Carucci)

C69-18 Motion was made by Jude Tanella, and seconded by Richard Tomko, to adopt the decision as written.

Vote: 6 – Yes 0 – No 1 – Abstention (Michael Carucci)

C71-18 Motion was made by Dennis Roberts, and seconded by Richard Tomko, to adopt the decision as revised.

Vote: 5 – Yes 1 – No (Michael Collins) 1 – Abstention (Michael Carucci)

Advisory Opinions

A04-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to advise as discussed.

Vote: 7 – Yes 0 – No

A05-19 Motion was made by Mark Finkelstein, and seconded by Jude Tanella, to advise as discussed.

Vote: 7 – Yes 0 – No

A06-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to advise as discussed.

Vote: 7 – Yes 0 – No

A07-19 Motion was made by Michael Collins, and seconded by Michael Carucci, to advise as discussed.

Vote: 7 – Yes 0 – No

A09-19 Motion was made by Dennis Roberts, and seconded by Richard Tomko, to advise as discussed.

Vote: 7 – Yes 0 – No

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

Vote: 6 – Yes 0 – No 1 – Abstention (Michael Carucci)

A02-19 Motion was made by Richard Tomko, and seconded by Jude Tanella, to adopt as written.

Vote: 6 – Yes 0 – No 1 – Abstention (Michael Carucci)

Administrative Dismissals

C39-16 The matter was on the agenda for informational purposes only.

C02-19 The matter was on the agenda for informational purposes only.

Other Business

Doctrine of Necessity Chairperson Bender acknowledged receipt of the Doctrine of Necessity submitted by the Wayne Township Board of Education.

C68-17 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to accept the settlement offer.

Vote: 7 – Yes 0 – No

C85-17 Motion was made by Jude Tanella, and seconded by Michael Collins to accept the revised settlement offer.

Vote: 7 – Yes 0 – No

Schedule a Special Meeting on April 2, 2019 Motion was made by Dennis Roberts, and seconded by Richard Tomko, to schedule a special meeting for April 2, 2019.

Vote: 7 – Yes 0 – No

Minutes

Motion was made by Richard Tomko, and seconded by Dennis Roberts, to adopt the minutes of the February 26, 2019, meeting, as written.

Vote: 6 – Yes 0 – No 1 – Abstention (Michael Carucci)

Motion was made by Richard Tomko, and seconded by Dennis Roberts, to adopt the minutes of the March 7, 2019, special meeting, as written.

Vote: 6 – Yes 0 – No 1 – Abstention (Michael Collins)

12:37 p.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