

School Ethics Commission Meeting Public Session Minutes

November 19, 2019

Chairperson Robert Bender called the meeting to order at 9:32 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 (arrived at 10:25 a.m.), Michael Collins, Mark Finkelstein, Dennis Roberts, Jude Tanella, and Chairperson Bender. Commission member Richard Tomko was absent.

Also, in attendance were Kathryn Whalen, Director, Offices of School Ethics and Compliance, staff member Jeannine Pizzigoni, and Deputy Attorneys General (DAsG) Jaclyn Frey and Aimee Blenner.

9:35 a.m. Motion was made by Dennis Roberts, and seconded by Jude Tanella, to adjourn to Executive Session to discuss confidential matters and to obtain legal advice regarding the following Complaints and matters involving possible litigation: C70-17; C45-19; C49-19; C50-19; C51-19; C52-19; C53-19; C56-19 and C57-19 (Consolidated); C25-16; C38-18; C36-19; T02-19; T05-19; T09-19; T10-19; T11-19; A25-19; A26-19; C10-19; C48-19; C58-19; T01-19; T03-19; T04-19; T06-19; T07-19; T08-19; Doctrines of Necessity (2) filed by the Wayne Township Board of Education; C34-18; C45-17; C44-18; proposed revisions to Chapter 28 regulations; and C70-18.

Vote: 5 – Yes 0 – No

12:42 p.m. Open Session

Complaints to Review

C70-17 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 5 – Yes 0 – No 1 – Abstention (Michael Carucci)

C45-19 Motion was made by Mark Finkelstein, and seconded by Dennis Roberts, to draft a decision as discussed.

Vote: 4 – Yes 0 – No 2 – Abstention (Michael Carucci and Jude Tanella)

C49-19 Motion was made by Dennis Roberts, and seconded by Jude Tanella, to draft a decision as discussed.

Vote: 5 – Yes 0 – No 1 – Abstention (Michael Carucci)

C50-19 Motion was made by Michael Collins, and seconded by Jude Tanella, to draft a decision as discussed.

Vote: 5 – Yes 0 – No 1 – Abstention (Michael Carucci)

C51-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 6 – Yes 0 – No

C52-19 Motion was made by Dennis Roberts, and seconded by Jude Tanella, to draft a decision as discussed.

Vote: 6 – Yes 0 – No

C53-19 Motion was made by Dennis Roberts, and seconded by Jude Tanella, to draft a decision as discussed.

Vote: 6 – Yes 0 – No

C56-19 and C57-19 (Consolidated) Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 6 – Yes 0 – No

Decisions to Adopt as Written

C25-16 Motion was made by Dennis Roberts, and seconded by Jude Tanella, to adopt the decision as written.

Vote: 6 – Yes 0 – No

C38-18 Motion was made by Dennis Roberts, and seconded by Jude Tanella, to adopt the decision as written.

Vote: 6 – Yes 0 – No

C36-19 Motion was made by Michael Collins, and seconded by Michael Carucci, to draft an amended decision as discussed.

Vote: 6 – Yes 0 – No

Orders to Show Cause

T02-19 Motion was made by Jude Tanella, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 6 – Yes 0 – No

T05-19 Motion was made by Jude Tanella, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 6 – Yes 0 – No

T09-19 Motion was made by Jude Tanella, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 6 – Yes 0 – No

T10-19 Motion was made by Jude Tanella, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 6 – Yes 0 – No

T11-19 Motion was made by Jude Tanella, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 6 – Yes 0 – No

Advisory Opinions

A25-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to advise as discussed.

Vote: 6 – Yes 0 – No

A25-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the advisory opinion as written.

Vote: 6 – Yes 0 – No

A26-19 Motion was made by Michael Carucci, and seconded by Michael Collins, to advise as discussed.

Vote: 6 – Yes 0 – No

Administrative Dismissals

C19-19 This matter was on the agenda for informational purposes only.

C48-19 This matter was on the agenda for informational purposes only.

C58-19 This matter was on the agenda for informational purposes only.

T01-19 This matter was on the agenda for informational purposes only.

T03-19 This matter was on the agenda for informational purposes only.

T04-19 This matter was on the agenda for informational purposes only.

T06-19 This matter was on the agenda for informational purposes only.

T07-19 This matter was on the agenda for informational purposes only.

T08-19 This matter was on the agenda for informational purposes only.

Other Business

Doctrines of Necessity Chairperson Bender acknowledged receipt of the Doctrines of Necessity submitted by the Wayne Township Board of Education (x2).

C34-18 Motion was made by Mark Finkelstein, and seconded by Dennis Roberts, to adopt the Resolution of Suspension as written.

Vote: 6 – Yes 0 – No

C45-17 Motion was made by Dennis Roberts, and seconded by Jude Tanella, to accept the proposed settlement as discussed.

Vote: 5 – Yes 0 – No 1 – Abstention (Michael Carucci)

C44-18 Motion was made by Dennis Roberts, and seconded by Jude Tanella, to accept the proposed settlement as discussed.

Vote: 4 – Yes 0 – No 2 – Abstention (Michael Carucci and Mark Finkelstein)

Discussion Regarding Proposed Revisions to Chapter 28 Regulations This matter was on the agenda for informational purposes only, and continued discussions will occur at future meetings.

C70-18 Motion was made by Mark Finkelstein, and seconded by Dennis Roberts, to adopt the corrected decision as written.

Vote: 6 – Yes 0 – No

Minutes

Motion was made by Dennis Roberts, and seconded by Jude Tanella, to adopt the minutes of the special meeting (public and executive) conducted on October 25, 2019, as written.

Vote: 6 – Yes 0 – No

12:50 p.m. Motion was made by Dennis Roberts, and seconded by Michael Collins, to adjourn.

Vote: 6 – Yes 0 – No

Submitted by:

Jeannine Pizzigoni

Approved by:

Kathryn A. Whalen, Director