

School Ethics Commission Meeting Public Session Minutes

July 26, 2022

Chairperson Robert Bender called the regularly scheduled meeting of the School Ethics Commission (Commission or SEC) to order at 9:38 a.m.

Notice of the regularly scheduled meeting was provided to the State House Press Corps and the Secretary of State, and filed as required by the Open Public Meetings Act.

I. Roll Call

| Roll Call | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Present | X | X | X | X | X | X | X | 7 |
| Absent | | | | | | | | 0 |

Also, in attendance were Kathryn Whalen, Esquire, Director, Office of Legal Affairs and School Ethics; Jeannine Pizzigoni, staff member; and Jaclyn Frey, Deputy Attorney General (DAG). Everyone in attendance at the meeting participated via telephone/video.

II. First Public Comment

At the start of the meeting, Chairperson Bender explained to the public (who also accessed the meeting by telephone/video) how the meeting would be conducted. More specifically, Chairperson Bender explained that the public would be afforded the opportunity to provide public comment regarding his/her case; the Commission would then adjourn to executive session (on a different conference line); the Commission would return to public at approximately 12:00 p.m.; at that time, members of the public would be afforded another opportunity to provide public comment in connection with his/her case; and then the Commission would vote on matters pertinent to its business.

Director Whalen also advised the public as follows: individuals wishing to provide public comments/statements during First and Second Public Comment must be speaking about matters on the Commission's agenda; anyone wishing to provide public comments/statements about a matter not on the agenda should reserve their public comments/statements for New Business; anyone offering public comments/statements about a matter on the agenda is asked not to relitigate the merits of their case as the Commission's review of matters is limited to the written submissions; and everyone in attendance is asked to exercise an appropriate degree of decorum as this is a public forum.

9:42 a.m. Liz Preuster, concerned citizen from Monroe Township and interested party in the matters docketed as C82-21 and C10-22, noted her attendance and offered a statement summarized as follows:

OK. Number one, I wanna start first. I heard you guys chit chatting and I just wanna tell you how so many of us are very excited about the three-year contract with Ms. Chanley.

We're really excited to move forward and that's really positive for Monroe. Now I'm going to read you my statement.

Many of the taxpayers of Monroe are concerned with the amount of frivolous and redundant cases coming from a vocal minority that are using the Commission as a weapon against the Monroe Township Board of Ed. I understand the importance of the Commission, but the unnecessary financial impact has become a burden on Monroe and our children, and I am asking the Commission to do their due diligence in determining whether these cases have become duplicative, redundant and frivolous and dismiss accordingly, so we do not suffer another fiscal year of financial burden. Thank you.

9:42 a.m. Robin Gonzalez, one of the Complainants in the matters docketed as C25-22, C26-22, and C28-22 (Consolidated), noted her attendance, but did not offer any public comments/ statements.

9:43 a.m. Roderick Knox, Complainant in the matters docketed as C12-22 and C30-22, noted his attendance and offered a statement summarized as follows:

Good morning to everyone and thank you again for this opportunity and platform to be able to voice out my concerns again. I come before you to discuss Pleasantville Public School District and just one point I wanna make today is that usually when the ethics board, the Commission or the, you know, you are the avenue we have to complain we, you, you are there that we put all complaint or concerns that we presented to you and if possible, you are able to give us a resolution on these complaints. So, you are the only avenue for that. Sometimes districts don't understand that. I heard earlier from Monroe, like someone from Pleasantville, they don't believe that you're supposed to have an avenue to complain. Then what do you do if you don't have an avenue to complain? What do you do? Pleasantville School District, when they receive ethics complaints, usually people yield to those complaints. They yield to the things that they have. Umm, and they may say they, they, may step back a little bit and say let me do things better because the kids are the most important thing here. But Pleasantville does not. What Pleasantville does, is they do, they get even worse and that's why you continue to get ethics complaints after ethic complaints. I know that there's been multiple ethics complaints coming for Pleasantville, but it's because Pleasantville continues to be unethical. So, that's why those complaints are happening. So, I just ask that the Commission continue to do its due diligence, just like you have been and just see through all of the you know, the, the, things that's coming and just continue to hold Pleasantville accountable, continue to give them sanctions, continue to send them to the administrative law judge, you know, for resolution and just continue to be due diligence and I appreciate your time. Thank you very much for this.

9:46 a.m. Anthony Hess, counsel on behalf of Respondent in the matter docketed as C28-22, noted his attendance, but did not offer any public comments/statements.

9:46 a.m. Eliza Schleifstein, Complainant in the matter docketed as C39-20, which was not on the agenda, noted her attendance and offered a statement summarized as follows:

Hi, Eliza Schleifstein. I'm, so, Complainant in C39-20 against Jeanne Stifelman, Randolph Board of Education. This was the first of three complaints filed against this board member. C39-20 was filed with the Commission on July 23, 2020. The

Commission found probable cause on February 23, 2021, and referred the matter to the OAL for an evidentiary hearing. A hearing took place in November 2021, and post hearing briefs were submitted on February 17, 2022, after which the record was closed. By statute, the ALJ must rule within 45 days of the closure of the record. Today, however, is the 159th day since the record was closed. We're still waiting for a decision to be returned to the Commission in this matter. The board members may be able to wait out in terminal, delay from the OAL by simply choosing not to rerun for reelection rather than facing the consequences of an adverse ruling.

During this time, she approached and verbally assaulted me, my co-complainant and my 20 year old daughter in public forums, for which at least one report, police report was filed and due to the delay, the board and the board members' decision not to seek reelection, the Commission will only be able to reprimand or censure her if it determines that you violated the Act, regardless of her action. These delays tie the Commission's hands, send the wrong message to board members when only a reprimand can, or censure can, ultimately be imposed for either the most egregious misconduct because the moving party has become a board member, former board member, the remaining board members do not take this Commission's disciplinary action authority.

Randolph again is the perfect example where three weeks ago a board member in his first year on the board used a Facebook group to publicly ridicule the Commissioner of Education and the Commission's punishment of a reprimand of another former Randolph board member is totally meaningless and then referred to the Commission's recommended disclaimer as our scarlet letter speaking not just for the Randolph Board, but for every board member in New Jersey. Comparing that important tool designed to instill public trust and school boards with the 19th century punishment for the ultimate betrayal of trust, adultery. The goal of holding school board members accountable to the School Ethics Act is not served when the process takes so long that the original behavior is years in the past. By the time it's a draft, this allows board members to dismiss the entire regulatory processes and mere nuisance. In fact, as seen in Randolph, it emboldens rogue board members, who feel that they can act however they like, because all they have to do is run out the clock and risk a nonpublic slap on the risk of a reprimand. If this Commission wants to effectively enforce the provisions of the Act, it needs to take affirmative steps to speed up the process by engaging with the OAL and holding them to the strict time limits for hearing and issuing decisions, in the referred matters. The Commission also needs to require that reprimands need to be read in an open, public meeting, particularly in cases where the respondent no longer sits on the board. Otherwise, the OAL will remain a place where ethics complaints and a citizen's right to hold school board members accountable for behavior go to die. Thank you and thank you for your service to the children and to the State of New Jersey, Commissioners.

9:49 a.m. Chairperson Bender responds to Ms. Schleifstein:

I'd like just a minute to comment here. I understand sometimes that you want the results immediately. We have to have a process that we go through and if you just look at the number of cases that we've had, and they have been multiplying in the past year. That this process is one that's very timely. We have to send cases to the OAL, they have the schedule and the docket there too. So, we do, do due diligence with the cases that we deal with. We've reviewed them for hours and we try to make the best judgments possible when we get the results back from the OAL, we can either accept, modify or reject those

proposals and then we are held to the statute that has been written by the Stat in 1992, and again, we are restricted to those particular things. So you, you, must have, also some concern that we do have a lot of agenda items, we try to do the best we, we possible can meeting just once a month. Ok, that's all I want.

Ms. Schleifstein replies: Sure, I have no concern with the way the Commission is handling this. My concern here is that the record closed 159 days ago with the OAL. Still waiting for them to return a decision.

9:50 a.m. Judith Bassford, Complainant in the matter docketed as C96-21, noted her attendance, and offered a statement summarized as follows:

Yes, good, good morning. My statement is regarding C96-21. My name is Judith Bassford, the Complainant. I am speaking on my behalf, these are my personal views and opinions. I do not speak or represent the Clifton Board of Education in any way, shape or form. I submitted these ethics charges after numerous violations in Abedrabbo's behaviors that are clearly a conflict of interest, which we, as board members are sworn into office not to do, prior to filing the complaint. I tried to resolve this in house, with the board, the board president, and even going to the Superintendent, with no resolve and rather be a bystander of behalf of the repetitive behaviors and as a responsible board members, I had no choice but to take action and take the process that the SEC offers to each and every resident and person in the United States. Board members are elected officials, we take the honor of serving our local districts. Each and every board member has a fiduciary obligation and an ethical obligation to lead by example. In case number C96-21, that has clearly not been the case. The respondent does not take accountability for his actions. Uhh, he does not comprehend the, the, issue at hand or blatantly, he really does not care. Under previous charge C23-21 that probable cause was found against this individual by the SEC and that case was forwarded to the Office of Administrative Law and, and is waiting information to be sent back to you. He continues to disregard authority. He goes around Clifton telling folks here that live in Clifton that he has connections with the state and he's going to beat these charges. Let me repeat, that he has told not one, but numerous Clifton residence that he is going to beat these charges and thumbs his nose to the process. His actions are not only inappropriate, but it makes a mockery of the work that the Ethics Commission actually does. These actions diminish the entire work of this body. Just having ethics charges placed against you as a board member is enough for anyone to stop in their tracks, pause, reflect, and take stock of their actions. It makes you scared and makes you say what am I doing wrong and you take advice from your colleagues. This board member has thumbed his nose to this process, by continuing to violate the ethics oath he was sworn to uphold. This is the sole reason the complaint was submitted. It is the continued behavior to serve, to dishonor the Members that take this oath of conduct seriously and to live by them every day. The concern that there's, the, my concern is that the respondent has, and continues to cause harm to the district as previous.

I have options, have this demonstrated probable cause was found. I want thank you, to the Ethics Commission for your time and due diligence to wholeheartedly review the process in its entirety at it was designed for. Again, please do your due diligence when it comes to the mater of C96-21, it's consideration. I thank you for your time, Judith Bassford.

9:54 a.m. Alyssa Weinstein, counsel on behalf of Respondents in the matter docketed as C87-21, noted her attendance, but did not offer any public comments/statements.

9:54 a.m. Betty Saborido, concerned citizen of Monroe Township, noted her attendance, and offered a statement summarize as follows:

Good morning, I am an active participant in the Monroe Township School District and then the leader of CTAGS of Special Education Parent Advisory Group, which is a State mandated group along with many in the community. I spend many hours working and advocating to improve our district for students and staff and have worked with all of our administrators. I always say that a person's integrity and name is the utmost importance and I understand that in some cases, ethics need to be filed. However, unfortunately in Monroe, we have a select group from a vocal minority that seems to be using the Commission as a personal vendetta. So, I'm asking the Commission to continue doing your due diligence, but understand the many of us in Monroe are concerned about the amount of frivolous and redundant cases coming from the same people that are doing absolutely nothing to improve our district and are only taking away from what should be focused on – students, staff, programs and equity. I wanna thank the Commission for your commitment to our education system and hope that you look as these cases with open eyes. Thank you.

9:55 a.m. Judith Sullivan, Respondent in the matters docketed as C25-22, C26-22, and C28-22, noted her attendance, but did not offer any public comments/statements.

9:55 a.m. Karen Bierman, Monroe Township School District Board of Education member, noted her attendance and offered a statement summarized as follows:

Good morning, also from Monroe Township and reiterating what Liz Preuster and Betty Saborido earlier mentioned. My concern is the frivolous cases, the redundancy, the repetitiveness of them and the drainage. It's now starting to take away from services we provide to our children. We do have to pay for the attorneys to represent us. There's an umbrella, you know, before it shifts, insurance and even the cost of insurance is rising.

You, the number of cases in the activity there, we also see weaponizing in OPRA requests. No, I fully support the existence, we need for the Commission and this avenue for the public to file and bring forward issues. I do believe the Commission is able to recognize when things are frivolous and redundant and start imposing fines to those that file those requests and drain and take away from the children. Thank you.

9:56 a.m. Eric Simkin, Complainant in the matter docketed as C42-22, noted his attendance, but did not offer any public comments/statements.

III. Executive Session

At **9:57 a.m.**, the following **Resolution** was read:

Whereas, the Open Public Meetings Act (*N.J.S.A. 10:4-6 et seq.*) authorizes the Commission, a public body, to meet in Executive Session under certain circumstances; and

Whereas, the Open Public Meetings Act requires that the Commission adopt a Resolution at a public meeting to go into Executive Session; and

Now therefore be it resolved that, consistent with the provisions of *N.J.A.C.* 10:4-12(b), the Commission will adjourn to executive session to discuss matters which, by statute, are regarded as confidential and also to discuss matters possibly involving litigation, specifically: C39-15; C82-21; C96-21; C04-22; C10-22; C20-22; C25-22, C26-22, and C28-22 (Consolidated); C27-22; C30-22; C32-22; C37-22; C42-22; C43-22, C44-22, and C62-22 (Consolidated); C45-22; C46-22; C50-22; C53-22; C54-22; C45-18; C60-19; C70-20; C18-21; C85-21; C87-21; C90-21; C12-22; C19-22; C22-22; C29-22; C31-22; A12-22; A13-22; C23-22; C47-22; C52-22; adoption of Resolution of Removal in connection with T13-21; adoption of Resolution of Suspension in connection with T16-21; adoption of Resolution of Removal in connection with T21-21; adoption of Resolution of Removal in connection with T22-21; adoption of Resolution of Suspension in connection with T25-21; follow-up on the status of C48-22; and update on the status of Chapter 28 regulations; and

Now therefore be it further resolved that the Commission will return to open session to conduct business at the conclusion of Executive Session.

Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to adjourn to Executive Session to discuss the matters set forth in the foregoing Resolution.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

IV. Return to Public

At **2:50 p.m.**, a motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to return to public session for the purpose of receiving public comment/testimony, and to vote on matters discussed in Executive Session (as appropriate).

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

V. Complaints to Review

C39-15 Motion was made by Jude A. Tanella, and seconded by Michael Carucci, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

C82-21 Motion was made by Richard Tomko, and seconded by Carol E. Sabo, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

C96-21 Motion was made by Richard Tomko, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

C04-22 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

C10-22 Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

C20-22 Motion was made by Carol E. Sabo, and seconded by Richard Tomko, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

C25-22, C26-22, and C28-22 (Consolidated) Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

C27-22 Motion was made by Jude A. Tanella, and seconded by Richard Tomko, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

C30-22 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X ¹ | | | | | | 1 |

¹ Commissioner Carucci left executive session for the discussion of this matter and, therefore did not participate in the vote related to this matter.

C32-22 Motion was made by Carol E. Sabo, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | | X | X | X | 5 |
| No | | | | | | | | 0 |
| Abstention | | X ² | | X ³ | | | | 2 |

C37-22 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X ⁴ | | | | | | 1 |

C42-22 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X ⁵ | | | | | | 1 |

² Commissioner Carucci left executive session for the discussion of this matter and, therefore did not participate in the vote related to this matter.

³ Commissioner Roberts did not participate in the executive session discussion and/or the vote related to this matter due to a conflict of interest.

⁴ Commissioner Carucci left executive session for the discussion of this matter and, therefore did not participate in the vote related to this matter.

⁵ Commissioner Carucci left executive session for the discussion of this matter and, therefore did not participate in the vote related to this matter.

C43-22, C44-22, and C62-22 (Consolidated) Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X ⁶ | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

C45-22 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

C46-22 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

⁶ Commissioner returned to executive session for the discussion of this matter.

C50-22 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

C53-22 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

C54-22 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to draft a letter decision as discussed.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

VI. Decisions to Adopt as Written⁷

C45-18 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the decision as amended.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X | | | | | | 1 |

C60-19 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the decision as written.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X | | | | | | 1 |

C70-20 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the decision as written.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X | | | | | | 1 |

⁷ Commissioner Carucci was absent from the meeting on June 28, 2022, and, therefore, did not participate in the votes to adopt the decisions.

C18-21 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the decision as written.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X | | | | | | 1 |

C85-21 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the decision as written.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X | | | | | | 1 |

C87-21 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the decision as written.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X | | | | | | 1 |

C90-21 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the decision as written.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X | | | | | | 1 |

C12-22 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the decision as written.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X | | | | | | 1 |

C19-22 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the decision as written.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X | | | | | | 1 |

C22-22 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the decision as amended.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X | | | | | | 1 |

C29-22 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the decision as written.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X | | | | | | 1 |

C31-22 Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the decision as written.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X | | | | | | 1 |

VII. Advisory Opinions

A12-22 Motion was made by Carol E. Sabo, and seconded by Richard Tomko, to table the advisory opinion for further review and discussion.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

A13-22 Motion was made by Carol E. Sabo, and seconded by Richard Tomko, to adopt the advisory opinion as written.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

VIII. Administrative Dismissals

C23-22 This matter was on the agenda for informational purposes only.

C47-22 This matter was on the agenda for informational purposes only.

C52-22 This matter was on the agenda for informational purposes only.

IX. Other Business

Doctrines of Necessity. None submitted.

Adoption of Resolution of Removal in connection with T13-21. Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the Resolution as drafted.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

Adoption of Resolution of Suspension in connection with T16-21. Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the Resolution as drafted.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

Adoption of Resolution of Removal in connection with T21-21. Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the Resolution as drafted.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

Adoption of Resolution of Removal in connection with T22-21. Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the Resolution as drafted.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

Adoption of Resolution of Suspension in connection with T25-21. Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the Resolution as drafted.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

Follow-up on the status of C48-22. This matter was on the agenda for informational purposes only.

Update on the status of Chapter 28 regulations. This matter was on the agenda for informational purposes only.

X. Minutes

Motion was made by Carol E. Sabo, and seconded by Richard, to adopt the minutes of the regularly scheduled meeting (public and executive) conducted on June 28, 2022.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | | X | X | X | X | X | 6 |
| No | | | | | | | | 0 |
| Abstention | | X ⁸ | | | | | | 1 |

⁸ Commissioner Carucci was absent from the meeting on June 28, 2022, and, therefore, did not participate in the votes to adopt the meeting minutes.

XI. Second Public Comment

Members of the public in attendance at the meeting were again invited to offer public comment/statements regarding any matter on the Commission's Agenda.

3:04 p.m. Laurie Weber, Complainant in the matter docketed C70-20, noted her attendance, and offered a statement summarized as follows:

Umm my name is Lori Weber. I'm the original complainant in C70-20. That was. Under Section 5 for decisions to adopt as written. Unfortunately, I, I thought that this part of the meeting was going to begin at 3:00 o'clock, so I missed that part and I'm wondering if I can find out, perhaps after the meeting adjourns what happened with that particular case.

Director Whalen informed Ms. Weber that she would "stay on the line" at the conclusion of the meeting to answer any questions.

3:05 p.m. Eric Simkin, Complainant in the matter docketed as C42-22, again noted his attendance, and offered a statement as follows:

Hello, this is Eric Simkin. I would like to. I also came back on at 3 o'clock, but I was missing some proceedings for C42-22 outcome.

Director Whalen also informed Mr. Simkin that she would address his concerns at the conclusion of the meeting.

3:06 p.m. Debra Williams, resident of Voorhees, and a concerned citizen in the matter docketed as C42-22, noted her attendance and offered a statement as follows:

C42-22 OK, go ahead. The matter involving Eric Simkin. I just. I don't wanna take up too much time. I just wanted to reiterate that I am also a resident of Voorhees and I do agree with everything presented in the complaint. As far as the board is concerned, as for who the complaint is filed against. All the actions are accurate and there's been a lot of prejudice and affect. Our civil rights have been affected by the board. I did have specific details I wanted to address, but I won't do that and take up any more time, but just jumped onto the meeting. But I do hope that the information and matters are taken seriously. Thank you.

3:06 p.m. Diana Brown, resident of Voorhees, and concerned citizen in the matter docketed as C42-22, noted her attendance and offered a statement as follows:

The same thing as the last two, but on the opposite end. I'm from Voorhees as well, and I feel very confident in our board and I am speaking about the opposite. I feel very confident they've done a great job and I'm so blessed to be part of the school system. So thank you all.

3:07 p.m. Rachel Taylor, concerned citizen in the matter docketed as C32-22, noted her attendance and offered a statement as follows:

I also have the same issue with, I believe two of the other participants. They said they came back at 3:00, so I just wanted to not that I would like to stay after for C32-22.

Director Whalen informed Ms. Taylor that she would answer any questions/concerns at the end of the meeting.

XII. Adjournment

At 3:10 p.m., a motion was made by Richard Tomko, and seconded by Carol E. Sabo, to adjourn.

Vote

| Vote | Robert Bender | Michael Carucci | Mark Finkelstein | Dennis Roberts | Carol E. Sabo | Jude A. Tanella | Richard Tomko | Total |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|------------------------|----------------------|--------------|
| Yes | X | X | X | X | X | X | X | 7 |
| No | | | | | | | | 0 |
| Abstention | | | | | | | | 0 |

Submitted by:

Jeannine Pizzigoni

Approved by:

Kathryn A. Whalen, Esq.
Director, School Ethics Commission