

School Ethics Commission Meeting Public Session Minutes

September 23, 2025

Chairperson Bender called the regularly scheduled meeting of the School Ethics Commission (Commission or SEC) to order at 9:33 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.

I. Roll Call

Roll Call	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Present	X	X ¹	X ²		X	X ³	4
Absent				X			2

Also, in attendance were Brigid Martens, Director; Dana Jones and Jeannine Pizzigoni, staff members for the Office of School Ethics; and Amna Toor and Natalie Dennis,⁴ Deputy Attorneys General (DAG).

II. First Public Comment

At the start of the meeting, Chairperson Bender explained to the public how the meeting would be conducted. More specifically, Chairperson Bender explained that the public would be afforded the opportunity to provide public comment; the Commission would then adjourn to executive session; 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; and then the Commission would vote on matters pertinent to its business.

9:35 a.m. Alicia Swift, counsel for Methfessel and Werbel, PC, representing Respondents in the matters docketed as C99-24 and C31-25, noted her attendance, but did not offer any public comment/statement.

¹ Commissioner Carucci attended the meeting virtually.

² Commissioner Finkelstein attended the meeting virtually.

³ Commissioner Tomko attended the meeting virtually.

⁴ DAG Dennis joined the meeting virtually at 9:42 a.m. and then left the meeting at 9:54 a.m.

III. Executive Session

At 9:36 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: C35-21; C51-22; C76-23; C37-24; C102-24; C103-24; C03-25; C04-25; C05-25; C08-25; C10-25; C11-25; D01-25 through D04-25; C15-24; C85-24; C89-24; C95-24; C96-24; C97-24; C99-24; C101-24; A16-25; A17-25; A18-25; A19-25; A01-25; A02-25; A04-25; A05-25; A06-25; A07-25; A08-25; A10-25; A11-25; A09-25 (Request for Reconsideration); A12-25; A13-25; A14-25; A15-25; C59-25; Doctrines of Necessity submitted by the Mullica Township, Monroe Township and Middlesex Borough Boards of Education; DAG Dennis to present settlement offer in connection with C60-24; Adopt Resolution to rescind probable cause notice in connection with C22-24; Consider whether to place C68-25 in abeyance; Consider whether to add C01-25 to the agenda and whether to place in abeyance; Consider Complainant's request to amend the Complaint in connection with C65-25; Consider Complainant's request to withdraw C09-25; Consider Complainant's request to withdraw C31-25; and Consider Complainant's request to withdraw C72-25; 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 Carol E. Sabo, and seconded by Richard Tomko, 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	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

IV. Return to Public

At 1:09 p.m., a motion was made by Carol E. Sabo and seconded by Michael Carucci, 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	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

V. Complaints to Review

C35-21 Motion was made by Mark Finkelstein, 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	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C51-22 Motion was made by Mark Finkelstein, 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	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C76-23 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C37-24 Motion was made by Mark Finkelstein, 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	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C102-24 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	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C103-24 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	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C03-25 Motion was made by Mark Finkelstein, 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	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C04-25 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	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C05-25 Motion was made by Mark Finkelstein, 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	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C08-25 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	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C10-25 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	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C11-25 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	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

VI. Orders to Show Cause

D01-25 Motion was made by Mark Finkelstein, and seconded by Carol E. Sabo, to adopt the Order to Show Cause and to mail electronically.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

D02-25 Motion was made by Mark Finkelstein, and seconded by Carol E. Sabo, to adopt the Order to Show Cause and to mail electronically.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

D03-25 Motion was made by Mark Finkelstein, and seconded by Carol E. Sabo, to adopt the Order to Show Cause and to mail electronically.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

D04-25 Motion was made by Mark Finkelstein, and seconded by Carol E. Sabo, to adopt the Order to Show Cause and to mail electronically.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

VII. Decisions to Adopt as Written⁵

C15-24 Motion was made by Carol E. Sabo, and seconded by Michael Carucci, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C85-24 Motion was made by Carol E. Sabo, and seconded by Michael Carucci, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

⁵ Director Martens and Dana Jones reviewed each matter for the Commission.

C89-24 Motion was made by Carol E. Sabo, and seconded by Michael Carucci, to adopt the decision as written.

Vote

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

C95-24 Motion was made by Carol E. Sabo, and seconded by Michael Carucci, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C96-24 Motion was made by Carol E. Sabo, and seconded by Michael Carucci, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

⁶ Commissioner Tomko has a conflict, and therefore, he did not participate in the discussion and vote related to this matter.

C97-24 Motion was made by Carol E. Sabo, and seconded by Michael Carucci, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C99-24 Motion was made by Carol E. Sabo, and seconded by Michael Carucci, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

C101-24 Motion was made by Carol E. Sabo, and seconded by Michael Carucci, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

VIII. Advisory Opinions

A16-25 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the advisory opinion as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

A17-25 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the advisory opinion as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

A18-25 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to table the matter.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

A19-25 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to draft the advisory opinion as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

A01-25 This matter was on the agenda to make public only. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A02-25 This matter was on the agenda to make public only. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A04-25 This matter was on the agenda to make public only. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A05-25 This matter was on the agenda to make public only. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A06-25 This matter was on the agenda to make public only. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A07-25 This matter was on the agenda to make public only. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A08-25 This matter was on the agenda to make public only. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A10-25 This matter was on the agenda to make public only. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A11-25 This matter was on the agenda to make public only. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A09-25 (Request for Reconsideration) Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the Request for Reconsideration as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

A12-25⁷ Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the advisory opinion as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

⁷ This matter was on the agenda to adopt and to make public; however, the Commission did not have the statutorily required number of Commissioners to make it public.

A13-25⁸ Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the advisory opinion as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

A14-25⁹ Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the advisory opinion as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

A15-25¹⁰ Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the advisory opinion as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

⁸ This matter was on the agenda to adopt and to make public; however, the Commission did not have the statutorily required number of Commissioners to make it public.

⁹ This matter was on the agenda to adopt and to make public; however, the Commission did not have the statutorily required number of Commissioners to make it public.

¹⁰ This matter was on the agenda to adopt and to make public; however, the Commission did not have the statutorily required number of Commissioners to make it public.

IX. Administrative Dismissals

C59-25 This matter was on the agenda for informational purposes only.

X. Other Business

Doctrines of Necessity submitted by the Mullica Township, Monroe Township and Middlesex Borough Boards of Education. These matters were on the agenda for informational purposes only.

DAG Dennis to present a settlement offer in connection with C60-24. Motion was made by Carol E. Sabo, and seconded by Richard Tomko, to reject the settlement offer.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

Adopt the Resolution to rescind the probable cause notice in connection with C22-24. Motion was made by Richard Tomko, and seconded by Mark Finkelstein, to adopt the Resolution.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

Consider whether to place C68-25 in abeyance. Motion was made by Mark Finkelstein, and seconded by Richard Tomko, to place the matter in abeyance.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

Add the matter docketed as C01-25 to Other Business. Motion was made by Mark Finkelstein, and seconded by Richard Tomko, to add C01-25 to Other Business.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

Consider whether to place C01-25 in abeyance. Motion was made by Mark Finkelstein, and seconded by Richard Tomko, to place the matter in abeyance.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

Consider Complainant's request to amend the Complaint in connection with C65-25. Motion was made by Mark Finkelstein, and seconded by Richard Tomko, to deny the request to amend.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

Consider Complainant's request to withdraw the Complaint in connection with C09-25. Motion was made by Mark Finkelstein, and seconded by Richard Tomko, to grant Complainant's request to withdraw.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

Consider Complainant's request to withdraw the Complaint in connection with C31-25. Motion was made by Mark Finkelstein, and seconded by Richard Tomko, to grant Complainant's request to withdraw.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

Consider Complainant's request to withdraw the Complaint in connection with C72-25. Motion was made by Mark Finkelstein, and seconded by Richard Tomko, to grant Complainant's request to withdraw.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

XI. Minutes

Motion was made by Carol E. Sabo, and seconded by Richard Tomko, to adopt the minutes of the regularly scheduled meeting (public and executive) conducted on August 19, 2025.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X				X	X	3
No							0
Abstention		X ¹¹	X ¹²				2

XII. Second Public Comment

There were not any members of the public present during the second public session.

¹¹ Commissioner Carucci was not present for the entire meeting on August 19, 2025, and therefore, he did not participate in this matter.

¹² Commissioner Finkelstein was not present for the meeting on August 19, 2025, and therefore, he did not participate in this matter.

XIII. Adjournment

At 1:24 p.m., a motion was made by Carol E. Sabo, and seconded by Michael Carucci, to adjourn.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X	X	5
No							0
Abstention							0

Submitted by:

Jeannine Pizzigoni

Approved by:

Brigid C. Martens, Director
School Ethics Commission