

BARBARA GARRITY, :
COMPLAINANT, :
V. :
ANA M. VANDER WOUDE, DENNIS PAVLIK, AND :
PHYLLIS PASCUCCI, HOLMDEL TOWNSHIP :
BOARD OF EDUCATION, MONMOUTH COUNTY, :
RESPONDENTS, :
AND :
BARBARA DUNCAN, :
COMPLAINANT, :
V. :
ANA M. VANDER WOUDE, HOLMDEL TOWNSHIP :
BOARD OF EDUCATION, MONMOUTH COUNTY, :
RESPONDENT, :
AND :
BARBARA DUNCAN, :
COMPLAINANT, :
V. :
DENNIS PAVLIK, HOLMDEL TOWNSHIP :
BOARD OF EDUCATION, MONMOUTH COUNTY. :
RESPONDENT. :

COMMISSIONER OF EDUCATION
DECISION

SYNOPSIS

These consolidated cases involve allegations that, in 2012, two Holmdel School Board members – Ana Vander Woude and Dennis Pavlik – violated the ethical rules governing the conduct of board members, *N.J.S.A. 18A:12-24.1(c), (d), (e), (g), (i) and (j)* of the Code of Ethics for School Board Members (Code) when they sought to determine whether the school district’s Director of Special Services was engaging in inappropriate conduct by working for another school district at the same time she was employed by Holmdel. Following a March 10, 2016 hearing at the OAL, the ALJ issued an Initial Decision concluding that the conduct of the respondents violated sections (c), (d), (e), (g), (i), and (j) of the Code, and recommended the penalty of Censure. The School Ethics Commission (SEC) reviewed the record and the Initial Decision at its June 21, 2016 meeting, at which time the SEC adopted the conclusions of the ALJ for the reasons expressed in his decision.

Upon review, the Commissioner concurred with the penalty recommendation of the SEC. Accordingly, the respondents shall be censured as school officials found to have violated the School Ethics Act.

This synopsis is not part of the Commissioner’s decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.
--

BARBARA GARRITY, :
COMPLAINANT, :
V. :
ANA M. VANDER WOUDE, DENNIS PAVLIK, AND :
PHYLLIS PASCUCI, HOLMDEL TOWNSHIP :
BOARD OF EDUCATION, MONMOUTH COUNTY, :
RESPONDENTS, :
AND :
BARBARA DUNCAN, :
COMPLAINANT, :
V. :
ANA M. VANDER WOUDE, HOLMDEL TOWNSHIP :
BOARD OF EDUCATION, MONMOUTH COUNTY, :
RESPONDENT, :
AND :
BARBARA DUNCAN, :
COMPLAINANT, :
V. :
DENNIS PAVLIK, HOLMDEL TOWNSHIP :
BOARD OF EDUCATION, MONMOUTH COUNTY. :
RESPONDENT. :
_____ :

COMMISSIONER OF EDUCATION
DECISION

The Initial Decision of the Office of Administrative Law and the decision of the School Ethics Commission – forwarded to the Commissioner pursuant to *N.J.S.A.* 18A:12-29 for final determination on the Commission’s recommended penalty – have been reviewed. Respondents

Ana Vander Woude and Dennis Pavlik¹ did not file exceptions, nor was the Commission's underlying finding of violation appealed to the Commissioner pursuant to *N.J.A.C. 6A:4*.

Upon review, the Commissioner concurs with the penalty recommended by the Commission. Accordingly, respondents Vander Woude and Pavlik shall each be censured as school officials found to have violated the School Ethics Act.

IT IS SO ORDERED.²

COMMISSIONER OF EDUCATION

Date of Decision: September 12, 2016

Date of Mailing: September 12, 2016

¹ Respondent Phyllis Pascucci was dismissed from this case.

² This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L. 2008, c. 36 (N.J.S.A. 18A:6-9.1)*.