

SCHOOL ETHICS COMMISSION MEETING PUBLIC SESSION MINUTES

AUGUST 25, 2015

Robert Bender called the meeting to order at 9:31 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 Commission members Frank Digesere, Dan Kaplan, Louis Modugno, Ellen Polaner, Dennis Roberts, and Chairperson Robert Bender. Dennis Roberts arrived at 9:52 a.m. and Louis Modugno arrived at 10:10 a.m. Commission member Mark Finkelstein was absent.

Acting Executive Director Joanne Restivo, Legal Specialist Jesse Landon, Administrative Assistant Karin Molnar, and Deputy Attorney General Christopher Huber were also in attendance.

9:35 a.m. Motion was made by Frank Digesere and seconded by Dan Kaplan to adjourn to Executive Session to discuss confidential matters and to obtain legal advice regarding the following complaints, advisory requests, and matters involving possible litigation: C58-14, C18-15, C17-15, C13-15, C07-14, C12-15, C11-15, C14-15, C05-14, A01-15, A03-15, A07-15, A11-15, A12-15, A13-15, A14-15, A15-15, Doctrines of Necessity filed by the Florham Park, Brick Township, Lopatcong and Hammonton Boards of Education, final review of the SEC Rule revisions and the Adelaide L. Sanford Charter School Appellate Division decision. Vote: 4 – Yes 0 - No

1:11 p.m. Return to Public Session.

Minutes Motion was made by Dennis Roberts and seconded by Louis Modugno to approve the Minutes of the July 28, 2015 Commission meeting. Vote: 6 – Yes 0 – No

Complaints

C57-14 This matter was adjourned prior to this meeting.

58-14 Motion was made by Frank Digesere and seconded by Dan Kaplan to deny the Motion to Dismiss this matter. Vote: 6 – Yes 0 – No

C58-14 A second motion was made by Frank Digesere and seconded by Dan Kaplan to accept the withdrawal of Paragraphs 9 through 12 and find a violation of N.J.S.A. 18A:12-24.1(e) in Paragraph 5 with a penalty of reprimand. Vote: 6 – Yes 0 - No

C18-15 Motion was made by Dennis Roberts and seconded by Frank Digesere to find no probable cause, deem the matter not frivolous and transmit to the Office of

Administrative Law (OAL) for a hearing to be held as a later date. Vote: 6 - Yes
0 - No

C17-15 Motion was made by Dennis Roberts and seconded by Frank Digesere to find not frivolous and transmit to the OAL for a hearing to be held at a later date. Vote: 6 - Yes 0 - No

C13-15 Motion was made by Ellen Polaner and seconded by Dan Kaplan to deny the Motion to Dismiss and transmit to the OAL for a hearing to be held at a later date. Vote: 6 - Yes 0 - No

C07-14 Motion was made by Dennis Roberts and seconded by Louis Modugno to accept the initial decision in this matter. Vote: 6 - Yes 0 - No

C12-15 Motion was made by Frank Digesere and seconded by Dennis Roberts to adopt the decision with amendments. Vote: 6 - Yes 0 - No

C11-15 Motion was made by Louis Modugno and seconded by Ellen Polaner to adopt the decision as written. Vote: 6 - Yes 0 - No

C14-15 Motion was made by Dennis Roberts and seconded by Dan Kaplan to adopt the decision as written and transmit this matter to the OAL for a hearing to be held at a later date. Vote: 6 - Yes 0 - No

C05-14 Motion was made by Louis Modugno and seconded by Ellen Polaner to adopt the decision as written. Vote: 6 - Yes 0 - No

Advisory Opinions

A07-15 Motion was made by Frank Digesere and seconded by Ellen Polaner to advise as discussed. Vote: 6 - Yes 0 - No

A03-15, A11-15, A13-15, and A15-15 Motion was made by Dennis Roberts and seconded by Dan Kaplan to table these matters. Vote: 6 - Yes 0 - No

A01-15 Motion was made by Dennis Roberts and seconded by Ellen Polaner to adopt the advisory opinion with amendments. Vote: 6 - Yes 0 - No

A12-15 Motion was made by Frank Digesere and seconded by Dennis Roberts to adopt the advisory opinion as written. Vote: 6 - Yes 0 - No

A14-15 Motion was made by Dennis Roberts and seconded by Ellen Polaner to adopt the advisory opinion as written. Vote: 6 - Yes 0 - No

1:16 p.m. Motion was made by Dan Kaplan and seconded by Louis Modugno to adjourn. Vote: 6 – Yes 0 – No

Submitted by:

Karin L. Molnar

Approved by:

Joanne M. Restivo, Acting Executive Director

Minutes 08-25-15 Public