

School Ethics Commission Meeting Public Session Minutes

August 27, 2024

Chairperson Bender called the regularly scheduled meeting of the School Ethics Commission (Commission or SEC) to order at 9:39 a.m.

Notice of the special 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	5
Absent			X				0

Also, in attendance were Brigid C. Martens, Director, Office of School Ethics, Jeannine Pizzigoni, staff member, and Amna Toor, Deputy Attorney General (DAG).

II. First Public Comment

There were not any members of the public present.

III. Executive Session

At 9:43 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: C07-20; C03-24; C04-24 and C05-24 (Consolidated); C06-24; C07-24; C14-24; C82-21; C01-24; C08-24; C09-24; C10-24; C11-24; C15-24; C16-24, C17-24, C28-24, C38-24, C43-24 and C44-24 (Consolidated); C20-24; A01-24; A02-24; A03-24; A04-24; A05-24; A06-24; A07-24; A09-24;

¹ Commissioner Carucci participated via Teams.

² Commissioner Roberts participated via Teams.

T08-24; T15-24; adopt the Resolution of Censure in connection with C45-23 and consider whether to grant the withdrawal of C47-24; 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 Richard Tomko, and seconded by Carol E. Sabo, 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 Public³

At **11:11 a.m.**, a motion was made by Dennis Roberts, and seconded by Carol E. Sabo, 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	4
No							0
Abstention							0

³ Commissioner Carucci left the meeting at 10:21 a.m., and therefore, was not present to participate in these matters.

V. Complaints to Review

C07-20 Motion was made by Richard Tomko, and seconded by Dennis Roberts, 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	4
No							0
Abstention							0

C03-24 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	4
No							0
Abstention							0

C04-24 and C05-24 (Consolidated) 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	4
No							0
Abstention							0

C06-24 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	4
No							0
Abstention							0

C07-24 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	4
No							0
Abstention							0

C14-24 Motion was made by Dennis Roberts, 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	4
No							0
Abstention							0

VI. Decisions to Adopt as Written

C82-21 Motion was made by Carol E. Sabo, and seconded by Richard Tomko, 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							0

C01-24 Motion was made by Carol E. Sabo, and seconded by Richard Tomko, 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							0

C08-24 Motion was made by Carol E. Sabo, and seconded by Richard Tomko, 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							0

C09-24 Motion was made by Carol E. Sabo, and seconded by Richard Tomko, to adopt the decision as amended.

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							0

C10-24 Motion was made by Carol E. Sabo, and seconded by Richard Tomko, 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							0

C11-24 Motion was made by Carol E. Sabo, and seconded by Richard Tomko, 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							0

C15-24 Motion was made by Carol E. Sabo, and seconded by Richard Tomko, 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							0

C16/C17/C28/C38/C43 and C44-24 (Consolidated) Motion was made by Carol E. Sabo, and seconded by Richard Tomko, 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							0

C20-24 Motion was made by Carol E. Sabo, and seconded by Richard Tomko, 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							0

VII. Advisory Opinions⁴

A01-24 This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A02-24 This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A03-24 This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A04-24 This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A05-24 This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A06-24 This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A07-24 This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A09-24 This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

VIII. Administrative Dismissals

T08-24 This matter was on the agenda for informational purposes only.

T15-24 This matter was on the agenda for informational purposes only.

⁴ The Commission did not have the statutorily required number of Commissioners present to make the advisory opinions public.

IX. Other Business

Adopt the Resolution of Censure in connection with C45-23. Motion was made by Richard Tomko, and seconded by Carol E. Sabo, 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	4
No							0
Abstention							0

Consider whether to grant the request to withdraw the matter in connection with C47-24.

Motion was made by Dennis Roberts, and seconded by Carol E. Sabo, to grant the withdrawal.

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							0

X. Minutes

Motion was made by Dennis Roberts, and seconded by Carol E. Sabo, to adopt the minutes of the regularly scheduled meeting (public and executive) conducted on July 23, 2024.

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							0

XI. Second Public Comment

There were not any members of the public present.

XII. Adjournment

At 11:17 a.m., a motion was made by Dennis Roberts, and seconded by Carol E. Sabo, to adjourn.

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							0

Submitted by:

Jeannine Pizzigoni

Approved by:

Brigid C. Martens, Director
School Ethics Commission