

School Ethics Commission Meeting Public Session Minutes

January 28, 2025

Chairperson Bender called the regularly scheduled meeting of the School Ethics Commission (Commission or SEC) to order at 9:31 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			4
Absent					X	X	2

Also, in attendance were Brigid C. Martens, Director, Office of School Ethics, Jeannine Pizzigoni and Dana Jones, staff members, and Anna Toor, Deputy Attorney 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.

Director Martens also advised the public as follows: individuals wishing to provide public comments/statements during Public Comment regarding a matter pending before the Commission are asked not to litigate 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.

9:35 a.m. Complainant in the matter docketed as C35-24 was present at the meeting and expressed that she was uncertain about the process for filing complaints with the Commission and asked for clarification. Complainant also inquired whether she was able to present additional evidence/documents related to the matter. The Commission advised Complainant that additional documentation would not be considered at this time.

¹ Commissioner Carucci participated virtually.

² Commissioner Finkelstein participated virtually.

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: C64-22, C77-22 and C92-22 (Consolidated); C25-24; C27-24; C31-24; C35-24; C37-24; C41-24; C16-21; C26-24; C29-24; C30-24; C39-24; C77-24; C84-24; Doctrine of Necessity submitted by the Mount Olive Board of Education; Adopt the Resolution of 60-Day Suspension in connection with C78-23; Adopt the Resolutions of Censure in connection with D01-24, D04-24 and D06-24; and Adopt the Resolutions of Removal in connection with D02-24, D03-24 and D05-24; 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 Dennis Roberts, and seconded by Mark Finkelstein, 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			4
No							0
Abstention							0

IV. Return to Public

At **11:14 a.m.**, a motion was made by Dennis Roberts, 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			4
No							0
Abstention							0

V. Complaints to Review

C64-22, C77-22 and C92-22 (Consolidated) Motion was made by Dennis Roberts, 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			4
No							0
Abstention							0

C25-24 Motion was made by Dennis Roberts, and seconded by Michael Carucci, 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

C27-24 Motion was made by Dennis Roberts, and seconded by Michael Carucci, 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

C31-24 Motion was made by Mark Finkelstein, 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

C35-24 Motion was made by Dennis Roberts, 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			4
No							0
Abstention							0

C37-24 Motion was made by Michael Carucci, 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			4
No							0
Abstention							0

C41-24 Motion was made by Dennis Roberts, 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			4
No							0
Abstention							0

VI. Decisions to Adopt as Written³

C16-21 Motion was made by Dennis Roberts, and seconded by Robert Bender, 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

³ Commissioner Carucci and Commissioner Finkelstein were not present at the meeting on December 17, 2024, and therefore, the Commission did not have the statutorily required number of Commissioners to adopt these decisions. Consequently, Director Martens rediscussed these matters so the Commissioners who were present could vote to adopt.

C26-24 Motion was made by Dennis Roberts, and seconded by Robert Bender, 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

C29-24 Motion was made by Dennis Roberts, and seconded by Robert Bender, 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

C30-24 Motion was made by Dennis Roberts, and seconded by Robert Bender, 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

C39-24 Motion was made by Dennis Roberts, and seconded by Robert Bender, 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. Administrative Dismissals

C77-24 This matter was on the agenda for informational purposes only.

C84-24 This matter was on the agenda for informational purposes only.

VIII. Other Business

Doctrine of Necessity submitted by the Mount Olive Board of Education. This matter was on the agenda for informational purposes only.

Adopt the Resolution of 60-Day Suspension in connection with C78-23. Motion was made by Mark Finkelstein, and seconded by Michael Carucci, to adopt the Resolution.

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 ⁴			1

⁴ Commissioner Roberts has a conflict, and therefore, did not participate in the discussion or the vote related to this matter.

Adopt the Resolutions of Censure in connection with D01-24, D04-24 and D06-24. Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the Resolutions.

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

Adopt the Resolutions of Removal in connection with D02-24, D03-24 and D05-24. Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the Resolutions.

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

IX. Minutes

The Commission did not have the statutorily required number of Commissioners to make the minutes from the meeting on December 17, 2024, public, and therefore, the December 17, 2024, minutes were not adopted.

X. Second Public Comment

There were not any members of the public present.

XI. Adjournment

At 11:21 a.m., a motion was made by Dennis Roberts, and seconded by Mark Finkelstein, 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