

STATE OF NEW JERSEY
STATE ETHICS COMMISSION
Post Office Box 082
Trenton, New Jersey 08625-0082
(609) 292-1892

STATE OF NEW JERSEY
STATE ETHICS COMMISSION
COMMISSION CASE NO. 30-19

**IN THE MATTER OF
ANDREW YOSHA,
VICE PRESIDENT OF PROGRAM
OPERATIONS AND STRATEGIC
PLANNING,
SCHOOLS DEVELOPMENT
AUTHORITY**

**Administrative Action
CONSENT ORDER**

WHEREAS, the State Ethics Commission (Commission) is authorized to initiate, receive, investigate, review and hear complaints regarding violations of the New Jersey Conflicts of Interest Law, *N.J.S.A. 52:13D-12 et seq.* (Conflicts Law), applicable rules of the Commission, *N.J.A.C. 19:61-1.1 et seq.*, the Uniform Ethics Code, and any agency code of ethics by any State officer or employee or special State officer or employee; and

WHEREAS, the Commission became aware of circumstances constituting a potential violation of the Conflicts Law by Andrew Yosha (Yosha); and

WHEREAS, the Commission conducted an investigation of all the matters and issues concerning the potential violation; and

WHEREAS, as a result of the investigation, the Commission and Yosha desire to enter into a final and complete resolution of all of the matters and issues raised thereby;

IT IS THEREFORE agreed by the parties as follows:

1. Yosha has been employed within the Schools Development Authority (SDA) since July of 2001. He held the title of Chief Operating Officer (COO) from August of 2018 until July of 2019. He then held the title of Vice President of Program Operations and Strategic Planning. At all times relevant to this matter, Yosha was a State employee subject to the Conflicts Law.

2. Colleen Connolly (Connolly) previously worked at the SDA from 2009 until 2011. Connolly was then re-hired by the SDA on January 7, 2019 as Managing Director of Program Development.

3. Yosha and Connolly have a personal friendship which began during Connolly's initial employment with the SDA and was maintained throughout the time that Connolly was no longer employed at the SDA. Yosha and Connolly are not relatives, are not cohabitants and are not dating one another.

4. Despite this personal friendship, Yosha became involved in the hiring process for Connolly to become the Managing Director of Program Development position with then SDA Chief Executive Officer Lizette Delgado-Polanco (Delgado-Polanco).

5. After Connolly was hired, and while Yosha was COO, he was her direct supervisor and would occasionally give her duties. During this time, he was not involved in any of her Performance Assessment Reviews. He also submitted annual certifications made in accordance with section 21.2 of the Conflicts Law, as well as *N.J.A.C. 19:61-5.7*, which certified that did not supervise or have any personnel authority over a relative, someone he lived with, or someone he was dating.

6. It is the Commission's position that Yosha violated section 23(e)(7) of the Conflicts Law, as well as the recusal rule, *N.J.A.C. 19:61-7.4 et seq.*, through his involvement in the hiring and direct supervision of Connolly.

7. It is Yosha's position that his sole involvement in the hiring process was informing Delgado-Polanco that Connolly was available for re-employment by the SDA. Since he believes his involvement in the hiring and direct supervision of Connolly was minimal, and since he and Connolly are not related, are not cohabitants, and are not dating, he thought at the time that he was adhering to ethics requirements and did not understand that he should have recused from the matters.

8. In hindsight, however, Yosha acknowledges that his involvement in the hiring and direct supervision of Connolly may have created the reasonable impression of conduct in violation of section 23(e)(7) of the Conflicts Law, and that he should have recused from matters concerning Connolly pursuant to *N.J.A.C. 19:61-7.4 et seq.* due to his friendship with her.

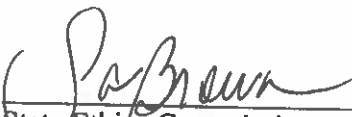
9. In consideration of the above, Yosha agrees to pay a civil penalty in the amount of \$500 to resolve this matter.

10. The parties agree to enter into this Consent Order in settlement of all matters and issues that are involved herein.




Andrew Yosha

Dated: May 23, 2022



State Ethics Commission
By: Stephanie A. Brown, Chair

Dated: June 21, 2022



State Ethics Commission
By: Mark T. Holmes, Executive Director

Dated: 6/14/2022