

SCHOOL ETHICS COMMISSION MEETING PUBLIC SESSION MINUTES

MARCH 25, 2014

Robert Bender called the meeting to order at 9:46.

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 Randy Beverly, Mark Finkelstein, Dennis Roberts and Chairperson Robert Bender. Commission member Ellen Polaner attended via telephone.

Interim Executive Director Joanne Restivo, Administrative Assistant Karin Molnar, Legal Assistant Jill Kail and Deputy Attorney General Chris Huber were also in attendance.

9:48 a.m. Motion was made by Mark Finkelstein and seconded by Randy Beverly 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: C53-13, C54-13, C21-13, C26-13, C36-13, C46-13, C03-12, A08-14, A09-14, A10-14, A11-14, A12-14, A13-14, A14-14, A15-14, A16-14, C13-13, C38-13, C48-13 and C55-13. Vote: 5 – Yes 0 – No

12:57 p.m. Return to Public Session.

Minutes Motion was made by Randy Beverly and seconded by Dennis Roberts to approve the Minutes of the March 6, 2014 Commission meeting with edits. Vote: 5 – Yes 0 – No

Complaints

C53-13 Motion was made by Dennis Roberts and seconded by Randy Beverly to find probable cause to credit the allegation that the respondent may have violated N.J.S.A. 18A:12-24(c) as to Count 2, dismiss Count 1 for lack of jurisdiction, dismiss the remaining allegations in Count 2 as no probable cause was found and decide that matter on a summary basis. Vote: 5 – Yes 0 - No

C54-13 Motion was made by Mark Finkelstein and seconded by Ellen Polaner to accept the withdrawal request of complainant. Vote: 5 – Yes 0 - No

C21-13 Motion was made by Dennis Roberts and seconded by Ellen Polaner to adopt the decision with edits. Vote: 5 – Yes 0 – No

C26-13 Motion was made by Dennis Roberts and seconded by Mark Finkelstein to adopt the decision as written. Vote: 5 – Yes 0 – No

C36-13 Motion was made by Mark Finkelstein and seconded by Randy Beverly to adopt the decision with edits. Vote: 5 – Yes 0 - No

C46-13 Motion was made by Ellen Polaner and seconded by Dennis Roberts to adopt the decision with edits. Vote: 5 – Yes 0 - No

C03-12 Motion was made by Mark Finkelstein and seconded by Randy Beverly to table the matter. Vote: 5 – Yes 0 - No

Advisory Opinions

A08-14 Motion was made by Dennis Roberts and seconded by Randy Beverly to advise as discussed. Vote: 5 – Yes 0 – No

A09-14 Motion was made by Mark Finkelstein and seconded by Ellen Polaner to advise as discussed. Vote: 5 – Yes 0 – No

A10-14 Motion was made by Dennis Roberts and seconded by Mark Finkelstein to advise as discussed. Vote: 5 – Yes 0 – No

A11-14 Motion was made by Dennis Roberts and seconded by Randy Beverly to advise as discussed. Vote: 5 – Yes 0 – No

A-12-14 Motion was made by Mark Finkelstein and seconded by Randy Beverly to advise as discussed. Vote: 5 – Yes 0 – No

A13-14 Motion was made by Dennis Roberts and seconded by Randy Beverly to advise as discussed. Vote: 5 – Yes 0 – No

A14-14 Motion was made by Mark Finkelstein and seconded by Randy Beverly to advise as discussed. Vote: 4 – Yes 1 – No (Ellen Polaner voted in the negative.)

A15-14 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein to advise as discussed. Vote: 5 – Yes 0 – No

A16-14 Motion was made by Mark Finkelstein and seconded by Randy Beverly to decline to advise. Vote: 5 – Yes 0 – No

Other Business

C13-13 This matter was on the agenda for informational purposes only.

A Rutgers University student was in attendance for the public portion of this meeting. He was greeted by Chairperson Bender. The student informed the Commission that he was tasked with a school project to study a Commission of his choosing and he chose the School Ethics Commission. The student was given the opportunity to ask questions. The Commission answered all questioned proffered.

1:06 p.m. Motion was made by Randy Beverly and seconded by Mark Finkelstein to adjourn. Vote: 5 – Yes 0 – No

1:06 p.m. Ellen Polaner departed.

1:07 p.m. Motion was made by Dennis Roberts and seconded by Randy Beverly to re-open the meeting and return to Public Session. Vote: 4 – Yes 0 - No

C38-13, C48-13 and C55-13 Motion was made by Dennis Roberts and seconded by Randy Beverly to accept the withdrawal of these matters as they were settled between the parties. Vote: 4 – Yes 0 - No

1:08 p.m. Motion was made by Randy Beverly and seconded by Mark Finkelstien to adjourn. Vote: 4 – Yes 0 - No

Submitted by:

Karin L. Molnar

Approved by:

Joanne M. Restivo, Interim Executive Director