

***Before the School Ethics Commission
OAL Docket No.: EEC-06640-22
Agency Docket No. 15-12/23A
SEC Docket No.: C87-21
Resolution of Censure***

***In the Matter of Kerry Anne Mastrofilipo,
Lodi Board of Education, Bergen County***

Whereas, the above-captioned matter arises from a Complaint that was filed with the School Ethics Commission (Commission) on November 29, 2021, by Nancy Cardone (Complainant) alleging that Kerry Anne Mastrofilipo (Respondent) violated multiple provisions of the School Ethics Act (Act); and

Whereas, at its meeting on July 26, 2022, the Commission adopted a decision finding probable cause for the alleged violation of *N.J.S.A. 18A:12-24(b)* and *N.J.S.A. 18A:12-24(c)* in Count 1 of the Complaint, and transmitting the above-captioned matter to the Office of Administrative Law (OAL) for a plenary hearing; and

Whereas, the Administrative Law Judge (ALJ) issued an Initial Decision dated August 16, 2023, concluding that Respondent did not violate *N.J.S.A. 18A:12-24(b)* and/or *N.J.S.A. 18A:12-24(c)*, and dismissing the matter; and

Whereas, Petitioner filed exceptions to the Initial Decision, and Respondent filed a reply thereto; and

Whereas, at its meeting on November 28, 2023, and after thoroughly reviewing and considering the full record, the Commission voted to adopt the ALJ's findings of fact, reject the ALJ's legal conclusions, find that that Respondent violated *N.J.S.A. 18A:12-24(b)* and *N.J.S.A. 18A:12-24(c)*, and recommend a penalty of censure; and

Whereas, pursuant to *N.J.S.A. 18A:12-29(c)*, the Commission's decision was forwarded to the Commissioner of Education for final determination on the recommended penalty; and

Whereas, Respondent filed an appeal with the Commissioner of Education of the Commission's finding of a violation of the Act; and

Whereas, the Commissioner of Education issued a final decision on April 22, 2024, concurring with the Commission's determination that Respondent violated the Act and the recommended penalty of censure; and

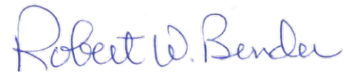
Whereas, *N.J.A.C. 6A:28-9.11(d)* provides that for a penalty of censure, suspension or removal, a Resolution shall be adopted at the Commission's next meeting following the

Commissioner's imposition of the sanction, and the Resolution shall be read at the Board's next public meeting following adoption by the Commission, shall be posted in such places as the Board posts its public notices for no less than thirty (30) days, shall be published online on the District's website, if available, for no less than thirty (30) days, and the reading of the resolution shall be memorialized in the Board's meeting minutes, and once approved, a copy of the minutes shall be forwarded to the Commission; and

Now Therefore Be It Resolved, that the Commission adopts this Resolution stating that Respondent is hereby **CENSURED** as a penalty for having violated the Act as set forth herein; and

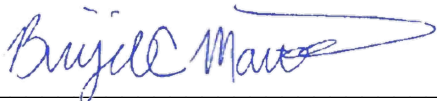
Be It Further Resolved, that the Board is ordered to read this Resolution at its next regularly scheduled public meeting, to post it in such places as the Board posts its public notices for a period of no less than thirty (30) days, and to publish it online on the District's website, if available, for no less than thirty (30) days; and

Be It Further Resolved, that the Board shall provide the Commission with the minutes, once adopted, from the meeting at which it reads the within Resolution.



Robert W. Bender, Chairperson
School Ethics Commission

I hereby certify that the above Resolution was adopted by the School Ethics Commission at its meeting on April 30, 2024.



Brigid C. Martens, Director
School Ethics Commission