

***Before the School Ethics Commission***  
***Docket No.: C56-22***  
***Decision on Motion to Dismiss***

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**Sarah Aziz,**  
***Complainant***

v.

**Adi Nikitinsky, Kenneth Chiarella, Christine Skurbe, and Karen Bierman,**  
**Monroe Township Board of Education, Middlesex County,**  
***Respondents***

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**I. Procedural History**

The above-captioned matter arises from a Complaint that was filed on May 10, 2022, by Sarah Aziz (Complainant), alleging that Adi Nikitinsky (Respondent Nikitinsky), Kenneth Chiarella (Respondent Chiarella), Christine Skurbe (Respondent Skurbe), and Karen Bierman (Respondent Bierman) (collectively referred to as Respondents), members of the Monroe Township Board of Education (Board), violated the School Ethics Act (Act), *N.J.S.A.* 18A:12-21 *et seq.* By correspondence dated May 12, 2022, Complainant was notified that the Complaint was deficient, and required amendment before the School Ethics Commission (Commission) could accept her filing. Later that day, Complainant cured all defects and filed an Amended Complaint (Complaint) that was deemed compliant with the requirements detailed in *N.J.A.C.* 6A:28-6.3. The Complaint avers that Respondents violated *N.J.S.A.* 18A:12-24.1(b) and *N.J.S.A.* 18A:12-24.1(e) of the Code of Ethics for School Board Members (Code).

On May 13, 2022, the Complaint was served on Respondents via electronic mail, notifying them that ethics charges had been filed against them with the Commission, and advising that they had twenty (20) days to file a responsive pleading.<sup>1</sup> On June 13, 2022, Respondents filed a Motion to Dismiss in Lieu of Answer (Motion to Dismiss), and Complainant filed a response to the Motion to Dismiss on July 18, 2022.

The parties were notified by correspondence dated September 6, 2022, that the above-captioned matter would be discussed by the Commission at a special meeting on September 14, 2022, in order to make a determination regarding the Motion to Dismiss. Following its discussion on September 14, 2022, the Commission adopted a decision at a special meeting on October 17, 2022, granting the Motion to Dismiss in its entirety because Complainant failed to

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<sup>1</sup> In order to conduct business during the Coronavirus (COVID-19) pandemic, the Commission implemented an electronic filing system, which remains a permissible method by which the Commission and parties can effectuate service of process. Consequently, service of process was effectuated by the Commission through electronic transmission only.

plead sufficient credible facts to support a finding that Respondents violated *N.J.S.A.* 18A:12-24.1(b) and/or *N.J.S.A.* 18A:12-24.1(e).

## **II. Summary of the Pleadings**

### **A. *The Complaint***

Complainant contends that, between May 7, 2022, and May 9, 2022, Respondents “launched a false and defamatory attack against [her] on Facebook to retaliate against [her] for filing ethics complaints against them,” and for “questioning the professional credentials and academic background of [Respondent] Skurbe’s personal friend, Acting Superintendent Chari Chanley.” In their “attack” of Complainant, Respondents “cited the work of a hate group to promote racist and Islamophobic tropes that create division in our diverse community and put Muslim families at risk.” Moreover, in some, but not all cases, Respondents have failed to use “the complete legal disclaimer required” of Board members.

More specifically, after Complainant posted “evidence” on social media indicating that Ms. Chanley “had abused the tuition reimbursement policy” on April 23, and April 24, 2022, after uploading a file “The Case Against Chari Chanley,” detailing “several misrepresentations” made by Ms. Chanley regarding her doctoral degree on May 3, 2022, and after giving a speech “exposing” Ms. Chanley’s “abuse of the tuition policy,” Respondent Nikitinsky “launched an Islamophobic attack” against Complainant on Facebook beginning on May 7, 2022, falsely claiming that she was “involved in an organization that ‘inspires terrorism,’” and posted several articles about the Council on American Islamic Relations (CAIR) “claiming this organization was an anti-Semitic organization that promoted violence.” The named Respondents “all implied that [Complainant] was an anti-Semite who ... launched a campaign against Ms. Chanley because Ms. Chanley is Jewish,” and Respondent Chiarella claimed Complainant filed an ethics complaint against him because his father was an “Italian Jew.” However, Respondents “have not produced evidence that” Complainant was aware of “their Jewish identity,” and have not produced “any evidence that [she has] ever done anything that could be described as anti-Semitic.” In addition, Respondent Nikitinsky posted a link from the “Middle East Forum website, Meforum.org, also known as MEF,” and falsely described Complainant as an “Islamist,” and listed Complainant’s political contributions (to which Respondent Nikitinsky commented, “This is even more interesting...now I know why she keeps attacking me and certain people is it because I’m Jewish?”). Per Complainant, MEF “is a right-wing anti-Islam think tank that spreads misinformation, creates ‘watchlists’ targeting academics, and advocates hawkish foreign policy,” whereas CAIR has “amicable relationships with their state and local officials.”

Complainant continues, Respondent Nikitinsky “has engaged in promoting racist tropes on social media,” and has launched “personal Islamophobic attacks” against her because she filed ethics complaints against him; Respondent Chiarella “participated in this attack to retaliate against [her] for” also filing an ethics complaint against him and, by doing so, “is targeting the Muslim community by smearing their largest civil liberties organization as a front for terrorists”; Respondent Bierman claimed that “anyone associated” with CAIR, which alluded to Complainant, “lean[s] toward[] intolerance”; and Respondent Skurbe, in retaliation for

“exposing” Ms. Chanley’s dishonesty, “posted a quote from a propaganda hit piece against CAIR, implying that [Complainant] attacked Ms. Chanley because of some ‘deep seeded [sic]’ hate against Jewish people when she failed to present evidence that [Complainant] even knew Ms. Chanley was Jewish.” Given Complainant’s “lengthy public record condemning anti-Semitism,” Complainant submits “it was shocking to have [B]oard members publicly accuse [her] of anti-Semitism by citing the work of a recognized hate group.”

Per Complainant, Respondents’ actions are “an attempt ... to smear [her], divide our community, and create culture wars”; Respondents’ “reckless and inflammatory statements” put her children and Muslim families at risk; Respondents are “trying to incite hatred and violence against” Complainant, which also impacts her family; Respondents are “creating an atmosphere in which anti-Muslim rhetoric is acceptable,” thus “making Muslims fearful of joining their own civil rights organizations”; and are promoting “a narrative that Muslim people and the civil rights organization that represent them are inferior.”

With the above in mind, Complainant argues Respondents violated *N.J.S.A.* 18A:12-24.1(b) because “[b]y publicly citing the work of anti-Muslim hate group[s], [Respondents] cannot be entrusted to make decisions for the educational welfare of its students of the Muslim faith”; and violated *N.J.S.A.* 18A:12-24.1(e) because by “failing to use the complete legal disclaimer, [Respondents] have compromised the [B]oard by giving the impression that the [B]oard sanctions and legitimizes the work of a hate group.”

## **B. *Motion to Dismiss***

In their Motion to Dismiss, Respondents submit that Complainant is “a disgruntled, unsuccessful candidate for the [Board], who has been engaging in a concerted campaign, with her political allies in town, to undermine the current Board majority, to cast its members in a negative light, and to influence the selection of the [D]istrict’s next superintendent.” Respondents submit that Complainant has posted “numerous inflammatory and untrue statements on social media explicitly accusing [R]espondents and the Acting Superintendent of corruption,” and has filed “numerous ethics complaints with the Commission.”

Per Respondents, the Facebook posts referenced in the Complaint arose after it was discovered that Complainant was “the former media relations director” for CAIR, an organization with “some” leadership observed to have had early connections with Hamas.

Respondents argue, “In response to [Complainant’s] unfounded accusations against [R]espondent Nikitinsky and Ms. Chanley, both of whom are Jewish, [R]espondents posted, shared or otherwise endorsed messages calling [Complainant’s] motives into question.” Importantly, “none of the posts attacked ... [C]omplainant for her religious beliefs or affiliation, or stated or implied anything negative about Muslims.” In addition, all of the messages were posted on a private Facebook page, and some of the referenced posts do not even mention Complainant. To the extent the posts do mention or reference Complainant, they “merely raise questions about the implications of her having served as official spokesperson for an organization regarded by many as anti-[S]emitic.”

As for the alleged violation of *N.J.S.A.* 18A:12-24.1(b), Respondents contend Complainant has not presented any evidence that Respondents “made personal promises or took action beyond the scope” of their duties that had the potential to compromise the Board. Similar to [\*Schwartz v. Abedrabbo and Awwad, Clifton Board of Education, Passaic County, Docket No. C40-21\*](#), it “was not [R]espondents’ intention to give offense here, but solely to express concern about the possible motivation for vicious attacks on a Jewish Board member and a Jewish Acting Superintendent by a former official spokesperson for CAIR, which is considered to be anti-[S]emitic by a number of reputable Jewish organizations.” Respondents maintain that, even if their posts and comments on social media “happened to offend [Complainant] or others, it is legally immaterial because [R]espondents were within their rights to make them.” If members of the public disagree with Respondents’ viewpoint, “their recourse is in the voting booth.”

Regarding the purported violation of *N.J.S.A.* 18A:12-24.1(e), Respondents argue, “Many of the posts in question did have disclaimers making clear [R]espondents [were] not speaking on behalf of the Board. To the extent that some didn’t, there was no violation of the [Act].” Respondents argue that they “stated or implied nothing that would suggest to a reasonable reader they were speaking for the Board. Nor did they use terms like ‘we’ or ‘our’ that would have given rise to an inference they were doing so.” Respondents further argue that, similar to [\*Giacomini v. Chiarella, Monroe Township Board of Education, Middlesex County, Docket No. C44-20\*](#), “[e]ven if Respondent’s posts on social media were made in his capacity as a Board member, and even if his posts are appropriately characterized as ‘unacceptable,’ the Commission determines that his posts do not constitute a ‘personal promise,’ or formal ‘action’ related to the Board and/or the business of the Board.” In this case, Respondents maintain they were “reacting to what they felt were unfair, personalized attacks against a Jewish Board member and a Jewish Acting Superintendent, and as Board members, they were entitled to express their concerns.”

According to Respondents, Complainant “asserts that the Facebook posts in question are defamatory because neither she nor CAIR are anti-[S]emitic, and she has been cast in an unfavorable light in the public eye.” However, Respondents note the Commission does not have jurisdiction “to adjudicate claims of defamation,” and their posts were in “direct response to [Complainant’s] personalized attacks,” and they were “legally permitted to question her motives in a court of public opinion where [Complainant] has attempted to place them all on trial.”

Finally, Respondents assert, “[i]t is a fact that [C]omplainant “was an official spokesperson for a group regarded as anti-[S]emitic”; “has been relentlessly attacking [R]espondents, particularly [Respondent] Nikitinsky, and the Acting Superintendent”; and that “none of [R]espondents’ comments attacked [Complainant] for her own religious beliefs or practices, or criticized the Muslim religion or Muslims in general.” Respondents further assert “any questions or insinuations were based solely on her role as an official spokesperson and advocate for” CAIR. Respondents submit that Complainant’s potentially anti-Semitic views are not at issue here; rather, it is whether Respondent Nikitinsky “violated the Act by questioning whether [Complainant’s] official involvement as CAIR’s spokesperson may have had a bearing on her repeated ad hominem attacks against him and the Acting Superintendent, and whether his co-[R]espondents violated the Act by echoing those concerns.” Respondents “urge the Commission to decide the narrow issue before it, and to refrain from stating its own views on the tastefulness of [R]espondents’ comments.” Although the First Amendment “does not entitle

[B]oard members to disclose confidential information, to state or imply they speak for the [B]oard when they don't, or to make commitments on the [B]oard's behalf without due authority," the "tastefulness or offensiveness of [B]oard members' public comments is for the public to decide," not the Commission. According to Respondents, "By including well-intentioned but gratuitous comments about [B]oard members' conduct when there is no violation of the Act before it, the Commission becomes a player in the political process itself, and undermines the principle it espoused" in [\*Karpiak v. Farruggia, Hopatcong Board of Education, Sussex County, Docket No. C57-14.\*](#)

### **C. *Response to Motion to Dismiss***

In response to the Motion to Dismiss, Complainant argues she is "not seeking relief based on a defamation claim," but rather Complainant asks the Commission "to focus on the specific [C]ode violation enumerated in this Complaint." According to Complainant, Respondent Nikitinsky inaccurately categorizes Complainant's "investigation" into Ms. Chanley's "misrepresentation of her credentials" as a "personal attack" on Ms. Chanley. Furthermore, Complainant argues Respondent Nikitinsky has failed to prove that "CAIR-CT has ever been accused of anti-Semitism," and that Complainant "was previously aware of his and Chari Chanley's Jewish identity." As to her stated affiliation with CAIR, Complainant notes she was never a "'spokesperson' for an organization that has been accused of anti-Semitism": and she was "associated with CAIR-CT over 15 years ago, and [is] not and [has] not ever been a member of any CAIR organization other than CAIR-CT." Complainant asserts that Respondent Nikitinsky "politically aligns himself with some local Republicans that have a reputation of bigotry, only invoked his and Ms. Chanley's Jewish identity to launch a racist and Islamophobic attack on [Complainant] to deflect attention from allegations regarding his and Ms. Chanley's unethical actions-actions that have prompted multiple [Department] investigations."

Complainant submits that on May 11, 2022, a member of the public, Brian Fabiano, "confronted the Board about [their] racist and Islamophobic attack on [Complainant]." In response to Mr. Fabiano's statement, Respondent Skurbe "misrepresented the events that transpired" between May 8, 2022, and May 9, 2022, and did so "in her official capacity as Board President" and while "legitimiz[ing] the use of this hate group to attack a private citizen." Moreover, Respondent Skurbe spoke for the Board members in question while acting in her capacity as Board President and, therefore, it is "reasonable to assume that any unethical behavior that [Respondent] Skurbe engages in online, that is visible to an audience, reflects her conduct as Board President." Complainant argues that contrary to Respondent Skurbe's argument that "no family was identified or attacked," her (Complainant's) "name is clearly identified and circled in the screenshots" that Respondent Nikitinsky posted. Complainant asserts at the May 11, 2022, Board meeting, Respondent Skurbe "proffers this information regarding the Board members' Facebook activity, and claims that it is fact," and also references "our" and "we" when defending the posts, which shows "not only is she speaking for the Board members, but that the activities they engaged in on Facebook were directly related to their actions and roles as Board members."<sup>2</sup>

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<sup>2</sup> In her response to Respondents' Motion to Dismiss, Complainant cites to events that occurred on May 11, 2022; however, because the Complaint specifically avers that the "date of occurrence" for

Finally, Complainant argues that Respondents “weaponize Islamophobia and endanger the welfare of their Muslim students” when they “shar[ed] false information from a hate group on social media and present[ed] this information as ‘fact’”; “have personal and business relationships with Ms. Chanley, have smeared [Complainant] as an ‘anti-Semitic’, for exposing independently verifiable facts about Ms. Chanley”; have “targeted [Complainant] because of [her] ethnic and religious affiliation”; and Respondent’s “racialized limitations of free speech and civic involvement when accusing [Complainant] of anti-Semitism inhibit the Democratic process, therefore endangering the welfare of all children.”

**D. *Public Comments Offered at the Commission’s Special Meeting on September 14, 2022***

At the Commission’s special meeting on September 14, 2022, members of the public appeared by telephone and offered public comment regarding the above-captioned matter. More detailed information regarding the substance of those public comments can be found in the [minutes](#) from the Commission’s meeting on September 14, 2022.

**III. Analysis**

**A. *Standard for Motion to Dismiss***

In determining whether to grant a Motion to Dismiss, the Commission shall review the facts in the light most favorable to the non-moving party (Complainant), and determine whether the allegation(s), if true, could establish a violation(s) of the Act. Unless the parties are otherwise notified, a Motion to Dismiss and any response is reviewed by the Commission on a summary basis. *N.J.A.C. 6A:28-8.1 et seq.* Thus, the question before the Commission is whether Complainant has pled sufficient facts which, if true, could support a finding that Respondents violated *N.J.S.A. 18A:12-24.1(b)* or *N.J.S.A. 18A:12-24.1(e)*. The Commission notes that, despite the offering of public comment at its special meeting on September 14, 2022, the Commission’s review of this matter was limited solely to the parties’ written submissions.

**B. *Jurisdiction of the Commission***

In reviewing the filings in this matter, the Commission notes that its authority is limited to enforcing the Act, *N.J.S.A. 18A:12-21 et seq.*, a set of minimum ethical standards by which all school officials must abide. In this regard, the Commission has jurisdiction only over matters arising under the Act, and it may not receive, hear, or consider any matter that does not arise under the Act, *N.J.A.C. 6A:28-1.4(a)*.

With the jurisdiction of the Commission in mind, to the extent that Complainant seeks a determination from the Commission that Respondents, either individually or collectively, made comments or statements that may have constituted defamation (slander or libel), the Commission

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Respondents’ violations of the Code occurred between May 7, 2022, and May 9, 2022, the Commission will not determine whether any action which occurred on May 11, 2022, may have violated the Code.

advises that such determinations fall beyond the scope, authority, and jurisdiction of the Commission. Although Complainant may be able to pursue a cause of action(s) in the appropriate tribunal, the Commission is not the appropriate entity to adjudicate those issues. Consequently, those claims are *dismissed*.

### C. *Alleged Violations of the Act*

Complainant submits that, based on the conduct more fully detailed above, Respondents violated *N.J.S.A.* 18A:12-24.1(b) and *N.J.S.A.* 18A:12-24.1(e), and these provisions of the Code provide:

b. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools that meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.

e. I will recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board.

Pursuant to *N.J.A.C.* 6A:28-6.4(a), violations of *N.J.S.A.* 18A:12-24.1(b) and *N.J.S.A.* 18A:12-24.1(e) need to be supported by certain factual evidence, more specifically:

2. Factual evidence of a violation of *N.J.S.A.* 18A:12-24.1(b) shall include evidence that Respondents willfully made a decision contrary to the educational welfare of children, or evidence that Respondents took deliberate action to obstruct the programs and policies designed to meet the individual needs of all children, regardless of their ability, race, color, creed or social standing.

5. Factual evidence of a violation of *N.J.S.A.* 18A:12-24.1(e) shall include evidence that Respondents made personal promises or took action beyond the scope of their duties such that, by its nature, had the potential to compromise the board.

Before more fully addressing the merits of the Complaint, and in an effort to provide clarity to Complainant, to other members of the public, and to school officials throughout the State, the Commission would like to explain the circumstances under which a school official may violate the Act when utilizing social media, which includes social media platforms (e.g., Facebook), online magazines or newspapers, blogs, or any other electronic or online medium for communication. Although social media activity by a school official can be regarded as action ([\*I/M/O Treston, Randolph Township Board of Education, Morris County, Docket No. C71-18\*](#) and [\*Kwapniewski v. Curioni, Lodi Board of Education, Bergen County, Docket No. C70-17\*](#)), it is only when certain competent and credible factual evidence is proffered therewith that a violation can be substantiated.



As a general matter, a school official does not violate the Act merely because he/she engages in social media activity. Instead, the Commission’s analysis is guided by whether a reasonable member of the public could perceive that the school official is speaking in his or her official capacity or pursuant to his or her official duties. Whether a school official is perceived as speaking in his or her official capacity and pursuant to his or her official duties turns, in large part, on the content of the speech. If the speech in question has absolutely no correlation or relationship to the business of the Board and/or its operations and, therefore, could not possibly be regarded as a statement or position on behalf of the Board (as a body), a school official will not violate the Act. Conversely, if the speech in question *does* relate to the business of the Board and/or its operations, it is then reasonable for the reader to perceive the speech as being offered in an official capacity and pursuant to his or her official duties. Nonetheless, the filing party would still need to prove *all* elements of the cited provision of the Act; for example, if a filing party alleges a violation of *N.J.S.A. 18A:12-24(b)*, which admittedly is not an issue here, the filing would need to demonstrate that the school official(s) used his/her position as a school official to secure an unwarranted privilege, advantage, or employment for him/herself, a member of his/her immediate family, or an “other.” Similarly, if a filing party alleges a violation of *N.J.S.A. 18A:12-24.1(e)*, he/she would need to prove that the action was beyond the scope of his/her duties and had the potential to compromise the Board, ostensibly because it was made without authorization from the body itself, and an individual Board member is not authorized to speak on behalf of the body.

Moreover, the use of a disclaimer on social media can help to clarify whether an individual is speaking in his or her official capacity and pursuant to his or her official duties; however, the presence of a disclaimer is not dispositive. In previous advisory opinions and decisions, the Commission has stated that disclaimers such as, “this endorsement is [Board Member’s Name] personal one, and not as a member of the [Township] Board of Education, nor is the endorsement on behalf of the entire Board,” or “***THE FOLLOWING STATEMENTS ARE MADE IN MY CAPACITY AS A PRIVATE CITIZEN, AND NOT IN MY CAPACITY AS A BOARD MEMBER. THESE STATEMENTS ARE ALSO NOT REPRESENTATIVE OF THE BOARD OR ITS INDIVIDUAL MEMBERS, AND SOLELY REPRESENT MY OWN PERSONAL OPINIONS***” would be appropriate. [Advisory Opinion A36-14 \(October 29, 2014\)](#); *I/M/O Treston* at 8. The failure of a school official to parrot the exact language recommended by the Commission will not mean, without more, that he or she did not use an appropriate disclaimer. In addition, if a school official utilizes an appropriate disclaimer, but the content or substance of the statements would still lead a reasonable member of the public to believe that the school official is speaking in his or her official capacity or pursuant to his or her official duties, then the disclaimer will be inadequate and of no force or effect, and the social media activity could violate the Act. *See I/M/O Treston*.

With the above in mind, the Commission finds that even if the facts as specifically delineated in the Complaint are proven true by sufficient credible evidence, they would not support a finding that Respondents violated *N.J.S.A. 18A:12-24.1(b)* and/or *N.J.S.A. 18A:12-24.1(e)*. In this regard, none of Respondents’ social media activity constitutes a “decision” contrary to the educational welfare of children, or “deliberate action” related to the Monroe Township School District’s programs or policies (*N.J.S.A. 18A:12-24.1(b)*), and/or a “personal promise” or “action” beyond the scope of their duties such that, by its nature, had the potential to



compromise the Board (*N.J.S.A.* 18A:12-24.1(e)). In this case, Respondents' social media activity concerned their stated belief/opinion, right or wrong, as to why Complainant may have filed ethics charges against them (both individually and collectively) in other matters before the Commission. The impetus or motivation for one's filing of an ethics complaint against a member of the Board is not related to the business of the Board. To the extent that Complainant believes Respondents' social media activity contained defamatory accusations, she is free to pursue appropriate recourse; however, her recourse is not with the Commission. Moreover, the fact that a member of the public may have voluntarily raised concerns and asked questions about Respondents' social media activity at a public Board meeting does not, despite Complainant's suggestion, transform their action to "official" Board action.

Finally, Complainant's argument that, because of their comments/statements on social media, Respondents "cannot be entrusted to make decisions for the educational welfare of its students of the Muslim faith" is far too conjectural; Complainant cannot possibly know how any of the named Respondents would act on a matter that has yet to be submitted for their consideration.

As the Commission has stated time and time again, disagreement with how a school official conducts him/herself outside the scope of his/her duties as a school official is best addressed at the time of election. It is the public, not the Commission, who ultimately decides which individual in their community is best suited to serve their students.

#### **IV. Decision**

Based on the foregoing, and in reviewing the facts in the light most favorable to the non-moving party (Complainant), the Commission voted to *grant* the Motion to Dismiss in its entirety because Complainant failed to plead sufficient credible facts to support a finding that Respondents violated *N.J.S.A.* 18A:12-24.1(b) and/or *N.J.S.A.* 18A:12-24.1(e).

Pursuant to *N.J.S.A.* 18A:12-29(b), the Commission hereby notifies Complainant and Respondents that, for the reasons set forth above, this matter is dismissed. This decision is a final decision of an administrative agency and, therefore, it is appealable only to the Superior Court-Appellate Division. *See, New Jersey Court Rule 2:2-3(a).*

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Robert W. Bender, Chairperson

Mailing Date: October 17, 2022

***Resolution Adopting Decision  
in Connection with C56-22***

***Whereas***, at a special meeting on September 14, 2022, the School Ethics Commission (Commission) considered the Complaint, the Motion to Dismiss in Lieu of Answer (Motion to Dismiss), and the response to the Motion to Dismiss submitted in connection with the above-referenced matter; and

***Whereas***, at a special meeting on September 14, 2022, the Commission discussed granting the Motion to Dismiss in its entirety for failure to plead sufficient credible facts to support the allegations that Respondents violated *N.J.S.A.* 18A:12-24.1(b) and/or *N.J.S.A.* 18A:12-24.1(e); and

***Whereas***, at a special meeting on October 17, 2022, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its special meeting on September 14, 2022; and

***Now Therefore Be It Resolved***, that the Commission hereby adopts the decision and directs its staff to notify all parties to this action of its decision herein.

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Robert W. Bender, Chairperson

I hereby certify that the Resolution was duly adopted by the School Ethics Commission at a special meeting on October 17, 2022.

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Kathryn A. Whalen, Esq.  
Director, School Ethics Commission