

19-26

OAL Dkt. Nos. EEC-06605-22 and EEC-07465-22 (consolidated)

SEC Dkt. Nos. C54-22, C43-22, C44-22, and C62-22

Agency Dkt. No. 11-8/25A

New Jersey Commissioner of Education

Final Decision

Thomas Baldosaro,

Complainant,

v.

Julie Kozempel, Washington Township Board of Education, Gloucester County,

Respondent,

and

Virginia Murphy,

Complainant,

v.

Julie Kozempel, Washington Township Board of Education, Gloucester County,

Respondent.

This matter involves complainants' appeal of the School Ethics Commission's July 22, 2025, determination that respondent did not violate *N.J.S.A. 18A:12-24.1(e)* or *N.J.S.A. 18A:12-24.1(f)* with respect to Counts 1, 2 and 3 of the Complaint and/or *N.J.S.A. 18A:12-24.1(e)* with

respect to Count 6 of the Complaint.¹ Having carefully reviewed the Commission's decision and the record in its entirety, the Commissioner finds that the Commission's decision is supported by sufficient, credible evidence and that complainants failed to establish that the decision is arbitrary, capricious or contrary to law. *N.J.A.C. 6A:4-4.1(a)*. Additionally, the Commissioner finds that a penalty of reprimand is appropriate for the violations not challenged on appeal.²

Initially, complainants assert that the Commission should have determined that respondent violated *N.J.S.A. 18A:12-24.1(e)* and (f) in connection with Counts 1, 2 and the 3 of the Complaint as they relate to an email sent from respondent's personal email account to a member of the public in which she expressed support for a Board superintendent candidate.³ The Commission agreed with the Administrative Law Judge (ALJ) that respondent's expression of support for a candidate as a private citizen is not a violation of the Code. The Commission also agreed with the ALJ that nothing in the record suggested that respondent did anything to ensure that her preferred candidate became superintendent. Her private email did not influence the votes of other Board members, contain any personal promises, or represent private action taken

¹ *N.J.S.A. 18A:12-24.1(e)* of the Code of Ethics for School Board Members (Code) prohibits board members from making personal promises or taking private action "that may compromise the board." *N.J.S.A. 18A:12-24.1(f)* of the Code prohibits board members from surrendering their "independent judgment to special interest or partisan political groups" or using "the schools for personal gain or for the gain of friends."

² The Commission determined that respondent violated *N.J.S.A. 18A:12-24.1(e)*, *N.J.S.A. 18A:12-24.1(g)*, and *N.J.S.A. 18A:12-24.1(i)* with respect to Count 4 of the Complaint when she read a text message at a public meeting concerning another Board member's views about a school official. The Commission recommended that respondent be reprimanded for those violations, and respondent has not contested that sanction.

³ Because complainants did not submit a formal brief, letter brief, or appendix in support of their notice of appeal as contemplated by *N.J.A.C. 6A:4*, Subchapter 2, their contentions on appeal are gleaned from the notice of appeal itself.

to influence the Board superintendent search. Moreover, the Commission agreed with the ALJ that respondent's statement regarding "the red hats who are sheep that consume media bias and don't give a crap about the kids" was merely an expression of respondent's opinion and did not violate the Code.

Complainants also assert that the Commission should have determined that respondent violated *N.J.S.A. 18A:12-24.1(e)* in connection with Count 6 of the Complaint for retaliatory conduct involving a phone call made by respondent to complainant Baldosaro's employer. Respondent, who had applied for employment at the same company, called the Chief Executive Officer (CEO), identified herself as a board member, and asked whether complainant Baldosaro's ethics accusations against her had impacted her job application. The Commission agreed with the ALJ that the record lacked evidence to establish that respondent's conversation with the CEO compromised the Board or compromised the employer's vendor relationship with the district. Additionally, the Commission agreed with the ALJ that the record lacked evidence to suggest that the CEO believed that respondent was calling in her official capacity as a Board member or was speaking on behalf of the Board.

Upon a comprehensive review of the record, the Commissioner finds that the decision of the Commission as to Counts 1, 2, 3 and 6 is supported by the record and complainants have not established that the decision is arbitrary, capricious, or contrary to law. *N.J.A.C. 6A:4-4.1(a)*. Factual evidence of a violation of *N.J.S.A. 18A:12-24.1(e)* "shall include evidence that the respondent made personal promises or took action beyond the scope of respondent's duties such that, by its nature, had the potential to compromise the district board of education." *N.J.A.C. 6A:28-6.4(a)(5)*. Factual evidence of a violation of *N.J.S.A. 18A:12-24.1(f)* "shall include evidence

that the respondent(s) took action on behalf of, or at the request of, a special interest group or persons organized and voluntarily united in opinion and who adhere to a particular political party or cause; or evidence that the respondent(s) used the schools to acquire some benefit for the respondent(s), a member of the respondent's immediate family or a friend." *N.J.A.C. 6A:28-6.4(a)(6).*

The Commissioner agrees with the Commission that the factual record lacks sufficient evidence to establish that respondent violated the Code when she sent an email from her personal email account to a member of the public expressing support for one of the candidates for Board superintendent. The text of the email did not contain personal promises, nor did it constitute action that had the potential to compromise the Board. Furthermore, the statement in the email regarding "the red hats who are sheep that consume media bias and don't give a crap about the kids" is respondent's opinion and does not indicate action on behalf of a special interest group or persons organized and voluntarily united in opinion and who adhere to a particular political party or cause.

Complainants' claim that the Commission improperly required proof of actual compromise to the Board rather than the potential to compromise the Board is unsupported by the record. Moreover, complainants' characterization of the email as a deliberate effort to influence the Board's official processes is likewise unsupported by the record. It was sent from respondent's personal email address to a member of the public who was not a Board member, and respondent did not participate in the Board superintendent search. The email did not use the schools to acquire a benefit for a friend; it was an expression of respondent's opinion. Furthermore, complainants' assertion that the Board was forced to hire an expensive external

search firm to conduct the superintendent search as a result of respondent's email is not adequately supported by the record.

Additionally, the Commissioner agrees with the Commission that the factual record lacks sufficient evidence to establish that respondent violated the Code when she called the CEO of complainant Baldosaro's employer alleging harassment and to ask whether the ethics accusations he made against her had impacted her job application.⁴ The record fails to establish that respondent's phone call to the CEO had the potential to compromise the Board. As for complainants' claims that respondent's phone call and related conduct resulted in actual harm to the Board because the employer later withdrew its sponsorship of a district hoagie sale, the Commissioner is not permitted to speculate about if or why such a withdrawal of sponsorship occurred and the reason for the alleged withdrawal was not established during the proceedings.

Regarding the recommended penalty of reprimand, the record reflects that the Commission fully considered the nature of the proven conduct and weighed the effects of aggravating and mitigating circumstances, including that respondent apologized and ultimately resigned from the Board. However, complainants insist that the sanction of reprimand is insufficient because it ignores a sustained pattern of misconduct by respondent, including new material facts which occurred weeks after the hearing. Because it is not appropriate for the Commissioner to consider facts which occurred after the hearing when determining the appropriate sanction in this matter, same will not be considered.

⁴ As for complainants' assertion that the ALJ should not have excluded as hearsay an email from the employer's HR department which summarized respondent's phone call, the Commissioner finds that such decisions are well within the ALJ's discretion and finds no basis to disturb it. *N.J.A.C. 1:1-15.1, N.J.A.C. 1:1-15.5*. Respondent testified firsthand about her contacts with complainant Baldosaro's employer.

As for complainants' reliance upon *Lisa G. Guzik v. Ryan Campbell, Mantua Township Board of Education, Gloucester County*, SEC Dkt. No. C45-23, Commissioner Decision No. 283-24SEC (July 26, 2024), that matter is distinguishable. *Guzik* involved undisputed allegations that the respondent, who was censured, violated N.J.S.A. 18A:12-24.1(e) when he called the complainant's employer, identified himself as a Board member, and criticized actions that the complainant took as a private citizen during Board meetings in an apparent attempt to silence her and/or get her in trouble at work. Here, unlike in *Guzik*, the record fails to establish by a preponderance of credible evidence that respondent's call to the CEO was intended to silence complainant Baldosaro or to somehow jeopardize his employment; respondent testified that she made the call because she was concerned about her own job application as she had not been contacted to interview for the position. Therefore, the Commission's recommended penalty of reprimand—which is not contested by respondent—will not be disturbed.

Accordingly, IT IS ORDERED that Julie Kozempel is hereby reprimanded as a school official found to have violated the School Ethics Act.

IT IS SO ORDERED.⁵



COMMISSIONER OF EDUCATION

Date of Decision: January 16, 2026
Date of Mailing: January 20, 2026

⁵ This decision may be appealed to the Appellate Division of the Superior Court pursuant to N.J.S.A. 18A:6-9.1. Under N.J.Ct.R. 2:4-1(b), a notice of appeal must be filed with the Appellate Division within 45 days from the date of mailing of this decision.

***Before the School Ethics Commission
Final Decision***

**Thomas Baldosaro,
Complainant**

**OAL Docket No.: EEC-06605-22
SEC Docket No.: C54-22**

v.
**Julie Kozempel,
Washington Township Board of Education,
Gloucester County,
Respondent**

CONSOLIDATED

**Virginia Murphy,
Complainant**

**OAL Docket No.: EEC-07465-22
SEC Docket No.: C43-22, C44-22,
and C62-22**

v.

**Julie Kozempel,
Washington Township Board of Education,
Gloucester County,
Respondent**

I. Procedural History

The above-captioned matter arises from four separate, but related Complaints filed with the School Ethics Commission (Commission), by Thomas Baldosaro, Virginia Murphy, James Wakemen, Sr., and Barbara Dahdah-Anderson¹ (Complainants) who alleged that Julie Kozempel (Respondent), member of the Washington Township Board of Education (Board), violated the School Ethics Act (Act), *N.J.S.A. 18A:12-21 et seq.*

More specifically, in C54-22, Thomas Baldosaro (Complainant Baldosaro) filed a Complaint with the Commission on May 9, 2022. Ultimately, on July 28, 2022, the Commission transmitted the alleged violations of *N.J.S.A. 18A:12-24.1(c)*, *N.J.S.A. 12-24.1(e)*, *N.J.S.A. 12-24.1(f)*, and *N.J.S.A. 12-24.1(g)* (Code of Ethics for School Board Members (Code)) to the Office of Administrative Law (OAL) for a hearing to determine whether Respondent violated the Code of Ethics for School Board Members (Code).

In C43-22, Virigina Murphy (Complainant Murphy) filed a Complaint with the Commission on May 22, 2022. The Commission exercised its authority under *N.J.A.C. 6A:28-6.6*, and consolidated Complainant Murphy's Complaint with two related Complaints (C44-22 and C62-22) that were filed by James Wakemen, Sr. and Barbara Dahdah-Anderson,

¹ The Complaints filed by Wakeman (C44-22) and Dahdah-Anderson (C62-22) were dismissed for failure to appear on the first hearing date.

respectively. After its review, the Commission determined that the allegations in C43-22 (Count 5), relating to a series of emails between Respondent and a member of the public from July 22, 2021, through July 24, 2021, were time-barred. On August 29, 2022, the Commission transmitted Counts 1, 2, 3, 4, and 6 to the OAL for a plenary hearing. In sum, the alleged Code violations by Count are as follows: Counts 1, 2, and 3 (March 22, 2022 incident): *N.J.S.A. 18A:12-24.1(b), (e), (f) and (h)*²; Count 4 (April 26, 2022 incident): *N.J.S.A. 18A:12-24.1(e), (g) and (i)*; and Count 6 (Inspira Health incident): *N.J.S.A. 18A:12-24.1(e)*.

The matters were consolidated at the OAL on January 12, 2023. The consolidated matter was tried over four hearing dates: June 19, 2024, June 20, 2024, September 17, 2024, and October 4, 2024. The last summation brief was received on February 10, 2025, and the record closed that day.

The Administrative Law Judge (ALJ) issued an Initial Decision on March 11, 2025, finding that Respondent violated *N.J.S.A. 18A:12-24.1(e)*, *N.J.S.A. 18A:12-24.1(g)*, and *N.J.S.A. 18A:12-24.1(i)* in Count 4 and recommending a penalty of reprimand. Complainants filed exceptions to the Initial Decision, in accordance with *N.J.A.C. 1:1-18.4*.

At its meeting on June 17, 2025, the Commission considered the full record in this matter. Thereafter, at its meeting on July 22, 2025, the Commission voted to adopt the ALJ's findings of fact, the legal conclusions that Respondent violated *N.J.S.A. 18A:12-24.1(e)*, *N.J.S.A. 18A:12-24.1(g)* and *N.J.S.A. 18A:12-24.1(i)* and voted to adopt the recommended penalty of reprimand.

II. Initial Decision

The ALJ found the following facts to be undisputed: Respondent was a Board member from 2019 to May 2022 and served as Board President from 2019 until she resigned in May 2022. Joseph Bollendorf was the Superintendent during that time and informed Respondent Kozempel, as the Board President, that he would be retiring at the end of his five-year term. The Board approved an abbreviated employment contract on March 30, 2021, to allow the Board time to replace the Superintendent. *Initial Decision* at 4.

In July 2021, Ronald Lucarini, retired District teacher, "engaged in personal email conversations with [Respondent] on her personal email address about whom they supported in the upcoming Board elections. Mr. Lucarini wanted [Respondent] to support [Baker] . . . but [Respondent] felt it was the wrong time, and indicated her support was with a different candidate. *Ibid.* [Respondent] expressed to Lucarini that she felt Dr. Shawnequa Carvalho should be the next superintendent." *Ibid.* At the time, Dr. Carvalho was the Assistant Superintendent in West Deptford, and was the Board VP (Washington Twp.), until she moved out of district in September 2021, leaving a vacancy that was filled by Baker in November 2021.

² Only C44-22 and C62-22 contained a reference to a violation of *N.J.S.A. 18A:12-24.1(h)*. As those complaints were dismissed prior to the hearing, the alleged violation of section (h) was not addressed by the ALJ.

In December 2021, Baker (new Board member), sent a text to Respondent “discussing her disagreement with granting tenure to a building principal.” *Ibid.* Respondent replied, “I’m at work. And I won’t discuss employees in writing and you should avoid doing that going forward.” *Initial Decision* at 5.

In February 2022, a small committee of Board members met to begin the process of finding a new Superintendent. Respondent was on the committee, and a vacancy notice was posted on February 23, 2022.

At the Board meeting on March 22, 2022, Lucarini read a portion of an email Respondent had sent to him on July 24, 2021:

I always agree with you so do what you want. I am just a little more strategic because I feel that Shawnequa should be the next Sup and want to ensure that. Connie would be on board for that. She knows how effective Shawnequa is in WD and the change she would affect in Twp. I just also know that the unions will likely vote for our people because we support them, as will various other unions because we are supporters of labor unions.

Elayne was elected because she was staff and nobody was slated and people know Clancy over Ellis. I want Brian on the board and it’s hard enough to get him elected in this climate without another dem diluting the votes. I’d support her full run next year. This is a Gov election so higher salience. Connie is better over the red hats who are sheep that consume bias media and don’t give a crap about the kids.

Ibid.

On March 24, 2022, at a special Board meeting, Respondent recused herself from the Superintendent search. Mr. Lucarini’s email “caused disruption that extended beyond the March 22, 2022,” Board meeting. *Initial Decision* at 6. In April 2022, Respondent resigned as Board President. At a Board meeting on April 26, 2022, Respondent read a text that Baker sent to her on December 7, 2021, about a District staff member, and although she read it verbatim, she did not disclose the name of the employee, but she did refer to him as the building principal and she did include his salary and marriage to a part-time teacher in the District. *Ibid.*

On or about April 11, 2022, Respondent applied for a job at the same company for which Complainant Baldosaro was employed. Respondent was never contacted for an interview, so she contacted the company to inquire about the status of her application. She also stated that she was “concerned because some of Baldosaro’s accusations against her were sent from his work email address. She wanted to know whether his comments negatively influenced her application.” *Ibid.* Thereafter, on May 9, 2022, Respondent contacted the company CEO and told the CEO that “she felt harassed by Baldosaro [and] admitted to telling [the CEO] that she was a [Board member].” *Ibid.* In May 2022, Respondent resigned from the Board.

Based on witness testimony the ALJ issued these additional findings of fact:

Regarding Counts 1, 2 and 3 (July 24, 2021, email) and a violation of *N.J.S.A. 18A:12-24.1(b)*, Complainants alleged that Respondent's actions were made in the interest of getting her friend appointed as the next Superintendent, not in consideration of the educational needs of the students. The ALJ notes that there was not any testimony or documentary evidence provided that would support any action taken by Respondent to "ensure" her friend became the next Superintendent other than the words in the July 21, 2021, email written as private correspondence from her personal email account. *Initial Decision* at 11. The ALJ further notes that the members of the selection committee did not have any knowledge of any action taken by Respondent to advance Dr. Carvalho's application nor were any applications reviewed by the Board when Lucarini disclosed the email. Moreover, the ALJ maintains that Respondent recused herself from the search committee prior to the applications being reviewed and Dr. Carvalho testified that Respondent did not have a role in her decision to apply for the superintendent position. Complainant Murphy viewed the email as a negotiation between Lucarini and Respondent to ensure that Dr. Carvalho became the next superintendent; however, there were not any facts provided to support that belief. The ALJ contends that Respondent's support for certain candidates as a private citizen is not a violation. The ALJ further contends that Respondent only has one vote and there was nothing even suggested by the testimony that she influenced the votes of other Board members. Therefore, the ALJ finds that Complainants have not met their burden of proof to sustain a violation of *N.J.S.A. 18A:12-24.1(b)*.

As to a violation of *N.J.S.A. 18A:12-24.1(e)*, the ALJ asserts Complainants did not provide any testimony or documentary evidence that Respondent made any promises or took any action to ensure Dr. Carvalho became the next superintendent. The ALJ maintains that there is no doubt that the reading of the email by Lucarini caused chaos and bred discontent which had the potential to compromise the Board. However, the ALJ further maintains there is nothing in the record that shows Respondent made any personal promises or took any action to influence the Superintendent search. Furthermore, the ALJ notes Respondent recused herself from the search, resigned as the Board president, and after two months resigned from the Board. Therefore, the ALJ finds Complainants have not met their burden to sustain a violation of *N.J.S.A. 18A:12-24.1(e)*.

Regarding a violation of *N.J.S.A. 18A:12-24.1(f)*, the ALJ contends Complainants alleged that the language used by Respondent, namely when she stated, "Connie is better than the red hats who are sheep that consume media bias and don't give a crap about the kids" violated *N.J.S.A.18A:12-24.1(f)*. *Initial Decision* at 13. The ALJ further contends neither the testimony nor factual evidence suggests that this language was anything other than an expression of Respondent's opinion. Therefore, the ALJ finds that Complainants have not demonstrated that Respondent violated *N.J.S.A. 18A:12-24.1(f)*.

As to Count 4, the April 26, 2022, incident, and a violation of *N.J.S.A. 18A:12-24.1(e)*, the ALJ maintains Respondent did not provide an explanation for why she divulged the text message. The ALJ further maintains the video evidence (P-9) displayed the animosity between Respondent and Board member Baker and the text message contained the personal opinions of Board member Baker written in a text message to Respondent. The ALJ notes that Respondent's response indicated Board members should not be discussing employees in this fashion, and she

told Board member Baker to avoid such actions in the future. The ALJ further notes that despite her admonishment of Baker's text, Respondent chose to make the text public at a Board meeting and reading this text was clearly outside the scope of her duties. Although Respondent did not use the employee's name, the ALJ contends the testimony indicated that the identifying characteristics in the text message did not shield the building principal's identity. The ALJ finds Complainants have met their burden to prove a violation of *N.J.S.A. 18A:12-24.1(e)* in Count 4. *ID.* at 14.

Regarding a violation of *N.J.S.A. 18A:12-24.1(g)*, the ALJ asserts Respondent's only purpose in making Board member Baker's text message public was to discredit her and Respondent's words and actions established that Respondent knew better than to discuss employees between Board members in such a cavalier fashion and she believed such conversations could constitute ethical violations. The ALJ further asserts that by exposing Board member Baker's comments, Respondent made her opinions public, regardless of their accuracy or potential to discredit the school and this action harmed the reputation of the Board. Therefore, the ALJ finds that Complainants have met their burden to prove a violation of *N.J.S.A. 18A:12-24.1(g)* in Count 4. *ID.* at 15.

As to a violation of *N.J.S.A. 18A:12-24.1(i)*, the ALJ maintains there is nothing ambiguous about the contents of the text message. The ALJ maintains although nothing was presented to show how school personnel were harmed, Respondent's action in publicly reading this text, without authority or justification, undermined and compromised school personnel. According to the ALJ, the statement attributable to a Board member and publicized by another Board member as retribution undermined the Superintendent and compromised the reputation of the building principal. Therefore, the ALJ finds that Complainants have met their burden of proof to sustain a violation *N.J.S.A. 18A:12-24.1(i)*. *ID.* at 16.

As to Count 6, and a violation of *N.J.S.A. 18A:12-24.1(e)*, as it relates to Respondent's interaction with Complainant Baldosaro's employer, the ALJ asserts the legally competent evidence was in the form of testimony from Complainant Baldosaro and Respondent about their conversations with the CEO. Respondent admitted that she called the company and spoke with the CEO. According to the ALJ, Respondent's reason for her call was to inquire whether Complainant Baldosaro's accusations against her impacted her job application. Respondent and Complainant Baldosaro both testified that they felt they were being harassed. The ALJ notes there is nothing to indicate that Respondent's action in speaking with the CEO compromised the Board's vendor relationship with the District. The ALJ further notes that while Respondent admitted that she told the CEO she was a Board member, there is no evidence to suggest that the CEO believed that Respondent had contacted her in her official capacity as a Board member or that Respondent was speaking on behalf of the Board during their telephone conversation. Therefore, the ALJ finds that Complainants have not met their burden to prove a violation of *N.J.S.A. 18A:12-24.1(e)*. *ID.* at 17.

Legal Discussion

The ALJ concludes that because Complainants' have met their burden of proof related to Respondent's action in reading a text message from a fellow Board member in public at the

meeting on April 26, 2022, Respondent violated *N.J.S.A. 18A:12-24.1(e)*, *N.J.S.A. 18A:12-24.1(g)* and *N.J.S.A. 18A:12-24.1(i)*.

As to penalty, the ALJ asserts that only one of the three charges has been proven by a preponderance of evidence. Moreover, as it relates to those charged, Respondent apologized and immediately recused herself from the Superintendent search after her personal email was made public at a Board meeting and consequently, she resigned as Board President. The ALJ further asserts Respondent took those actions for the good of the Board; however, that did not appease the entire Board and criticism continued. According to the ALJ, Respondent's decision to discredit Board member Baker had unintended consequences and school personnel were collateral damage. Therefore, the ALJ concludes that a reprimand is warranted.

III. Exceptions

Complainants' Exceptions³

Complainants take exception with the ALJ's findings that they failed to meet the burden of proof to demonstrate that Respondent violated *N.J.S.A. 18A:12-24.1(e)* and/or *N.J.S.A. 18A:12-24.1(f)* by sending the July 24, 2021, email; and violated *N.J.S.A. 18A:12-24.1(e)* when she contacted the CEO of the company where Complainant Baldosaro was employed in May 2022. Complainants take further exception to the penalty of reprimand.

First, as to the Respondent's July 24, 2021, email, which was read at the March 22, 2022, Board meeting, Complainants argue that although the ALJ correctly noted the ““chaos and discontent’ that followed the publication of Respondent's July 24, 2021, email, she failed to properly evaluate the consequences of Respondent's private conduct.” Complainants note, “the issue is not whether Respondent was *actually* successful in hiring her friend, Dr. Carvalho . . . but rather whether Respondent's private action in sending the email itself *had any potential to compromise the [B]oard.*” Despite the ALJ's finding that “there was no testimony or documentary evidence of any action taken by Kozempel to ‘ensure’ her friend became the next [S]uperintendent other than the words in the July 24, 2021, email written as private correspondence from her personal email account.” Complainants argue Respondent's intent within her email is abundantly clear. Complainants provide the following statements were all contained in Respondent's email:

- “I feel Shawnequa should be the next Sup and want to ensure that. Connie would be on Board for that. She knows how effective Shawnequa is in WD and the change she would affect in Twp.” “I've recruited most of the people who have run the last three years, personally. I asked Brian (Ellis) who was on the equity committee. Kath (Gallinaro, board member during super search) too. I've known Stacey Dimeo (board member during super search) since our kids were four.”
- “I asked Ray (DiNovi- board member during super search) to run. He agrees with our goals and is progressive.”

³ The Commission notes that Respondent did not file exceptions.

- “I want Brian (Ellis) on the board and it’s hard enough to get him elected in this climate without another dem diluting the votes. I’d support her (Connie Baker) full run next year.” Response from Ron Lucarini, “If you promise to support next time around, I can talk her out of it.”

According to Complainants, “these were not merely personal opinions of [Respondent], as the ALJ suggests, but rather an outline of a deliberate plan to organize political support, through both Board members and unions, for a specific candidate in the upcoming Superintendent search.” Complainants assert Respondent’s “precise language” and word choice – “ensure” – “demonstrates her intent to exert personal influence over the outcome and not merely express personal preference.” Complainants maintain that the ALJ’s finding that the testimony from Board members did not demonstrate that Respondent influenced the Board to choose Dr. Carvalho “is not the proper analysis.” Complainants further maintain more accurate would be whether Respondent’s July 24, 2021, email, “*itself* constituted an individual action which ‘had any potential’ to compromise the Board.” According to Complainants, “there can be no doubt that [Respondent’s] email did not only have the potential to compromise the Board (as [the ALJ] actually stated within the Decision) but in reality did far more.” Complainants contend Respondent’s “email directly undermined public confidence, disrupted the Superintendent hiring process, and forced the Board to incur significant, unbudgeted expenses to repair the damage.” Complainants further contend Respondent’s action to keep the Superintendent search “confined to an internal search” gave Respondent “more control over the ultimate outcome.” Complainants assert that although Respondent recused herself from the Superintendent search, the Board “was forced to hire” a search firm, which was the Board’s attempt to “restore public trust and confidence” in the search for a new Superintendent. Complainants further assert that witness testimony demonstrates that the harm to the Board “was not merely speculative, but rather is direct, documented, and substantial.” Therefore, Complainants aver that the Commission should conclude Respondent violated *N.J.S.A. 18A:12-24.1(e)* by virtue of her July 24, 2021, email.

As to a violation of *N.J.S.A. 18A:12-24.1(f)* related to the July email, Complainants maintain the email “plainly sets forth that [Respondent] wanted to ‘ensure that her friend,’ Dr. Carvalho, was hired as the Superintendent.” Complainants further maintain that is the exact example of using “the schools in order to acquire some benefit for... a friend.” Moreover, witness testimony demonstrated that Respondent made comments “years before” her July email, indicating her “scheme” to hire her friend. Complainants assert that the ALJ’s finding that Respondent’s “comments were private, political opinion is contrasted by Commission advisory opinions regarding board member freedom of speech,” namely *Advisory Opinion A02-06*. Complainants further assert “it is clear that [Respondent’s] email was not private action and was not protected freedom of speech given that she made these comments specifically and overtly in her capacity as a Board member.” Accordingly, Complainants contend it must be concluded that Respondent violated *N.J.S.A. 18A:12-24.1(f)*.

Complainants further take exception to the ALJ’s determination that Complainants did not meet their burden of proof to show that Respondent violated *N.J.S.A. 18A:12-24.1(e)*, by contacting the CEO of the company where Complainant Baldosaro is employed. Complainants argue they established by a preponderance of evidence that Respondent’s contact with Complainant Baldosaro’s employer, violated *N.J.S.A. 18A:12-24.1(e)*. Complainants further

argue that the ALJ's finding that an email from the HR Specialist at the company was "hearsay" because she did not testify was an error because "[c]ompetent evidence was introduced in the record to permit the Court to consider the email from [the HR Specialist] when determining the ultimate 'finding of fact' – namely whether [Respondent's] contact with Baldosaro's employer [] was a violation of *N.J.S.A. 18A:12-24.1(e)*." Complainants note that Respondent corroborated the email, and her contention that "she merely wanted to inquire about the status of a job application . . . was inconsistent." Complainants maintain "it is clear" from Respondent's testimony, and the timing of the call to Complainant Baldosaro's employer that this was not a "follow-up," but rather "was a pretextual, retaliatory call to Complainant Baldosaro's employer due to him exercising his rights to speak at public Board meetings and to file an ethics complaint." Complainants further maintain the ALJ's "refusal to consider the corroborated email was therefore a reversible error, as it ignored testimony that directly supports the finding that [Respondent's] contact with [the company] was retaliatory and in violation of *N.J.S.A. 18A:12-24.1(e)*." Moreover, Complainants assert in order to sustain a violation of *N.J.S.A. 18A:12-24.1(e)*, it is not whether Respondent's action actually compromised the Board, but whether there was any potential for harm. Complainants note the timing of Respondent's contact with the company and that she identified herself as a Board member are "key factor[s] in determining the potential for harm."

Complainants also take exception to the ALJ's conclusion that Respondent resigned from the Board before the end of her term, because "she placed the interests of the Board before her own interests," and therefore, issued a reprimand. Complainants note the present situation of the Board, and state that Respondent "has wasted no time in continuing her pattern of concerning and unethical behavior." Respondent has publicly stated that the ALJ's findings are "no big deal" and she has "erroneously advised the public that this matter had been dismissed and that there was no finding of probable cause." Complainants argue Respondent's "knowing misstatements" and repeated behavior "reflects a sustained and escalating pattern of unethical behavior" and in conjunction with the sustained violations of *N.J.S.A. 18A:12-24.1(e)*, (g) and (i), the only appropriate penalty should be removal.

IV. Analysis

Upon a careful, thorough, and independent review of the record, the Commission adopts the ALJ's findings of fact, and adopts the legal conclusions that Respondent did not violate *N.J.S.A. 18A:12-24.1(b)*, *N.J.S.A. 18A:12-24.1(e)*, and *N.J.S.A. 18A:12-24.1(f)* in Counts 1, 2 and 3, violated *N.J.S.A. 18A:12-24.1(e)*, *N.J.S.A. 18A:12-24.1(g)* and *N.J.S.A. 18A:12-24.1(i)* in Count 4, and did not violate *N.J.S.A. 18A:12-24.1(e)* in Count 6. The Commission also adopts the ALJ's recommended penalty of reprimand.

Pursuant to *N.J.S.A. 18A:12-24.1(b)*, a board member must make decisions in terms of the educational welfare of children and 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. The Commission agrees with the ALJ that Complainants have not shown how Respondent made a decision contrary to the educational welfare of children, or provided evidence that the Respondent 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.

Therefore, the Commission agrees with the ALJ that Respondent did not violate *N.J.S.A. 18A:12-24.1(b)* in Counts 1, 2, and 3.

Under *N.J.S.A. 18A:12-24.1(e)*, a board member must recognize that authority rests with the board and a board member shall not make any personal promises or take any action that may compromise the board. The Commission agrees with the ALJ's conclusion that Complainants did not meet the burden of proof to sustain a violation of *N.J.S.A. 18A:12-24.1(e)* in Counts 1, 2, and 3. The Commission agrees that Respondent's e-mail to a fellow Board member was not a personal promise or action that could have compromised the Board as she was expressing her support for certain candidates from her private email account to a retired teacher. Therefore, the Commission agrees with the ALJ that Respondent did not violate in Counts 1, 2, and 3.

As for Count 4, the Commission agrees with the ALJ that Respondent's actions when she read the message from another Board member about a school principal had the potential to compromise the Board, and therefore, Respondent violated *N.J.S.A. 18A:12-24.1(e)*. As the ALJ found, reading the text message in public was "clearly outside the scope of her duties." *ID.* at 14.

As for Count 6, the Commission agrees with the ALJ's conclusion that Complainants did not meet the burden of proof to sustain a violation of *N.J.S.A. 18A:12-24.1(e)*. As the ALJ determined that the alleged email was hearsay, the ALJ found that Complainants did not prove that Respondent, in her capacity as a Board member, took any action that may have compromised the Board. Therefore, the Commission agrees with the ALJ that Respondent did not violate *N.J.S.A. 18A:12-24.1(e)* in Count 5.

Pursuant to *N.J.S.A. 18A:12-24.1(f)*, a board member must refuse to surrender independent judgment to special interest or partisan groups or use the schools for personal gain or for the gain of friends. The Commission agrees with the ALJ that Complainants' have not shown how the Respondent took action on behalf of, or at the request of, a special interest group or persons organized and voluntarily united in opinion and who adhere to a particular political party or cause; or evidence that the Respondent used the schools to acquire some benefit for the Respondent, a member of the Respondent's immediate family or a friend. Respondent is entitled to her own political thoughts and opinions. While the Commission finds the e-mail where Respondent expressed her desire to have Dr. Carvalho as the next Superintendent and certain individuals to serve on the Board to be concerning, the Commission agrees that Complainants were unable to prove that Respondent took action to use the schools to acquire a benefit for her friends as required by *N.J.S.A. 18A:12-24.1(f)*. Therefore, the Commission agrees with the ALJ that Respondent did not violate *N.J.S.A. 18A:12-24.1(f)* in Counts 1, 2, and 3.

N.J.S.A. 18A:12-24.1(g) requires a board member to hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools, and also to provide accurate information. The Commission concurs with the ALJ that Respondent violated *N.J.S.A. 18A:12-24.1(g)* when she read another Board member's text messages aloud at a public meeting, providing information about a school official, regardless of the accuracy of the information. Accordingly, the Commission adopts the ALJ's conclusion that Respondent violated *N.J.S.A. 18A:12-24.1(g)* in Count 4.

N.J.S.A. 18A:12-24.1(i) provides that a board member will support and protect school personnel in proper performance of their duties. In the current matter, the Commission agrees with the ALJ that Respondent violated *N.J.S.A.* 18A:12-24.1(i) when she read a text message, at a public meeting, concerning another Board member's views related to a school official. Accordingly, the Commission adopts the ALJ's conclusion that Respondent violated *N.J.S.A.* 18A:12-24.1(i).

With respect to the appropriate penalty, the Commission adopts the recommended penalty of reprimand. Accordingly, the Commission finds a penalty of reprimand is appropriate for Respondent's violations of *N.J.S.A.* 18A:12-24.1(e), *N.J.S.A.* 18A:12-24.1(g) and *N.J.S.A.* 18A:12-24.1(i) in Count 4.

IV. Decision

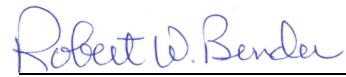
For the aforementioned reasons, the Commission adopts the ALJ's findings of fact, the legal conclusions that that Respondent did not violate *N.J.S.A.* 18A:12-24.1(b), *N.J.S.A.* 18A:12-24.1(e), *N.J.S.A.* 18A:12-24.1(f) in Counts 1, 2 and 3 and/or *N.J.S.A.* 18A:12-24.1(e) in Count 6 but did violate *N.J.S.A.* 18A:12-24.1(e), *N.J.S.A.* 18A:12-24.1(g) and *N.J.S.A.* 18A:12-24.1(i) in Count 4. The Commission also adopts the recommended penalty of reprimand.

Pursuant to *N.J.S.A.* 18A:12-29(c), this decision shall be forwarded to the Commissioner of Education for review of the Commission's recommended penalty. The parties may either: 1) file exceptions to the recommended sanction; 2) file an appeal of the Commission's finding of a violation; or 3) file both exceptions to the recommended sanction together with an appeal of the finding of a violation.

Parties taking exception to the recommended sanction of the Commission but *not disputing* the Commission's finding of a violation may file, **within thirteen (13) days** from the date the Commission's decision is forwarded to the Commissioner, written exceptions regarding the recommended penalty to the Commissioner. The forwarding date shall be the mailing date to the parties, as indicated below. Such exceptions must be forwarded to: Commissioner of Education, c/o Bureau of Controversies and Disputes, P.O. Box 500, Trenton, New Jersey 08625, marked "Attention: Comments on Ethics Commission Sanction," as well as to (ControversiesDisputesFilings@doe.nj.gov). A copy must also be sent to the Commission (school.ethics@doe.nj.gov) and all other parties.

Parties seeking to appeal the Commission's finding of violation *must* file an appeal pursuant to the standards set forth at *N.J.A.C.* 6A:4:1 *et seq.* **within thirty (30) days** of the filing date of the decision from which the appeal is taken. The filing date shall be three (3) days after the date of mailing to the parties, as shown below. In such cases, the Commissioner's review of the Commission's recommended sanction will be deferred and incorporated into the Commissioner's review of the finding of violation on appeal. Where a notice of appeal has been filed on or before the due date for exceptions to the Commission's recommended sanction

(thirteen (13) days from the date the decision is mailed by the Commission), exceptions need not be filed by that date, but may be incorporated into the appellant's briefs on appeal.



Robert W. Bender, Chairperson

Mailing Date: July 22, 2025

***Resolution Adopting Decision
in Connection with
C54-22, C43-22, C44-22, and C62-22 (Consolidated)***

Whereas, at its meeting on July 26, 2022, the School Ethics Commission (Commission) voted to transmit the matter docketed as C54-22 to the Office of Administrative Law (OAL) for a hearing; and

Whereas, at its meeting on August 23, 2022, the Commission voted to transmit the matter(s) docketed as C43-22, C44-22, and C62-22 to the OAL for a hearing; and

Whereas, the matters docketed as C54-22, C43-22, C44-22, and C62-22 were consolidated at the OAL; and

Whereas, on March 11, 2025, the ALJ issued an Initial Decision, finding that Respondent did not violate N.J.S.A. 18A:12-24.1(b), N.J.S.A. 18A:12-24.1(e), and N.J.S.A. 18A:12-24.1(f) in Counts 1, 2 and 3, and/or N.J.S.A. 18A:12-24.1(e) in Count 6, but did violate N.J.S.A. 18A:12-24.1(e), N.J.S.A. 18A:12-24.1(g) and N.J.S.A. 18A:12-24.1(i) in Count 4, and recommending a penalty of reprimand; and

Whereas, Complainants filed exceptions to the Initial Decision; and

Whereas, at its meeting on June 17, 2025 the Commission reviewed the record in this matter, discussed adopting the legal conclusions that Respondent did not violate N.J.S.A. 18A:12-24.1(b), N.J.S.A. 18A:12-24.1(e), and N.J.S.A. 18A:12-24.1(f) in Counts 1, 2 and 3 and did not violate N.J.S.A. 18A:12-24.1(e) in Count 6, but violated N.J.S.A. 18A:12-24.1(e), N.J.S.A. 18A:12-24.1(g) and N.J.S.A. 18A:12-24.1(i) in Count 4, , and adopting a penalty of reprimand; and

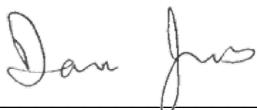
Whereas, at its meeting on July 22, 2025, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on June 17, 2025; and

Now Therefore Be It Resolved, the Commission hereby adopts the within decision.



Robert W. Bender, Chairperson

I hereby certify that this Resolution was duly adopted by the School Ethics Commission at its meeting on July 22, 2025.



Dana C. Jones
School Ethics Commission