

***Before the School Ethics Commission
OAL Docket No.: EEC-04010-21
SEC Docket No.: C62-20
Final Decision (Dismissal)***

***In the Matter of Richard Wyatt and John Campbell,
Plainfield Board of Education, Union County,
Respondents***

I. Procedural History

The above-captioned matter arises from a Complaint that was filed with the School Ethics Commission (Commission) on October 16, 2020, by Carmencita Pile, Lynn Anderson-Person, and Avonia Richardson-Miller (Complainants), alleging that Richard Wyatt (Respondent Wyatt) and John Campbell (Respondent Campbell) (collectively, Respondents), members of the Plainfield Board of Education (Board), violated the School Ethics Act (Act), *N.J.S.A.* 18A:12-21 *et seq.* More specifically, the Complaint alleges that Respondent Wyatt violated *N.J.S.A.* 18A:12-24(b) and *N.J.S.A.* 18A:12-24(c) in Count 1, and that Respondent Campbell violated *N.J.S.A.* 8A:12-24(b) and *N.J.S.A.* 18A:12-24(c) in Count 2.

At its meeting on, January 26, 2021, and after reviewing Respondents' Motion to Dismiss in Lieu of an Answer (Motion to Dismiss) and allegation of frivolous filing, and Complainants' response thereto, the School Ethics Commission (Commission) voted to find the Complaint was timely filed; grant the Motion to Dismiss as to the alleged violations of *N.J.S.A.* 18A:12-24(c) in Count 1 and Count 2; and deny the Motion to Dismiss as to the alleged violations of *N.J.S.A.* 8A:12-24(b) in Count 1 and Count 2. The Commission also voted to find the Complaint not frivolous and deny Respondents' request for sanctions. Based on its decision, the Commission directed Respondents to file an Answer to the Complaint (Answer), which they did on February 15, 2021.

Thereafter, at its meeting on April 27, 2021, the Commission voted to find probable cause to credit the alleged violations of *N.J.S.A.* 18A:12-24(b) in Count 1 and Count 2. Based on its finding of probable cause, the Commission voted to transmit the within matter to the Office of Administrative Law (OAL) for a hearing and, pursuant to *N.J.A.C.* 6A:28-10.7(b),¹ the attorney for the Commission (Petitioner) was charged with prosecuting the allegations in the Complaint.

At its meeting on October 17, 2023, the Commission voted to withdraw the Probable Cause Notice as to Count 2 of the Complaint regarding Respondent Campbell only. Subsequently, at its meeting on November 28, 2023, the Commission voted to withdraw the Probable Cause Notice as to Count 1 of the Complaint regarding Respondent Wyatt. On December 13, 2023, the Commission requested that the file be returned from the OAL to the agency, in accordance with *N.J.A.C.* 1:1-3.3(a), as no allegations remain in this matter.

¹ This citation refers to the regulation that was in effect at the time of the probable cause determination.

Thereafter, at its special meeting on February 27, 2024, the Commission discussed the above-captioned matter and voted to dismiss same.

II. Decision

Following its review, the Commission dismisses this matter, as the Probable Cause Notice has been withdrawn as to both Counts of the Complaint, and no further allegations remain.

Accordingly, the above-captioned matter is hereby dismissed.

Mailing Date: February 27, 2024

Robert W. Bender, Chairperson

***Resolution Adopting Final Decision (Dismissal)
in Connection with C62-20***

Whereas, at its meeting on April 27, 2021, the School Ethics Commission (Commission) voted to transmit the above-captioned matter to the Office of Administrative Law (OAL) for a hearing; and

Whereas, at its meeting on October 17, 2023, the Commission voted to withdraw the Probable Cause Notice as to Count 2 of the Complaint regarding Respondent Campbell only; and

Whereas, at its meeting on November 28, 2023, the Commission voted to withdraw the Probable Cause Notice as to Count 1 of the Complaint regarding Respondent Wyatt; and

Whereas, on December 13, 2023, the Commission requested that the file be returned from the OAL to the agency as no allegations remain in this matter; and

Whereas, at its special meeting on February 27, 2024, the Commission discussed dismissing the above-referenced matter as no allegations remain; and

Whereas, at its special meeting on February 27, 2024, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings; and

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

Robert W. Bender, Chairperson

I hereby certify that this Resolution was duly adopted by the School Ethics Commission at its special meeting on February 27, 2024.

Brigid C. Martens, Director
School Ethics Commission