

Before the School Ethics Commission
Docket No.: C30-25
Decision on Probable Cause

Jennifer D'Antuono,
Complainant

v.

Matthew Sulikowski,
Old Bridge Board of Education, Middlesex County,
Respondent

I. Procedural History

The above-captioned matter arises from a Complaint that was filed with the School Ethics Commission (Commission) on March 20, 2025, by Jennifer D'Antuono (Complainant), alleging that Matthew Sulikowski (Respondent), a member of the Old Bridge Board of Education (Board), violated the School Ethics Act (Act), *N.J.S.A. 18A:12-21 et seq.* More specifically, the Complaint avers that Respondent violated *N.J.S.A. 18A:12-24.1(b)* and *N.J.S.A. 18A:12-24.1(i)* of the Code of Ethics for School Board Members (Code). Despite receiving two warning letters, Respondent did not file a Written Statement in response to the complaint.

When Respondent failed to file a Written Statement, the Commission, in accordance with *N.J.A.C. 6A:28-7.3(b)*, issued a notice dated April 17, 2025, informing Respondent that he had 10 additional days to file a Written Statement or each allegation in the Complaint would be deemed admitted, and the Commission may decide the matter on a summary basis. The Commission sent a second warning notice, dated May 15, 2025, again advising Respondent that failure to file a Written Statement would result in each allegation in the Complaint being deemed admitted. Despite these notices, Respondent did not file a Written Statement. Accordingly, the Commission's review of this matter was limited solely to the Complaint.

The parties were notified by correspondence dated November 17, 2025, that the above-captioned matter would be discussed by the Commission at its meeting on November 25, 2025, in order to make a determination regarding probable cause. Following its discussion on November 25, 2025, the Commission adopted a decision at its meeting on December 16, 2025, finding that there are insufficient facts and circumstances pled in the Complaint to lead a reasonable person to believe that the Act was violated as alleged in the Complaint.

II. Summary of the Pleadings

A. *The Complaint*

In Count 1, Complainant asserts that at a Board meeting on February 18, 2025, in response to a motion to “reaffirm the district’s stance to stand for all students with [an] Inclusion Resolution,” Respondent called it “fake news” and voted “no.” Complainant also asserts that when asked for an explanation as to his “no” vote, Respondent “wouldn’t answer.” Complainant asserts Respondent violated *N.J.S.A. 18A:12-24.1(b)* because he voted “no,” and therefore, he is “not supporting all of the students in the district fairly and equally.”

In Count 2, Complainant contends at the October 29, 2024, Board meeting, Respondent was “speaking about a staff member” alleging that the “staff member is not qualified to teach in their position, as well as show[ed] the staff member’s resume.” Complainant adds that “although the TV camera is not high definition enough [to] zoom in on the staff name and information,” there was a chance that those in person could have read the staff member’s name. Complainant further contends Respondent violated *N.J.S.A. 18A:12-24.1(i)* by talking about a staff member’s “educational track and personal information” in public.

III. Analysis

This matter is before the Commission for a determination of probable cause pursuant to *N.J.A.C. 6A:28-9.7*. A finding of probable cause is not an adjudication on the merits but, rather, an initial review whereupon the Commission makes a preliminary determination as to whether the matter should proceed to an adjudication on the merits, or whether further review is not warranted. Pursuant to *N.J.A.C. 6A:28-9.7(a)*, probable cause “shall be found when the facts and circumstances presented in the complaint and written statement would lead a reasonable person to believe that the Act has been violated.”

Alleged Violations of the Act

Complainant submits that Respondent violated *N.J.S.A. 18A:12-24.1(b)* and *N.J.S.A. 18A:12-24.1(i)*, 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.

i. I will support and protect school personnel in proper performance of their duties.

N.J.S.A. 18A:12-24.1(b)

In Count 1, Complainant argues that Respondent violated *N.J.S.A. 18A:12-24.1(b)* when he voted “no” on a resolution about inclusion. Respondent did not submit a Written Statement.

Pursuant to *N.J.A.C. 6A:28-6.4*, factual evidence of a violation of *N.J.S.A. 18A:12-24.1(b)*, shall include evidence that Respondent willfully made a decision contrary to the educational welfare of children, or evidence that 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.

After review, the Commission finds that there are insufficient facts and circumstances presented in the Complaint to lead a reasonable person to believe that *N.J.S.A. 18A:12-24.1(b)* was violated in Count 1. While Complainant may disagree with Respondent's "no" vote on a particular resolution, Complainant has not shown how Respondent's comments or negative vote constitute evidence that Respondent willfully made a decision contrary to the educational welfare of children, or constitute evidence that he 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, and pursuant to *N.J.A.C. 6A:28-9.7(b)*, the Commission dismisses the alleged violations of *N.J.S.A. 18A:12-24.1(b)* in Count 1.

Therefore, and pursuant to *N.J.A.C. 6A:28-9.7(b)*, the Commission dismisses the alleged violation of *N.J.S.A. 18A:12-24.1(b)* in Count 1.

N.J.S.A. 18A:12-24.1(i)

In Count 2, Complainant contends that Respondent violated *N.J.S.A. 18A:12-24.1(i)* when he complained about an unnamed staff member's qualifications and showed the staff member's resume at a meeting. Respondent did not submit a Written Statement.

Pursuant to *N.J.A.C. 6A:28-6.4*, factual evidence of a violation of *N.J.S.A. 18A:12-24.1(i)* shall include evidence that Respondent took deliberate action which resulted in undermining, opposing, compromising or harming school personnel in the proper performance of their duties.

Following its assessment, the Commission finds that there are insufficient facts and circumstances presented in the Complaint to lead a reasonable person to believe that *N.J.S.A. 18A:12-24.1(i)* was violated in Count 2. Complainant has not demonstrated how Respondent's actions, when he did not mention any specific teacher by name, resulted in undermining, opposing, compromising or harming school personnel in the proper performance of their duties. Therefore, a violation of *N.J.S.A. 18A:12-24.1(i)* cannot be substantiated in Count 2.

Consequently, and pursuant to *N.J.A.C. 6A:28-9.7(b)*, the Commission dismisses the alleged violation of *N.J.S.A. 18A:12-24.1(i)* in Count 2.

IV. Decision

In accordance with *N.J.S.A. 18A:12-29(b)*, and for the reasons detailed herein, the Commission hereby notifies Complainant and Respondent that there are insufficient facts and circumstances pled in the Complaint to lead a reasonable person to believe that the Act was

violated as alleged in the Complaint and, consequently, dismisses the above-captioned matter.
N.J.A.C. 6A:28-9.7(b).

The within 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).* Under *New Jersey Court Rule 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.

Robert W. Bender, Chairperson

Mailing Date: December 16, 2025

***Resolution Adopting Decision
in Connection with C30-25***

Whereas, at its meeting on November 25, 2025, the School Ethics Commission (Commission) considered the Complaint in connection with the above-referenced matter; and

Whereas, Respondent did not file a Written Statement, and therefore, the Commission's review of this matter was limited solely to the Complaint; and

Whereas, at its meeting on November 25, 2025, the Commission discussed finding that the facts and circumstances presented in the Complaint would not lead a reasonable person to believe that the Act was violated, and therefore, dismissing the above-captioned matter; and

Whereas, at its meeting on December 16, 2025, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on November 25, 2025; 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.

Robert W. Bender, Chairperson

I hereby certify that the Resolution was duly adopted by the School Ethics Commission at its public meeting on December 16, 2025.

Brigid C. Martens, Director
School Ethics Commission