

***Before the School Ethics Commission
OAL Docket No.: EEC-01670-22
SEC Docket No.: C35-21
Final Decision***

***In the Matter of Christopher Kaufman,
Ridgewood Board of Education, Bergen County,
Respondent***

I. Procedural History

The above-captioned matter arises from a Complaint that was filed with the School Ethics Commission (Commission) on August 4, 2021, by Laurie Weber (Complainant), alleging that Christopher Kaufman (Respondent), a member of the Ridgewood 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 violated *N.J.S.A. 18A:12-24(b)* (in Count 1 and Count 2) and *N.J.S.A. 18A:12-24(c)* (in Count 1 and Count 2).

At its meeting on December 14, 2021, and after reviewing Respondent's Motion to Dismiss in Lieu of an Answer (Motion to Dismiss), as well as Complainant's response thereto, the Commission adopted a decision denying the Motion to Dismiss in its entirety, and directing Respondent to file an Answer to Complaint (Answer), which he did on January 3, 2022.

Thereafter, at its special meeting on February 25, 2022, the Commission voted to find probable cause for the alleged violations of the Act in the Complaint. 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.

A hearing was held at the OAL on October 17, 2024, and November 4, 2024, and the record was closed on March 5, 2025, upon receipt of the parties' post-hearing submissions. The Administrative Law Judge (ALJ) issued an Initial Decision on June 23, 2025, concluding that Respondent did not violate *N.J.S.A. 18A:12-24(b)* and *N.J.S.A. 18A:12-24(c)*, and dismissing the matter. Petitioner filed exceptions to the Initial Decision, in accordance with *N.J.A.C. 1:1-18.4*, and Respondent filed a reply thereto.

At its meeting on September 23, 2025, the Commission discussed the above-captioned matter, and at its meeting on October 28, 2025, the Commission voted to adopt the Initial Decision's findings of fact, as well as the legal conclusion that Respondent did not violate *N.J.S.A. 18A:12-24(c)*, but voted to modify the ALJ's legal conclusion to find that Respondent violated *N.J.S.A. 18A:12-24(b)*, and recommend that a penalty of reprimand be imposed.

II. Initial Decision

Based on the documentary evidence and witness testimony, the ALJ issued the following findings of fact:

- Respondent began serving as a Board member in January 2019.
- Daniel Fishbein was the Superintendent and made recommendations to the Board on hiring and re-hiring.
- Thomas Gorman was the high school principal, Keith Cook was the athletic director (AD) and Torrance Watson was the head wrestling coach.
- The coach reports to the AD, the AD reports to the principal and the principal reports to the Superintendent.
- Respondent was involved with the Ridgewood Junior Wrestling (RJW), a program for children ages 5 through 14, from 2013 through 2019, in several roles at different times, including coach, board member, and president.
- Beginning in the 2020-21 school year, Respondent's child attended a private school and was on the wrestling team.
- On September 28 and October 9, 2020, Chad Chalileh and Mike Massenzio, respectively, emailed Respondent a copy of their resumes for potential wrestling coach positions.
- Respondent knew Chalileh and Massenzio through the RJW program, and is not personal friends with either of them.
- On October 12, 2020, Respondent submitted, from his personal email, the resumes to Cook, indicating that he was sending the email as the former President of the RJW and as a resident, and explained that the District "lose[s] so many high level wrestlers every year, my [child] included, to private schools because we don't have faith in the program." Respondent further stated, "I can promise you, if nothing changes we are going to continue to lose top quality kids that would rather go to [Ridgewood High School] if the program had more to offer."
- Cook did not request that Respondent send him the wrestling coach resumes. The administration was not considering replacing Watson for the 2020-2021 school year.
- On October 17, 2020, a resident emailed the Board and expressed concerns about the wrestling program and conduct of the coaching staff, and advocated for Massenzio to be hired as wrestling coach.
- On November 2, 2020, Respondent emailed the other Board members to follow up on the email from the resident, asking that the approval of the wrestling coach be removed from the agenda of that day's Board meeting to discuss further because "[t]here is a candidate that this parent has brought to our attention that I think should be given consideration." Respondent indicated that he was "asking for this either to be removed from the agenda or for [B]oard support to vote no on appointing this position."
- Another Board member asked if Massenzio was interested in the position, and Respondent responded that "[h]e and another incredible candidate are interested." Respondent then forwarded the resumes, as well as an email with attachments regarding a harassment complaint filed related to the wrestling team, "[j]ust to remind everybody of why I'm concerned."

- On November 2, 2020, another Board member emailed the Superintendent saying that Respondent was “upset about the coaching position” and asked if there was “some sort of recourse or do we just continue with [the Athletic Director’s] recommendations.”
- The Superintendent replied that it was “unethical” for Respondent to do this, that it is an Open Public Meetings Act violation, and that “[w]e went in this direction after investing administrative time in working with [Watson.] [Cook] made the recommendation, but I am moving it to the [Board] for approval.” The Board member forwarded the Superintendent’s email to Respondent.
- At the Board meeting on November 2, 2020, the coach assignments were considered. Respondent made a motion to remove the item regarding the wrestling staff due to a concern brought up by a parent. There was not a second to the motion. In voting on the coaching staff, Respondent voted no with respect to the wrestling staff only.
- As to credibility, the ALJ found that Respondent’s testimony was not entirely consistent, and therefore, it is unclear as to how long and in what capacity he was involved with the RJW while on the Board.
- Respondent’s testimony about his intentions in having emailed the two resumes, including that the resumes were simply for a “frame of reference” or “comparison,” or that he merely wanted to supplement the RHS wrestling program, is implausible and undermined by the record.

Initial Decision at 3-12, 18-21.

The ALJ noted that the probable cause notice “emphasized” that if it can be demonstrated that Respondent’s actions were “*so that* [his] child could return to the District and [he] would no longer have to incur significant out of pocket expense for private school tuition” then a violation of *N.J.S.A.* 18A:12-24(b) and *N.J.S.A.* 18A:12-24(c) may be established. *Id.* at 24. The ALJ found that there was not any evidence that Respondent’s conduct was to secure unwarranted privileges, advantages, or employment for himself or for his child, or to secure a new head wrestling coach so that he would not have to pay private school tuition. *Id.* at 25. Furthermore, there was not any evidence to demonstrate that Respondent’s conduct was or created a benefit to Respondent or his child, as his child was no longer attending the school in the District as of the 2020-2021 school year. *Ibid.*

The ALJ further noted that although Chalileh and Massenzio would have benefited from a coaching stipend, there was not any evidence to support any quid pro quo arrangement between either of those two and Respondent, whereby Respondent would receive any benefit from them in exchange for employment and there was also not any evidence to show that Respondent took any further action beyond the communications set forth above relative to either of the two being hired at the high school. *Id.* at 25-26. The ALJ asserted that “based on the record, [Respondent’s] motivation appears to have been to replace Watson, based upon the various allegations and his opinion that Watson was unprofessional and/or not sufficiently qualified, or at the very least to add one or more coaches to the staff whom [Respondent] believed to be professional and more qualified.” *Id.* at 26.

According to the ALJ, Petitioner has proven that Respondent’s “actions were unilateral/unsolicited and motivated by [Respondent’s] desire to replace Watson with an

individual who [Respondent] thought to be a ‘better fit,’ even though the administration was not seeking a change.” *Ibid.* However, Petitioner has not provided any evidence to show that Respondent wanted this change “so that” his child could return to the high school and Respondent would no longer have to pay for private school. *Ibid.* Moreover, the ALJ noted that Petitioner has demonstrated that Respondent’s attempt to remove Watson’s renewal from the meeting agenda was prompted by his own personal agenda and his subsequent “no” vote on Watson’s renewal was prompted by his “own personal agenda” to replace Watson with a “better fit.” *Ibid.* The ALJ further found, however, that again there is not any evidence to support that this was “so that” Respondent’s child could return to the District and Respondent would no longer need to pay tuition. *Ibid.*

The ALJ asserted that “there is no doubt that” Respondent was concerned about the wrestling program, submitted resumes when a vacancy did not exist, and sought to replace the coach when the administration was not in agreement, causing the Superintendent and at least one Board member to believe his conduct was improper. *Ibid.* However, the Complaint did not allege any violations of the Code, which may have been more appropriate subsections for these actions. *Ibid.* Moreover, given the constraints of the probable cause notice, the ALJ concluded that Petitioner has failed to prove a conflict of interest or violations of *N.J.S.A.* 18A:12-24(b) and *N.J.S.A.* 18A:12-24(c). *Id.* at 27. The ALJ further concluded the Complaint should be dismissed. *Ibid.*

III. Exceptions

Petitioner’s Exceptions

Petitioner maintains that although the ALJ found that Respondent “engaged in inappropriate conduct,” the ALJ “read the probable cause notice too narrowly in determining that [Respondent] did not violate the Act.” Petitioner reaffirms that Respondent violated *N.J.S.A.* 18A:12-24(b) “when he ‘attempt[ed] to use his official position to secure unwarranted privileges, advantages or employment for . . . others[.]’” More specifically, Petitioner notes that Respondent “advocated that the head wrestling coach at [the high school] be fired and for two of his friends to be hired instead.” According to Petitioner, the head coach position was a paid position and if Respondent would have succeeded in having the wrestling coach fired and his two friends to be hired, he would have used his official position to secure a benefit for the coaches. Further, Petitioner argues Respondent also violated *N.J.S.A.* 18A:12-24(c) by attempting to get the wrestling coach fired and having his friends hired instead, as Respondent would have created “some benefit” for himself because his friends would have owed him a favor, it would have boosted his reputation in the wrestling community and it would have “incentivized” him to have his child return to the District. Petitioner further argues “the language in the probable cause notice was suggestive and, not mandatory or compulsory,” and the probable cause notice “acknowledged there could be other grounds for finding a violation of the Act.”

Petitioner asserts that Respondent “took several steps to bring change to the wrestling team’s coaching assignments,” namely by requesting alternate head coaches for the high school, by voting to non-renew the coaching assignments and urging fellow Board members to take similar action. Petitioner points to the October 12, 2020, email to the AD in which he includes

the two resumes of his friends. Moreover, Respondent sent “a series of emails” to Board members regarding the wrestling coach assignments and included the resumes of his friends. Petitioner further asserts the ALJ accepted the fact that Respondent was promoting his friends and looking to get rid of the current head coach and the ALJ also made some credibility determinations, specifically discrediting Respondent’s testimony.

Petitioner reaffirms that the Initial Decision “misinterpreted the probable cause notice and thought that the language was mandatory when in fact, it merely provided suggestions as to how the Commission could prosecute its case and prove that [Respondent] violated the Act.” Petitioner notes the evidence, in addition to the “valid inferences” establish that Petitioner “produced sufficient evidence to establish that Respondent violated *N.J.S.A. 18A:12-24(b)* and *N.J.S.A. 18A:12-24(c)*.”

More specifically as to a violation of *N.J.S.A. 18A:12-24(b)*, Petitioner contends Respondent “attempted to secure unwarranted PAID employment for his friends” by meeting with the AD, and encouraging him to consider other options for the wrestling coach position, forwarding his friends’ resumes to the AD, advocating to the Board to consider his friends and telling the Board “[w]e have an obligation to do something.” Petitioner maintains Respondent’s actions were an attempt to use his position to secure unwarranted employment for his friends. Additionally, at the November 2, 2020, Board meeting, Respondent made a motion to remove the wrestling coach assignments from the consent agenda, and when the motion failed, he voted against renewing the coach. Petitioner maintains the evidence establishes that the allegations were correct, and Respondent attempted to use his position to obtain unwarranted privileges for himself, his child, and other parents who disapproved of the wrestling coach.

Regarding a violation of *N.J.S.A. 18A:12-24(c)*, Petitioner provides that Respondent certified to and testified about his long-standing involvement in the RJW and the high school’s team. In addition, he confirmed that he was “very passionate about wrestling.” Petitioner further provides Respondent’s personal interest in the high school wrestling team is readily apparent from his testimony. Petitioner adds that Respondent’s child also had a personal interest in the high school as indicated from his email where Respondent “implicitly stat[ed] that his son ‘would rather go to RHS if the program had more to offer.’” Petitioner asserts it is clear from the record that Respondent took action in his official capacity that “is or creates some benefit to the school official or member of his immediate family.” Per Petitioner, if Respondent “had succeeded in changing the wrestling team to his liking, he would have gained credit for doing so” and he “would have changed the wrestling team so that it would be suitable for his [child.]”

Finally, Petitioner asserts Respondent’s “conduct is so egregious” that it warrants a censure. Petitioner argues Respondent “used his Board membership to advocate for change in the wrestling coach assignment – a matter that he was heavily invested in. This is improper use of Board membership” and warrants a censure.

Respondent's Reply to Petitioner's Exceptions

As an initial matter, Respondent asserts the ALJ “correctly determined” that Petitioner failed to satisfy the burden of proof required to find that Respondent violated *N.J.S.A.* 18A:12-24(b) and *N.J.S.A.* 18A:12-24(c).

Respondent argues that the ALJ’s decision that Respondent did not violate *N.J.S.A.* 18A:12-24(b) “should be upheld because the evidence demonstrates the [Respondent] took no overt action to secure unwarranted privileges, advantages, or employment for any individual.” According to Respondent, the ALJ found that Respondent knows “Chalileh and Massenzio through the RJW [program] and **is not personal friends with either of them.**” Moreover, Respondent “convincingly testified to his [child’s] ineligibility to participate in wrestling since sustaining an injury in sixth or seventh grade.” Therefore, there is not any “credible evidence of an intent to obtain an unwarranted privilege for himself or others” produced at the hearing.

As to a violation of *N.J.S.A.* 18A:12-24(c), Respondent maintains the ALJ is again correct in finding that Respondent did not violate this provision because he “did not participate in any official capacity in a matter in which he had personal involvement that could compromise his objectivity.” Per Respondent, the record demonstrates that Respondent’s “actions were directed toward improving oversight and ensuring that the Board received sufficient information to discharge its fiduciary responsibilities – not to confer a personal advantage.”

Regarding Petitioner’s argument that the ALJ read the probable cause notice “too narrowly,” Respondent argues “such a contention is arbitrary and capricious, procedurally and substantively improper, and wholly violative” of established precedent that the hearing be “limited to those allegations in which the Commission has found probable cause.” Respondent further argues “[c]onsideration of other allegations not [pled] and addressed in the Probable Cause Notice, as argued in the Commission’s exceptions, is clearly violative of foundational principles of administrative law and procedural and substantive due process.” Respondent asserts the ALJ “correctly confined her legal conclusions to the conduct actually noticed, and any broader reading unlawfully alters the scope of the proceedings.”

Ultimately, Respondent argues the ALJ found that there was not any credible evidence to support that Respondent’s child would attend the high school, and noted the child did not wrestle any longer and the child left the District for academic reasons, not athletic; the ALJ further found that any potential benefit would have been to the District’s wrestling program, not to Respondent or his child; his actions were motivated out of concern for the wrestling program; and contrary to Petitioner’s argument, the ALJ did not find Respondent’s conduct to be improper.

IV. Analysis

Upon a thorough, careful, and independent review of the record, the Commission adopts the ALJ’s findings of fact, as well as the legal conclusion that Respondent did not violate *N.J.S.A.* 18A:12-24(c), but modifies the ALJ’s legal conclusion to find that Respondent violated *N.J.S.A.* 18A:12-24(b), and recommends that a penalty of reprimand be imposed.

N.J.S.A. 18A:12-24(b) prohibits school officials from using or attempting to use their official position to secure unwarranted privileges, advantages or employment for themselves, members of their immediate family or others. The Commission finds that Chalileh and Massenzio are “others,” within the meaning of *N.J.S.A. 18A:12-24(b)*. While the ALJ found that Respondent is not “personal friends” with them, it is clear from the record that, at the very least, they knew Respondent through the RJW program, where Respondent held leadership roles, and they coached together in that capacity. A violation of *N.J.S.A. 18A:12-24(b)* does not require Respondent and the individuals to be friends or to have any relationship with one another, but rather just uses the term “others.” The Commission finds that Respondent used or attempted to use his position on the Board to secure unwarranted privileges, advantages or employment for Chalileh and Massenzio. The record clearly indicates that the District was not looking for a new wrestling coach, as the position was not posted and resumes were not requested. However, despite this, Respondent unilaterally sent the resumes of Chalileh and Massenzio to the AD. Not only did Respondent submit the resumes unsolicited, but he included an email advocating for a coaching change. Respondent took further action and emailed the Board members on the day of the Board meeting and asked that the approval of the wrestling coach be removed from the agenda and/or that Board members join him in voting against reappointing the current coach to his position. Respondent then forwarded the resumes of the two coaches along with information regarding a harassment complaint involving the current coach to cast doubt on his character and persuade Board members to remove him and hire one of his choices for coaches instead. Even after he received an email that day in which the Superintendent advised that Respondent’s behavior was “unethical” and that the Superintendent and the AD made the recommendation to move forward with the current coach, Respondent proceeded to make a motion to remove the item involving wrestling staff from the agenda. The totality of Respondent’s behavior demonstrates that he unquestionably used his position as a Board member to push for the removal of the current wrestling coach (when he was not otherwise being considered for removal) so that his fellow coaches – “others” – could be hired instead. Such overt involvement is beyond the role of a Board member, was an attempt to use his position to secure employment for his fellow coaches, and is in violation of *N.J.S.A. 18A:12-24(b)*.

N.J.S.A. 18A:12-24(c) prohibits a school official from acting in his official capacity in a matter where he, a member of her immediate family, or a business organization in which he has an interest, has a direct or indirect financial involvement that might reasonably be expected to impair his objectivity or independence of judgment, and from acting in his official capacity in a matter where he or a member of his immediate family has a personal involvement that is or creates some benefit to him or a member of his immediate family. The evidence has not established that Respondent’s conduct created any benefit to him or his child. Even if Chalileh or Massenzio became the coach, there is no definitive evidence beyond speculation that he passed along the resumes so that his child could return to the District and join the wrestling team, and he would save on the cost of private school tuition. It is clear that Respondent wanted to replace the current wrestling coach with a “better fit,” even though the administration had not intended to make a coaching change, but it has not been shown that he had a personal or financial involvement that would impair his independence of judgment or create a benefit for him or a member of his immediate family. Accordingly, the Commission agrees with the ALJ that a violation of *N.J.S.A. 18A:12-24(c)* has not been demonstrated.

With respect to a penalty, the Commission notes that Respondent used his Board position to try to discredit the current wrestling coach and advocate for his removal, in order to promote the hiring of his favored wrestling coaches. Accordingly, a penalty of reprimand is appropriate in this circumstance.

IV. Decision

For the aforementioned reasons, the Commission adopts the ALJ's findings of fact, as well as the legal conclusion that Respondent did not violate *N.J.S.A.* 18A:12-24(c), but modifies the ALJ's legal conclusion to find that Respondent violated *N.J.S.A.* 18A:12-24(b), and recommends that a penalty of reprimand be imposed.

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 Office 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: October 28, 2025

***Resolution Adopting Decision
in Connection with C35-21***

Whereas, at its special meeting on February 25, 2022, the School Ethics Commission (Commission) voted to transmit the above-captioned matter to the Office of Administrative Law (OAL) for a hearing; and

Whereas, the Administrative Law Judge (ALJ) issued an Initial Decision dated June 23, 2025; and

Whereas, in the Initial Decision, the ALJ found that Respondent did not violate *N.J.S.A.* 18A:12-24(b) and *N.J.S.A.* 18A:12-24(c), and ordered the dismissal of the above-captioned matter; and

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

Whereas, at its meeting on September 23, 2025, the Commission reviewed and discussed the record, including the ALJ's Initial Decision; and

Whereas, at its meeting on September 23, 2025, the Commission discussed adopting the Initial Decision's findings of fact, as well as the legal conclusion that Respondent did not violate *N.J.S.A.* 18A:12-24(c), but modifying the ALJ's legal conclusion to find that Respondent violated *N.J.S.A.* 18A:12-24(b), and recommending a penalty of reprimand be imposed; and

Whereas, at its meeting on October 28, 2025, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on September 23, 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 October 28, 2025.

Brigid C. Martens, Director
School Ethics Commission