

***Before the School Ethics Commission***  
***Docket No.: C92-24***  
***Decision on Probable Cause***

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**Kaline Videau,  
Complainant**

**v.**

**Giuseppe Grillo,  
Asbury Park Board of Education, Monmouth County,  
Respondent**

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**I. Procedural History**

The above-captioned matter arises from a Complaint that was filed with the School Ethics Commission (Commission) on December 20, 2024,<sup>1</sup> by Kaline Videau (Complainant), alleging that Giuseppe Grillo (Respondent), a member of the Asbury Park 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(a), *N.J.S.A.* 18A:12-24(e), and *N.J.S.A.* 18A:12-24(f). Respondent filed a Written Statement on March 4, 2025, and also alleged that the Complaint is frivolous. On March 11, 2025, Complainant filed a response to the allegation of frivolous filing.

The parties were notified by correspondence dated July 15, 2025, that the above-captioned matter would be discussed by the Commission at its meeting on July 22, 2025, in order to make a determination regarding probable cause and the allegation of frivolous filing. Following its discussion on July 22, 2025, the Commission adopted a decision at its meeting on August 19, 2025, finding that there are insufficient facts and circumstances pled in the Complaint and in the Written Statement to lead a reasonable person to believe that the Act was violated as alleged in the Complaint. The Commission also adopted a decision finding the Complaint not frivolous, and denying Respondent's request for sanctions.

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<sup>1</sup> On November 9, 2024, and December 12, 2024, Complainant filed deficient Complaints; however, on December 20, 2024, Complainant cured all defects and filed an Amended Complaint that was deemed compliant with the requirements detailed in *N.J.A.C.* 6A:28-6.3.

## II. Summary of the Pleadings

### A. *The Complaint*

By way of background, Complainant submits that Respondent sent emails to staff requesting their support for “the ticket of his choice that is running for the [B]oard.” The e-mail, sent to the union president, read:

**Subject:** SUPPORT ASBURY'S CHILDREN - Volunteers Needed

As you know, we are **12 days away from the most consequential election for our school district in a generation.** This election is a choice between the past and the future; between the return of the toxic culture of the recent past or putting the final nail in that coffin for good; between old ideas that failed vs. continuing the very recent changes that have taken place since Mr. Gerbino was appointed Acting Superintendent. Our opponents are well-funded and working hard to convince voters that they are the voice for "change" for our schools. It's like the arsonist who lights the match but then pulls the fire alarm. We all know better, and we cannot go back.

**Our three fantastic candidates- Dr. Shadab Maghsood, Danielle Brascomb, and Marcella Soria-Flores - need your help to win this race.** We need boots on the ground from every supporter that we know - in and out of the school district. Below is a list of "volunteer needs" from the next 12 days of the campaign:

- **Tomorrow, Friday, 10/25:** the opposition is holding a breakfast Meet & Greet at MacroBites, on the corner of Atkins and Springwood Aves. This is being organized by Felicia Simmons, who may or may not be getting paid by the opposition. We need three to five teachers, school staff, retired or active, to attend and see what they are telling the people who may show up, to counter their lies, and to speak the truth to the people.
- **All Weekend:** we need you to come out to knock on doors with our candidates. We have 40 different areas of the City to fan out and make as much voter contact as possible. Our opponents will be out there, and we need to match and surpass the amount of doors they knock. Canvassing with the candidates is scheduled for the following times:
  - **Friday 10/25, 4 pm to 7 pm**
  - **Saturday 10/26, 11:00 AM to 7:00 PM**
  - **Sunday 10/27, 1:00 pm to 7:00 pm** [prime hours are between 3:00 PM & 7:00 PM]
- **Week of 10/28, Every day except Halloween,** We are canvassing SENIORS 11:00 AM–3:00 PM. We are canvassing ALL doors from 4 pm to 7 pm.
  - **From Friday, Nov. 1st, until Election Day, Tuesday, Nov. 5th,** we are canvassing ALL doors from 11:00 AM to 7:00 PM.Please check your availability and let me know when you are available to canvass with each other and/or with the candidates. Shoot me an email with the dates and times you are available.

● **Halloween TRUNK OR TREAT 10/31:** The City is holding a Trunk or treat event for the kids from 4pm to 6pm at the City Hall Parking Lot. The candidates will be there giving out candy. If you or someone you know has a car or vehicle that really stands out from the pack, please consider lending it to the campaign for this event. We plan on having full-sized candy bars and making our vehicle really attractive to the kids. Also, if you want to dress up and help distribute candy, please let us know.

● **Tuesday, Election Day:** We need volunteers to give out literature in front of the polling locations in Asbury Park. Polling locations are open from 6:00 AM to 8:00 PM. Pick a four-hour block of time and we will put you at one of the five polling locations in town:

- Asbury Park Municipal Parking Lot, Bangs and Main
- Second Baptist Church, Atkins Avenue
- Mount Carmel Church Annex, Asbury Avenue & Pine St.
- Asbury Park High School Media Center, Sunset & Comstock
- Asbury Tower, 1701 Ocean Avenue & Deal Lake Drive

● **FINALLY**, if you cannot or will not canvass [(sic)] or knock on doors, **we need volunteers to MAKE PHONE CALLS to voters who have not mailed back their mail-in ballots yet.** This is a huge group of voters that can make or break this election. It is the unofficial "10th voting district" of Asbury Park. If you are more comfortable making phone calls for the candidates, attached is a sample script. Please let me know if you would like to make phone calls for the candidates, and we will set you up with everything you need to make effective phone calls to Asbury Park voters.

Folks, we are in the home stretch. Working together we can make history for our school district and knock these opponents out in the next 12 days. 12 days of sacrifice and commitment will get all three ladies to the finish line victorious - it all starts with you.

Please email me at [Respondent's personal e-mail] or call/text [Respondent's personal phone] with how you would like to volunteer and when, or if you have any questions.

According to Complainant, Respondent asked "retired teachers and active teachers to go spy on the other candidates and report the information back to him." Complainant further submits that Respondent, as the campaign manager, has asked staff members to donate to the campaign to support his candidates. Complainant notes that because Respondent is working with the union president, the staff feels that they should comply with the requests, or they may face retaliation. According to Complainant, Respondent used his position as Board Vice President "to micromanage school staff by urging us to go spying on the other running ticket," by

“demand[ing] that we canvas the neighborhood for the party that he was supporting” and for “intimidat[ing]” and “manipulat[ing]” people.

With the above in mind, Complainant asserts Respondent violated *N.J.S.A.* 18A:12-24(a), because he was involved with the union President “to force the employees to work on his behalf which is a substantial conflict to discharge him of his duties in the public interest”; violated *N.J.S.A.* 18A:12-24(e), because he “accepted favors and services from staff in order for him to vote on their behalf for future employment”; and violated *N.J.S.A.* 18A:12-24(f), because he received employee information from the union to help him with his election and the election of his supported candidates. Complainant notes that although she does not know the rules, she “knows [Respondent] has been using his position to contact staff, [to] try to coerce them to canvas or make phone calls for him and other members of the [B]oard.”

### **B. *Written Statement and Allegation of Frivolous Filing***

Respondent initially argues that the facts of the Complaint “are untrue, unsubstantiated, and there [is] no evidence to support the Complaint.” Moreover, as of January 2025, Respondent is no longer the Board Vice President so the “relief sought is moot and frivolous.”

As to a violation of *N.J.S.A.* 18A:12-24(a), Respondent submits that Complainant is relying on an email that he sent from his personal account to the union president’s personal account. Respondent notes the union was supporting the same candidates as Respondent; however, Respondent was not on the ballot. Respondent maintains the email indicated a need for volunteers and in no way was meant to force anyone.

Regarding a violation of *N.J.S.A.* 18A:12-24(e), Respondent asserts Complainant has not provided any evidence to support this claim and reiterates the personal email was expressing the need for volunteers.

As to a violation of *N.J.S.A.* 18A:12-24(f), Respondent argues Complainant did not provide any evidence to support this claim.

Finally, Respondent contends the Complaint is frivolous because Complainant’s allegations are “conclusory statements,” “are not supported by evidence,” the emails came from his personal account, and Complainant has not provided any evidence to support her claims, which are without merit and the emails were “proper.”

### **C. *Response to Allegation of Frivolous Filing***

Complainant argues when she filed her Complaint, Respondent was the Board Vice President. Complainant further argues, despite Respondent’s claims to the contrary, his emails sounded like a demand. Complainant notes Respondent spoke to the staff and asked them to “canvas” the neighborhood. Complainant maintains the union president asked for donations on behalf of Respondent and the members were told to contact Respondent. Per Complainant, her Complaint is not frivolous and Respondent has been working with the union president to control the Board and to keep their friend as Acting Superintendent.

### 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, based on the conduct more fully detailed above, Respondent violated *N.J.S.A. 18A:12-24(a)*, *N.J.S.A. 18A:12-24(e)*, and *N.J.S.A. 18A:12-24(f)* and these provisions of the Act state:

a. No school official or member of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest;

e. No school official, or member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the school official has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the school official in the discharge of his official duties;

f. No school official shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated;

An “interest” is defined as “the ownership or control of more than 10% of the profits, assets, or stock of a business but shall not include the control of assets in a labor union” pursuant to *N.J.S.A. 18A:12-23*.

To credit a violation of *N.J.S.A. 18A:12-24(a)*, Complainant must provide sufficient factual evidence that Respondent, or a member of his immediate family, has an interest in a

business organization, or engaged in any business, transaction, or professional activity which was in substantial conflict with the proper discharge of his duties in the public interest.

To credit a violation of *N.J.S.A. 18A:12-24(e)*, Complainant must provide sufficient factual evidence that Respondent, a member of his immediate family, or a business organization in which he had an interest, solicited or accepted a gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties.

To credit a violation of *N.J.S.A. 18A:12-24(f)*, Complainant must provide sufficient factual evidence that Respondent used his public employment, or any information not generally available to the public, and which he received in the course of and by reason of his employment, for the purpose of securing financial gain for himself, his business organization, or a member of his immediate family.

Following its assessment, the Commission finds that there are insufficient facts and circumstances presented in the Complaint and the Written Statement to lead a reasonable person to believe that *N.J.S.A. 18A:12-24(a)*, *N.J.S.A. 18A:12-24(e)* and/or *N.J.S.A. 18A:12-24(f)* were violated in this Complaint. As for *N.J.S.A. 18A:12-24(a)*, Complainant has not shown how Respondent's actions were in substantial conflict with the proper discharge of his duties as a Board member in the public interest. Complainant has not provided any evidence that Respondent solicited or accepted a gift, favor, loan, political contribution, service, promise of future employment, or other thing of value from any of the candidates or staff based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties as required by *N.J.S.A. 18A:12-24(e)*. Finally, Complainant has not provided evidence that Respondent used his public employment or any information not generally available to the public, and which he received in the course of and by reason of his employment, for the purpose of securing financial gain for himself, his business organization, or a member of his immediate family. 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(a)*, *N.J.S.A. 18A:12-24(e)* and/or *N.J.S.A. 18A:12-24(f)*.

#### **IV. Request for Sanctions**

At its meeting on July 22, 2025, the Commission considered Respondent's request that the Commission find the Complaint frivolous, and impose sanctions pursuant to *N.J.S.A. 18A:12-29(e)*. Despite Respondent's argument, the Commission cannot find evidence that might show that Complainant filed the Complaint in bad faith or solely for the purpose of harassment, delay, or malicious injury. The Commission also does not have information to suggest that Complainant knew or should have known that the Complaint was without any reasonable basis in law or equity, or that it could not be supported by a good faith argument for an extension, modification or reversal of existing law. *N.J.A.C. 6A:28-1.2*. Therefore, at its meeting on August 19, 2025, the Commission adopted a decision finding the Complaint not frivolous, and denying the request for sanctions.

## **V. 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 and in the Written Statement 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 Commission further advises the parties that, following its review, it voted to find that the Complaint is not frivolous, and to deny Respondent's request for sanctions.

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.

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Robert W. Bender, Chairperson

Mailing Date: August 19, 2025

***Resolution Adopting Decision  
in Connection with C92-24***

***Whereas***, at its meeting on July 22, 2025, the School Ethics Commission (Commission) considered the Complaint, the Written Statement and the allegation of frivolous filing, and the response to the allegation of frivolous filing submitted in connection with the above-referenced matter; and

***Whereas***, at its meeting on July 22, 2025, the Commission discussed finding that the facts and circumstances presented in the Complaint and the Written Statement 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 July 22, 2025, the Commission discussed finding the Complaint not frivolous, and denying the request for sanctions; and

***Whereas***, at its meeting on August 19, 2025, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on July 22, 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.

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Robert W. Bender, Chairperson

I hereby certify that the Resolution was duly adopted by the School Ethics Commission at its public meeting on August 19, 2025.

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Dana C. Jones  
School Ethics Commission