

***Before the School Ethics Commission***  
***Docket No.: C104-25***  
***Decision on Probable Cause***

---

**Dr. Malcolm X. Outlaw,**  
***Complainant***

v.

**April Maxwell Henley,**  
**Willingboro Board of Education, Burlington County,**  
***Respondent***

---

**I. Procedural History**

The above-captioned matter arises from a Complaint that was filed with the School Ethics Commission (Commission) on October 29, 2025,<sup>1</sup> by Dr. Malcolm X. Outlaw (Complainant), Superintendent of the Willingboro School District (District), alleging that April Maxwell Henley (Respondent), a member of the Willingboro 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(c), as well as *N.J.S.A.* 18A:12-24.1(d), *N.J.S.A.* 18A:12-24.1(e) and *N.J.S.A.* 18A:12-24.1(f) of the Code of Ethics for School Board Members (Code). Respondent filed a Written Statement on December 10, 2025.

The parties were notified by correspondence dated March 17, 2026, that the above-captioned matter would be discussed by the Commission at its meeting on March 24, 2026, to determine whether probable cause exists. Following its discussion on March 24, 2026, the Commission adopted a decision at its meeting on April 28, 2026, 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.

**II. Summary of the Pleadings**

**A. *The Complaint***

According to Complainant, the Willingboro High School print shop produced “promotional materials” on or about April 21 through April 25, 2025, for a Willingboro Education Foundation (WEF) golf fundraiser “at the direction of the then-Business Administrator/Board Secretary” (BS) with “no invoice [] issued nor payment received from [the]

---

<sup>1</sup> On October 13, 2025, Complainant filed a deficient Complaint; however, on October 29, 2025, 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.

WEF for the work.” Complainant contends Respondent (Board member) is also the founder/president of the WEF.

With the above in mind and in Count 1, Complainant asserts Respondent violated *N.J.S.A.* 18A:12-24(c), because she “received unapproved, unpaid district printing services,” which is a “privilege or advantage not afforded to similarly situated outside organizations or the general public” and violated *N.J.S.A.* 18A:12-24.1(d), because a reasonable person would perceive Respondent had “preferential treatment or compromised independent judgment, undermining public confidence in Board integrity.”

In Count 2, Complainant maintains that Respondent’s “leadership of WEF,” “conflicted with her duty as a Board member to safeguard [D]istrict resources and to avoid special treatment for entities in which she has leadership roles.” Complainant asserts Respondent violated *N.J.S.A.* 18A:12-24.1(e), because the “WEF received [D]istrict resources without authorization or payment, compromising” the Board and violated *N.J.S.A.* 18A:12-24.1(f), because she “failed to disclose her WEF leadership and failed to recuse from matters in which [the] WEF stood to benefit.”

In Count 3, Complainant contends Respondent violated *N.J.S.A.* 18A:12-24(c), because the WEF “received district printing services without authorization or payment” and violated *N.J.S.A.* 18A:12-24.1(d), because the “ongoing circumstances reinforce the appearance that [the] WEF received preferential treatment linked to Respondent’s dual roles.”

## **B. *Written Statement***

Respondent initially argues that any “promotional materials created for scholarship events were produced under the direction of Complainant, who then gave [the BA] approval to proceed because it was a partnership with the District and conducted in accordance with a Board-approved fundraising plan.” Respondent further argues the “District did not charge for printing promotional materials for [the] golf outing nor was it required to do so.”

Respondent asserts she did not have a “personal or financial interest in the event,” she did not “direct the printing of the promotional materials at issue” and “no reasonable observer would have believed she stood to gain from it in any way.” Respondent further asserts she does not have a conflict with her dual role as a Board member and the President of the WEF, and notes the golf outing “was a collaborative effort ‘in partnership with’ the District.”

Respondent argues that the charges are, “in whole or in part, filed beyond the applicable 180-day limitations period” and “knowingly false and concocted: (a) to retaliate against Respondent for the Board reinstating [the BA] to his position; and (b) to position Complainant for an impending civil suit against the school district in anticipation of which he served a Tort Claim Notice in June 2025.”

### 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 Untimeliness*

In her Written Statement, Respondent submits that the allegations are time-barred as the Complaint was filed more than one hundred eighty (180) days after the alleged conduct, and therefore, should be dismissed.

*N.J.A.C.* 6A:28-6.5(a) provides a one hundred eighty (180) day limitation period for filing a complaint. *N.J.A.C.* 6A:28-6.7(b) further provides that a complainant may amend a complaint to cure technical defects, clarify or amplify allegations made in the original complaint and such amendments will relate back to the date the complaint was first received by the Commission for the purpose of determining timeliness pursuant to *N.J.A.C.* 6A:28-6.5.

In the present matter, a Deficient Complaint was filed on October 13, 2025. Complainant then cured all defects and submitted an Amended Complaint on October 29, 2025. As the original Deficient Complaint was filed on October 13, 2025, it is within the 180-day time period of the alleged actions on April 21 through April 25, 2025, that forms the basis of this Complaint. Therefore, the Commission finds the Complaint to be timely.

#### *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(c), and this provision of the Act states:

c. No school official shall act in his official capacity in any matter where he, a member of his 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. No school official shall act in his official capacity in any matter where he or a member of his immediate family has a personal involvement that is or creates some benefit to the school official or member of his immediate family;

To credit a violation of *N.J.S.A.* 18A:12-24(c), Complainant must provide sufficient factual evidence that Respondent acted in her official capacity in a matter where she, or a member of her immediate family, had a direct or indirect financial involvement that might reasonably be expected to impair her objectivity, or in a matter where she had a personal involvement that created some benefit to her, or to a member of her immediate family.

Complainant further submits that Respondent violated *N.J.S.A.* 18A:12-24.1(d), *N.J.S.A.* 18A:12-24.1(e), and *N.J.S.A.* 18A:12-24.1(f), and these provisions of the Code provide:

d. I will carry out my responsibility, not to administer the schools, but, together with my fellow board members, to see that they are well run.

e. I will recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board.

f. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.

Pursuant to *N.J.A.C.* 6A:28-6.4(a), a violation(s) of *N.J.S.A.* 18A:12-24.1(d), *N.J.S.A.* 18A:12-24.1(e), and *N.J.S.A.* 18A:12-24.1(f) need to be supported by certain factual evidence, more specifically:

4. Factual evidence of a violation of *N.J.S.A.* 18A:12-24.1(d) shall include, but not be limited to, evidence that Respondent gave a direct order to school personnel or became directly involved in activities or functions that are the responsibility of school personnel or the day-to-day administration of the school district or charter school.

5. Factual evidence of a violation of *N.J.S.A.* 18A:12-24.1(e) shall include evidence that Respondent made personal promises or took action beyond the scope of her duties such that, by its nature, had the potential to compromise the board.

6. Factual evidence of a violation of *N.J.S.A.* 18A:12-24.1(f) shall include evidence that 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 Respondent used the schools in order to acquire some benefit for herself, a member of her immediate family or a friend.

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(c), *N.J.S.A.* 18A:12-24.1(d), *N.J.S.A.* 18A:12-24.1(e) and *N.J.S.A.* 18A:12-24.1(f) were violated. With respect to a violation of *N.J.S.A.* 18A:12-24(c), Complainant has not demonstrated or provided any evidence that Respondent has acted in her official capacity in any matter involving the WEF. Additionally, Complainant has not shown how Respondent gave a direct order to school personnel or became directly involved in activities or functions that are the responsibility of school personnel or the day-to-day administration of the school district or charter school, as required by *N.J.S.A.* 18A:12-24.1(d). Complainant does not

allege that Respondent gave any orders to school personnel, including a direct order requesting that the WEF not pay for the print shop materials. Concerning a violation of *N.J.S.A.* 18A:12-24.1(e), Complainant has not shown that Respondent made any personal promises with respect to the WEF or took action beyond the scope of her duties as a Board member that could compromise the Board. Notably, Complainant has not demonstrated that Respondent took any action concerning the WEF. Lastly, as for a violation of *N.J.S.A.* 18A:12-24.1(f), even if the WEF received free materials from the District, this does not demonstrate that 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 Respondent used the schools in order to acquire some benefit for herself, a member of her immediate family or a friend as Complainant has not demonstrated that Respondent requested that the order from the print shop would be free. Additionally, Complainant does not allege with any specificity how or when Respondent “failed to recuse” from matters related to the WEF.

The Commission, however, reminds Respondent that, although the mission of the WEF is laudable, she must continue to be cognizant of her responsibilities as a Board member and avoid the appearance of potential conflicts with her service on the WEF. To this end, Respondent should be guided by the Commission’s public Advisory Opinions including *Advisory Opinion* A04-21, *Advisory Opinion* A15-18, and *Advisory Opinion* A17-15 that discuss a Board member’s involvement in volunteer activities.

Accordingly, 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(c), *N.J.S.A.* 18A:12-24.1(d), *N.J.S.A.* 18A:12-24.1(e), and *N.J.S.A.* 18A:12-24.1(f).

#### **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 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 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: April 28, 2026

***Resolution Adopting Decision  
in Connection with C104-25***

***Whereas***, at its meeting on March 24, 2026, the School Ethics Commission (Commission) considered the Complaint and the Written Statement submitted in connection with the above-referenced matter; and

***Whereas***, at its meeting on March 24, 2026, 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 April 28, 2026, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on March 24, 2026; 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 April 28, 2026.

---

Brigid C. Martens, Director  
School Ethics Commission