

Before the School Ethics Commission
Docket No.: C112-25
Decision on Probable Cause

Klarida Papajani,
Complainant

v.

**Joseph Blundo, Gini Varghese, Debra Stephanis, Kristin Martin, James Stankus
and Yas Usami**
Pascack Valley Regional High School Board of Education, Bergen County,
Respondents

I. Procedural History

The above-captioned matter arises from a Complaint that was filed with the School Ethics Commission (Commission) on November 5, 2025,¹ by Klarida Papajani (Complainant), alleging that Joseph Blundo, Gini Varghese, Debra Stephanis, Kristin Martin and James Stankus (collectively Respondents), members of the Pascack Valley Regional High School Board of Education (Board), and Yas Usami, Board Secretary/Business Administrator of the Pascack Valley Regional High School District (Respondent Usami), violated the School Ethics Act (Act), *N.J.S.A. 18A:12-21 et seq.* More specifically, the Complaint avers that Respondents violated *N.J.S.A. 18A:12-24.1(a)*, *N.J.S.A. 18A:12-24.1(c)*, *N.J.S.A. 18A:12-24.1(e)*, *N.J.S.A. 18A:12-24.1(g)* and *N.J.S.A. 18A:12-24.1(i)* of the Code of Ethics for School Board Members (Code).

On December 22, 2025, Respondents filed a Written Statement, which included an allegation that the Complaint is frivolous. On January 9, 2026, Complainant filed a response to the allegation of frivolous filing.

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 and whether the Complaint is frivolous. Following its discussion on March 24, 2026, the Commission adopted a decision at its meeting on April 28, 2026, finding that as the Complaint only alleges violations of Code, and Respondent Usami is an administrator, not a Board member, the allegations against Respondent Usami are dismissed. The Commission further discussed adopting a decision dismissing the matter against the remaining Respondents as the Commission does not have jurisdiction over matters that do not arise under the Act. The Commission also adopted a decision finding the Complaint frivolous, and granting Respondents' request for sanctions.

¹ On November 12, 2025, Complainant filed an amendment to the Complaint.

II. Summary of the Pleadings

A. *The Complaint*

According to Complainant, in December 2023, she “obtained a copy of a Board meeting transcript showing that discussions about [her child’s] residency and [her] case continued after the recording operator claimed to have stopped recording.” Consequently, Complainant filed a complaint with the Government Records Council (GRC) requesting the audio from the meeting in 2023. Ultimately, the GRC informed Complainant that the audio could not be released.

Thereafter, Complainant submitted an Open Public Records Act (OPRA) request in October 2025, and received “new evidence,” specifically, an email between the Superintendent and Board counsel, “showing that the Superintendent guided the Board on how to deny [her child’s] residency and 504 rights before any impartial review.” Based on this information, in Count 1, Complainant asserts Respondents violated *N.J.S.A. 18A:12-24.1(a)*, *N.J.S.A. 18A:12-24.1(c)*, *N.J.S.A. 18A:12-24.1(e)*, *N.J.S.A. 18A:12-24.1(g)* and *N.J.S.A. 18A:12-24.1(i)*.

In Count 2, Complainant contends that in May 2024 the District “failed to renew [her child’s] Section 504 Plan during her senior year of high school [], despite multiple requests and [the child’s] ongoing need for accommodations” in violation of *N.J.S.A. 18A:12-24.1(g)*, because this “failure deprived [the child] of legally required protections and demonstrates retaliation and neglect.”

In the amendment to the Complaint, Complainant adds that Respondents also violated Local Public Contracts Law (LPCL) and other regulations involving Board governance.

B. *Written Statement and Allegation of Frivolous Filing*

Respondents maintain Complainant “fails to allege even a single fact or circumstance which would allow a reasonable person to believe that the Act has been violated by a member of the Board.” Further, Respondents note that Yas Usami is an administrator, and therefore, Complainant cannot allege Code violations against him.

Next, Respondents argue the Complaint is untimely because the residency matter was determined on August 8, 2024, 501 days before the filing of this Complaint. Respondents also assert the Board responded to Complainant’s OPRA request in August, not October, and further the email between the Superintendent and Board counsel is not included in her filing, does not involve Board members and “does nothing to render the instant Complaint timely.”

Respondents further argue that Complainant did not provide any factual evidence to support a violation of *N.J.S.A. 18A:12-24.1(a)*, *N.J.S.A. 18A:12-24.1(c)*, *N.J.S.A. 18A:12-24.1(e)*, *N.J.S.A. 18A:12-24.1(g)* and *N.J.S.A. 18A:12-24.1(i)*.

Finally, Respondents assert the Complaint is frivolous because Complainant filed it in bad faith and solely for the purposes of harassment, delay, or malicious injury. Respondents note that matters concerning Complainant’s child’s residency and 504 Plan, “have previously been

adjudicated in state agencies on the merits, both decided in the Board’s favor, and further litigation on the same is barred by *res judicata*.” Moreover, Complainant has threatened, “as long as you continue to push my buttocks [(sic)] I will continue not only Opra [(sic)] requests but more I will file. You will find out.” Lastly, Respondents assert that the “Applicable Legal Standards” that Complainant has cited “bear no resemblance to the *actual* obligations imposed by any of the cited provisions of the Act.”

C. Response to the Allegation of Frivolous Filing

In her response to the allegation of frivolous filing, Complainant maintains “[e]very allegation in [her] Complaint is supported by documentary evidence obtained through OPRA,” and Respondents’ statements are “demonstrably false.”

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.”

Jurisdiction of the Commission

In reviewing the allegations in this matter, the Commission notes that its authority is limited to enforcing the Act, *N.J.S.A.* 18A:12-21 *et seq.*, a set of minimum ethical standards by which all school officials must abide. In this regard, the Commission has jurisdiction only over matters arising under the Act, and it may not receive, hear, or consider any matter that does not arise under the Act, *N.J.A.C.* 6A:28-1.4(a).

With the jurisdiction of the Commission in mind, to the extent that Complainant seeks a determination from the Commission that Respondents may have violated any laws or regulations concerning LPCL and/or Board governance, the Commission advises that such determinations fall beyond the scope, authority, and jurisdiction of the Commission.

Additionally, with the above in mind, the Commission notes that it does not have jurisdiction nor does it review complaints, investigations, or decisions involving student residency and/or 504 plans. In accordance with *N.J.S.A.* 18A:6-9, the New Jersey Department of Education, Office of Controversies and Disputes, assists the Commissioner of Education in using the process established by the Administrative Procedure Act to hear and decide disputes that arise under the State school laws, including issues over residency. In addition, the New Jersey Department of Education, Office of Special Education, handles mediations and impartial due process hearings involving 504 plans. Further, the United States Department of Education, Regional Office for Civil Rights, also handles appeals regarding violations of a student’s 504 Plan.

Accordingly, Complainant was able to pursue a cause of action in the appropriate tribunal. However, the Commission is not the appropriate entity to adjudicate these claims.

Further, pursuant to *N.J.S.A.* 18A:12-24.1, only School Board members may violate the Code of Ethics. Therefore, as Respondent Usami was an administrator and the Complaint only alleged violations of the Code, the allegations against Respondent Usami are dismissed for lack of jurisdiction.

Accordingly, for the above reasons, the Complaint is dismissed due to the lack of jurisdiction by the Commission.²

IV. Request for Sanctions

At its meeting on March 24, 2026, the Commission considered Respondents' request that the Commission find the Complaint frivolous and impose sanctions pursuant to *N.J.S.A.* 18A:12-29(e). Despite Respondents' argument, the Commission cannot find evidence that Complainant filed the Complaint in bad faith or solely for the purpose of harassment, delay, or malicious injury.

However, the Commission believes that Complainant knew or should have known that the Complaint was without any 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. The Commission notes after notifying Complainant that the allegations within the complaint were not within the authority of the Commission, the Commission did not accept an initial complaint against Respondents, submitted by Complainant on October 16, 2025, due to lack of jurisdiction and timeliness. Despite this, Complainant decided to, nevertheless, pursue a complaint against Respondents involving the same allegations. Accordingly, the Commission finds that Complainant knew or should have known that the Complaint was outside of the Commission's jurisdiction, and therefore, did not have a reasonable basis in law or equity.

Therefore, at its meeting April 28, 2026, the Commission adopted a decision finding the Complaint frivolous pursuant to *N.J.S.A.* 18A:12-29(e), and granting the request for sanctions. The Commission orders that Complainant pay a fine in the amount of \$50.00.

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 Respondents that it dismisses Respondent Usami from the above-referenced matter as the Complaint only alleges violations of the Code, and dismisses the above-captioned matter as to the remaining Respondents as the Commission does not have jurisdiction over matters that do not arise under the Act. The Commission further

² As the Commission has determined there is no jurisdiction, the Commission will not address the timeliness argument.

advises the parties that, following its review, it voted to find that the Complaint frivolous, and to grant Respondents' 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.

Robert W. Bender, Chairperson

Mailing Date: April 28, 2026

***Resolution Adopting Decision
in Connection with C112-25***

Whereas, at its meeting on March 24, 2026, 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 March 24, 2026, the Commission discussed finding that it did not have jurisdiction over Respondent Usami in this matter as he was an administrator and the complaint only alleged violations of the Code of Ethics, and therefore, dismissing him from the above-captioned matter; and

Whereas, at its meeting on March 24, 2026, the Commission discussed finding that it did not have jurisdiction over the facts and circumstances presented in the Complaint, and therefore, dismissing the above-captioned matter as to all other Respondents; and

Whereas, at its meeting on March 24, 2026, the Commission discussed finding the Complaint frivolous, and granting the request for sanctions pursuant to *N.J.S.A.* 18A:12-29(e); and

Whereas, the Commission finds the Complaint to be frivolous pursuant to *N.J.S.A.* 18A:12-29(e) and orders that Complainant pay a fine in the amount of \$50.00; 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