

Before the School Ethics Commission
Docket No.: C125-25
Decision on Probable Cause

April Maxwell-Henley,
Complainant

v.

Debra Williams,
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 November 26, 2025,¹ by April Maxwell-Henley (Complainant), alleging that Debra Williams (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:12-24.1(a), *N.J.S.A.* 18A:12-24.1(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(g) of the Code of Ethics for School Board Members (Code).

On January 14, 2026, Respondent filed a Written Statement, which included an allegation that the Complaint is frivolous. On January 20, 2026, Complainant filed a response to the allegation of frivolous filing.

The parties were notified by correspondence dated April 21, 2026, that the above-captioned matter would be discussed by the Commission at its meeting on April 28, 2026, to determine whether probable cause exists and whether the Complaint is frivolous. Following its discussion on April 28, 2026, the Commission adopted a decision at its meeting on May 26, 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. The Commission also adopted a decision finding the Complaint not frivolous, and denying Respondent's request for sanctions.

¹ On November 17, 2025, Complainant filed a deficient Complaint; however, on November 26, 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.

II. Summary of the Pleadings

A. *The Complaint*

According to Complainant, on August 29, 2025, the Superintendent “confirmed the Board President created and acted through an unauthorized committee [the Willingboro High School (WHS) Hall of Fame Ad Hoc Committee].” Complainant maintains “[u]napproved ad hoc committee activity occurred before any Board action; event materials were released without Board approval; and financial information was withheld.”

With the above in mind, in Count 1, Complainant asserts that from March 2025-September 2025, Respondent/Board President violated *N.J.S.A.* 18A:12-24.1(a) and *N.J.S.A.* 18A:12-24.1(e) because she “exercised authority not granted” and “withheld information and acted outside Board policy.”

In Count 2, Complainant contends that from August 2025 - October 2025, Respondent violated *N.J.S.A.* 18A:12-24.1(c) and *N.J.S.A.* 18A:12-24.1(d) because she “allowed unauthorized public communications” and she “failed to act in the district’s best interest.”

In Count 3, Complainant maintains from October 2025 - November 2025, Respondent violated *N.J.S.A.* 18A:12-24.1(d) and *N.J.S.A.* 18A:12-24.1(g) when she “withheld financial reconciliation” and this “created an appearance of impropriety.”

B. *Written Statement and Allegation of Frivolous Filing*

In her Written Statement, which includes an allegation of frivolous filing, Respondent argues Count 1 is time barred, and even if the claim was timely, Respondent further argues as the Board President, she is “expressly authorized under Board policy to create the Alumni hall of Fame ad hoc committee,” and therefore, the committee was “properly constituted and fully authorized.”

As to Count 2, Respondent maintains this charge is also false. Per Respondent, after each committee meeting, “a committee report was prepared and shared with the full Board ensuring transparency and communication.” Respondent further maintains the “notification opening nominations for the Hall of Fame” did not require Board approval and she notes she did not “direct district staff to post or distribute any materials.”

Regarding Count 3, Respondent contends this “charge is a gross mischaracterization of events and is entirely false.” Respondent further contends that Complainant requested a “reconciliation of financial information related to Homecoming.” Although, Respondent shared Complainant’s request with the Acting Superintendent, Respondent notes Complainant “demanded the information be produced” a day later. According to Respondent, the Acting Superintendent was new, and Respondent “did not believe it was reasonable or fair to require her [(the new Superintendent)] to complete detailed financial records in one day,” and therefore, Respondent requested “a brief extension.” Ultimately, Respondent notes the information was provided to Complainant as requested and at “no time was information withheld.”

Finally, Respondent asserts the Complaint is frivolous because Complainant's charges are "untimely, factually inaccurate and frivolous." Moreover, Respondent states the charges "reflect a misuse of the ethics complaint process." Respondent further asserts that as a former Board member and President, Complainant understands both Board governance and the seriousness of ethics filings, and therefore, she "knew, or reasonably should have known, that the allegations set forth were false and frivolous."

C. *Response to the Allegation of Frivolous Filing*

In response to the allegation of frivolous filing, Complainant asserts the Complaint "was filed in good faith and is based on reasonable factual and legal basis." Complainant further asserts the "allegations raised present legitimate ethical questions appropriate for review by the [Commission]."

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 Respondent may have violated any Board policies, the Commission advises that such determinations fall beyond the scope, authority, and jurisdiction of the Commission. Although Complainant may be able to pursue a cause of action(s) in the appropriate tribunal, the Commission is not the appropriate entity to adjudicate those claims. Accordingly, those claims are dismissed.

Alleged Untimeliness

In Count 1 of the Complaint, Complainant alleges that Respondent violated the Act related to actions on or about March 27, 2025, through September 29, 2025. However, Complainant argues she learned about the actions on August 29, 2025, when the Superintendent confirmed the committee actions and filed within 180 days of the notice date. Respondent contends these allegations are untimely.

The Commission's regulations provide a one hundred eighty (180) day limitation period for filing a complaint. More specifically, *N.J.A.C. 6A:28-6.5(a)* provides, in relevant part:

- (a) Complaints shall be filed within 180 days of notice *of the events which form the basis of the alleged violation(s)*. A complainant shall be deemed to be notified of events that form the basis of the alleged violation(s) *when the complainant knew of the events, or when such events were made public so that one using reasonable diligence would know or should have known* (emphasis added).

With the above in mind, and pursuant to *N.J.A.C. 6A:28-6.5(a)*, the Commission must determine when Complainant knew of the events which formed the basis of the Complaint, or when such events were made public so that one using reasonable diligence would know, or should have known, of such events.

After review, the Commission finds that there is not a credible basis upon which to find that Complainant was unaware of Respondent's actions or conduct until the date when she filed the Complaint. Respondent argues that after each committee meeting, "a committee report was prepared and shared with the full Board ensuring transparency and communication." Therefore, Complainant knew or should have known that the committee had been formed prior to the August 29th email confirmation from the Superintendent. Although the Commission recognizes that the regulatory time period may be relaxed, in its discretion, in any case where strict adherence may be deemed inappropriate or unnecessary or may result in injustice, it does not find extraordinary circumstances in the within matter that would compel relaxation.

Therefore, the Commission finds that the allegations in Count 1 alleging Respondent violated the Act should be dismissed as untimely. However, given the nature of the allegations, for this Complaint, the Commission will still review the merits of this count.

Alleged Violations of the Act

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

- a. I will uphold and enforce all laws, rules and regulations of the State Board of Education, and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.

- c. I will confine my board action to policy making, planning, and appraisal, and I will help to frame policies and plans only after the board has consulted those who will be affected by them.

- 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.

g. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. In all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its school.

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

1. Factual evidence of a violation of *N.J.S.A.* 18A:12-24.1(a) shall include a copy of a final decision from any court of law or administrative agency of this State demonstrating that Respondent failed to enforce all laws, rules and regulations of the State Board of Education, and/or court orders pertaining to schools or that Respondent brought about changes through illegal or unethical procedures.

3. Factual evidence of a violation of *N.J.S.A.* 18A:12-24.1(c) shall include evidence that Respondent took board action to effectuate policies and plans without consulting those affected by such policies and plans, or took action that was unrelated to Respondent's duty to (i) develop the general rules and principles that guide the management of the school district or charter school; (ii) formulate the programs and methods to effectuate the goals of the school district or charter school; or (iii) ascertain the value or liability of a policy.

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.

7. Factual evidence of a violation of the confidentiality provision of *N.J.S.A.* 18A:12-24.1(g) shall include evidence that Respondent took action to make public, reveal or disclose information that was not public under any laws, regulations or court orders of this State, or information that was otherwise confidential in accordance with board policies, procedures or practices. Factual evidence that Respondent violated the inaccurate information provision of

N.J.S.A. 18A:12-24.1(g) shall include evidence that substantiates the inaccuracy of the information provided by Respondent and evidence that establishes that the inaccuracy was other than reasonable mistake or personal opinion or was not attributable to developing circumstances.

After review, 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:12-24.1(a), *N.J.S.A.* 18A:12-24.1(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(g) were violated. The Commission notes that formation of an ad hoc committee is a matter of Board governance, and not within the Commission's purview. Notwithstanding, Complainant has not produced a copy of a final decision from any court of law or administrative agency of this State demonstrating that Respondent failed to enforce all laws, rules and regulations of the State Board of Education or a court order pertaining to the school as required by *N.J.S.A.* 18A:12-24.1(a). As for *N.J.S.A.* 18A:12-24.1(c), creating a Board committee would not be action that is unrelated to Respondent's duty as a Board President as it is a Board responsibility. Regarding a violation of *N.J.S.A.* 18A:12-24.1(d), Complainant has not provided 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, as creation of a Board committee is a Board function and not that of school personnel. With respect to a violation of *N.J.S.A.* 18A:12-24.1(e), Complainant has not shown that Respondent made any personal promises or took action beyond the scope of her duties when she authorized the formation of a Board committee as said actions are part of the duties of a Board President. Lastly, as for *N.J.S.A.* 18A:12-24.1(g), the Complaint lacks evidence that establishes Respondent made any false or inaccurate statements to Complainant or to the public.

Accordingly, and pursuant to *N.J.A.C.* 6A:28-9.7(b), the Commission dismisses the alleged violation(s) 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(d), *N.J.S.A.* 18A:12-24.1(e), and *N.J.S.A.* 18A:12-24.1(g).

IV. Request for Sanctions

At its meeting on April 28, 2026, 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 May 26, 2026, 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.

Robert W. Bender, Chairperson

Mailing Date: May 26, 2026

***Resolution Adopting Decision
in Connection with C125-25***

Whereas, at its meeting on April 28, 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 April 28, 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 discussed finding the Complaint not frivolous, and denying the request for sanctions; and

Whereas, at its meeting on May 26, 2026, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on April 28, 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 May 26, 2026.

Brigid C. Martens, Director
School Ethics Commission