

Before the School Ethics Commission
Docket No.: C129-25
Decision on Probable Cause

Michael Gottesman,
Complainant

v.

Angelique Volpe,
Colts Neck Board of Education, Monmouth County,
Respondent

I. Procedural History

The above-captioned matter arises from a Complaint that was filed with the School Ethics Commission (Commission) on November 24, 2025, by Michael Gottesman (Complainant), alleging that Angelique Volpe (Respondent), a member of the Colts Neck 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(e), *N.J.S.A.* 18A:12-24.1(f), and *N.J.S.A.* 18A:12-24.1(i) of the Code of Ethics for School Board Members (Code). On December 16, 2025, Respondent filed a Written Statement on December 16, 2025.

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. 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.

II. Summary of the Pleadings

A. *The Complaint*

Complainant asserts that during a Board meeting on November 19, 2025, while seated on the dais, and in her role as the Board President, Respondent “made statements about [] Complainant which contained false information.” More specifically, Complainant provides, Respondent made the following statement:

Number two, Mike Gottesman. He says, resist right wing extremism in public schools. Okay, this gentleman played a big role in infiltrating the [Marlboro] School Board, and if anybody’s following the [Marlboro] School Board, it’s a complete shit show over there. They should be embarrassed about their conduct,

what's going on in that district. And *this* man actually had a big role in flipping that board. And now look at what that district looks like. It's disgusting. He needs to be called out if he's making statements.

Complainant further asserts Respondent violated *N.J.S.A.* 18A:12-24.1(e), *N.J.S.A.* 18A:12-24.1(f), and *N.J.S.A.* 18A:12-24.1(i) as she made decisions based on personal animus, not based on "the educational welfare of children," her actions "compromise[d] the board" and she did not "support and protect" the interests of the public." Complainant also alleged a violation of Board Policy No. 0167.6.b.

B. *Written Statement*

Respondent initially contends that the Complaint must be dismissed because Complainant failed "to state a claim upon which relief can be granted." Moreover, Respondent notes the allegations, even when accepted as true, "consist of non-actionable expression of opinion concerning the current state and affairs at the Marlboro School Board and the role that Complainant had in influencing it." More specifically, as to each allegation, Respondent argues Complainant has not provided any evidence to demonstrate that by making the statement, Respondent made a personal promise or took action beyond the scope of her duties, Respondent "conceded independent judgment, acted at the request of a specific group, or with the intent of any personal again," or that Respondent took deliberate action to undermine a school official in the proper performance of their duties, as Complainant is a private citizen and not an employee of the school district.

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 Violations of the Act

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

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.

i. I will support and protect school personnel in proper performance of their duties.

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

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.

9. Factual evidence of a violation of *N.J.S.A.* 18A:12-24.1(i) shall include evidence that Respondent took deliberate action which resulted in undermining, opposing, compromising or harming school personnel in the proper performance of their duties.

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:12-24.1(e), *N.J.S.A.* 18A:12-24.1(f), and *N.J.S.A.* 18A:12-24.1(i) were violated. 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 made comments at the November 19, 2025, public Board meeting. Concerning a violation of

N.J.S.A. 18A:12-24.1(f), Complainant has not established 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 provided evidence that Respondent used the schools in order to acquire some benefit for herself, a member of her immediate family or a friend. Even if Respondent's comments were similar to the beliefs of certain special interest groups or persons organized and voluntarily united in opinion and who adhere to a particular political party or cause, this does not mean that Respondent's comments were made on behalf of, or at the request of any such group. Lastly, as to a violation of *N.J.S.A.* 18A:12-24.1(i), Complainant has not shown Respondent took deliberate action which resulted in undermining, opposing, compromising or harming school personnel in the proper performance of their duties when she spoke at a meeting as her remarks were about a member of the public and not about school personnel.

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

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: May 26, 2026

***Resolution Adopting Decision
in Connection with C129-25***

Whereas, at its meeting on April 28, 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 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 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