

Before the School Ethics Commission
Docket No.: C134-25
Decision on Probable Cause

Stephanie Johnson,
Complainant

v.

Betti Anne McVey,
Pinelands Regional Board of Education, Ocean County,
Respondent

I. Procedural History

The above-captioned matter arises from a Complaint that was filed with the School Ethics Commission (Commission) on December 8, 2025, by Stephanie Johnson (Complainant), alleging that Betti Anne McVey (Respondent), a member of the Pinelands Regional 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(b)*, *N.J.S.A. 18A:12-24(c)*, *N.J.S.A. 18A:12-24(e)*, and *N.J.S.A. 18A:12-24(f)*, as well as *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).

On February 3, 2026, Respondent filed a Written Statement, which included an allegation that the Complaint is frivolous. On February 7, 2026, Complainant filed a response to the allegation of frivolous filing.

The parties were notified by correspondence dated May 19, 2026, that the above-captioned matter would be discussed by the Commission at its meeting on May 26, 2026, to determine whether probable cause exists and whether the Complaint is frivolous. Following its discussion on May 26, 2026, the Commission adopted a decision at its meeting on June 23, 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 frivolous, and granting Respondent's request for sanctions.

II. Summary of the Pleadings

A. *The Complaint*

By way of background, Complainant provides that in July 2025, Respondent submitted her "School Board Petition packet" (Packet) to the County Clerk. According to Complainant, Respondent obtained 32 signatures. Of the signatures, one was her own, three were family

members, three were current Board members, 11 were current district employees and six were the Assistant Superintendent's and her family members. Complainant maintains this "gives the perception to the public of a direct mutualistic agreement where support for this candidate and Board member will ensure a vote to continue [the signatories'] employment and employment for [their] family member at Pinelands." Complainant notes that Respondent was only able to obtain eight signatures from community members who were not employed by or did not have family employed by the Board.

With the above in mind, Complainant asserts that on July 22, 2025, Respondent submitted a "conflicted" Petition. More specifically, Complainant notes the Pinelands School District Administrative Secretary signed Respondent's Petition and she also notarized the Petition using her former married name. Complainant contends Respondent used her Board position by having the Administrative Secretary notarize her Petition and in turn, Respondent voted in favor of the Administrative Secretary's employment "pushing additional stipends like a \$5,000 bonus for being the District proof reader" [(sic)] and notary. Complainant further contends that the use of two different names "did not raise flags" at the County Clerk's office. Complainant maintains Respondent "fraudulently got her name on the ballot."

Complainant asserts Respondent violated *N.J.S.A.* 18A:12-24.1(e) because "for this many Pinelands employees and their families to support one candidate can only mean a quid pro quo relationship" and because she "used her position as a Board Member and asked an Administrative Secretary to notarize her petition who uses her notary in the course of school business and receives reimbursement for holding this notary license"; and violated *N.J.S.A.* 18A:12-24.1(f) because she "used the Pinelands staff and district office for personal gain for herself, her family, her friends that are employees, and her fellow Board Members that support the [Chief School Administrator (CSA)] blindly." Complainant also adds that the signatures of the Assistant Superintendent's parents are very similar, which calls into question their validity.

Complainant further asserts Respondent violated *N.J.S.A.* 18A:12-24(b) because she "used her position to obtain signatures from employees to support her re-election run, and used her position as a Board Member to have an administrative secretary to notarize her petition"; and violated *N.J.S.A.* 18A:12-24(c), *N.J.S.A.* 18A:12-24(e) and *N.J.S.A.* 18A:12-24(f) by "seeking signatures exclusively from School District employees" where she holds a seat on the Board. Complainant contends Respondent "has an advantage of using her Board relationship in acquiring these signatures which the average resident does not" and she "used her position to get support from staff in return for their continued employment."

B. *Written Statement and Allegation of Frivolous Filing*

In her Written Statement, which includes an allegation of frivolous filing, Respondent argues that district employees "may lawfully sign a [Petition] provided they are residents of the [Township] and are registered voters." Respondent further argues that Complainant has not provided any evidence to support that there was "a quid pro quo, mutual agreement, or understanding whereby support for [her] candidacy was exchanged for a vote, promise or expectation of future employment." Respondent notes, "[t]here was not promises made." Respondent asserts she did not "submit a conflicted or improper" Petition to the County Clerk,

she had the “legally required number of valid signatures,” and the notary “is a duly licensed notary public, and her signature and seal are valid, and proper.” Respondent further asserts Complainant has not provided any evidence to show that Respondent “made or implied any agreement regarding future employment in exchange for Petition signatures or political support” because “there were no such agreements.”

Respondent contends that she “regularly attend[s] conferences, county meetings, and online professional development courses.” Respondent maintains that she fully recognizes “that authority rests with the [Board] and that [she] must not make personal promises or take private action that would compromise the Board.” Respondent further maintains she has not made any personal promises to any individual in exchange for support or for signing her Petition and Complainant has not offered any proof to the contrary. According to Respondent, she has “never surrendered [her] independent judgment to any special interest or partisan political group, nor [has she] used the school for personal gain or for the gain of friends.”

As to the Assistant Superintendent’s spouse’s signature, Respondent maintains it is his signature and Respondent notes she did “not solicit signatures exclusively from District employees” she did not make any “promises or implications of future employment” to any individual in exchange for signing a Petition, the “signatures are not the equivalent of a vote or political support,” and neither she “nor any member of [her] immediate family has ever benefited financially or otherwise from [her] service on the [Board].” Respondent argues Complainant has not provided any evidence to support any of these allegations.

Finally, Respondent asserts that the Complaint is frivolous because the individuals who signed the Petition are residents of the community and Complainant knew that the signatures were not a conflict because she requested an advisory opinion that confirmed the signatures were not a conflict. Further, Respondent maintains that Complainant makes accusations and insinuations without providing any evidence. Per Respondent, even if these allegations were true, which they are not, they would not be an ethics violation. Respondent provides that Complainant has “weaponized the ethics complaint process, for the sole purpose of harassment and malicious injury.” Moreover, Respondent notes that Complainant seeks to “invalidate” the Board election, and this claim is “far-fetched and frivolous” and can only be challenged in Superior Court.

C. Response to the Allegation of Frivolous Filing

In response to the allegation of frivolous filing, Complainant argues the Complaint “presents legitimate issues of fact and law concerning whether Respondent used her official position to obtain political support, services or benefits from individuals subject to Board authority, and whether such conduct created an appearance of impropriety in violation of the [Act].” Therefore, Complainant contends the Complaint “presents sufficient factual and legal basis to satisfy the probable cause standard and should proceed through the Commission’s review process.”

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

b. No school official shall use or attempt to use his official position to secure unwarranted privileges, advantages or employment for himself, members of his immediate family or others;

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;

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;

In order to credit a violation of *N.J.S.A.* 18A:12-24(b), Complainant must provide sufficient factual evidence that Respondent used or attempted to use her official position to secure an unwarranted privilege, advantage or employment for herself, members of her immediate family, or “others.”

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.

To credit a violation of *N.J.S.A.* 18A:12-24(e), Complainant must provide sufficient factual evidence that Respondent, a member of her immediate family, or a business organization in which she 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 her, directly or indirectly, in the discharge of her official duties.

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

Complainant further submits that Respondent violated *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:

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

At the outset, the Commission has previously addressed the issue of whether it was a conflict for school administrators to sign election petitions for those who were running for school board election in their school district. As Respondent indicated, Complainant requested an advisory opinion from the Commission specifically inquiring whether obtaining signatures from District employees would violate the School Ethics Act. The Commission opined that Board members who received such signatures did “not have a *per se* conflict of interest related to the employment of the administrators who signed the petition.” The Commission noted that “signing a petition, in their private capacity, as individuals who live in the community, in and of itself, is not enough to present a conflict for” the subject Board members and that “it cannot be assumed that [the Board members] have or will surrender their independent judgment to the administrators” simply due to the signatures on an election petition. Furthermore, the Commission notes that the U.S. Supreme Court has ruled that public school teachers do not forfeit their constitutional protections when they take a government job (*Tinker v. Des Moines Independent Sch. Dist.*, 393 U.S. 503 (1969)). Among the constitutional protections provided are that acting in their individual capacities, school employees may engage in political activities, including such things as signing election petitions.

With the above in mind, 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(b), *N.J.S.A.* 18A:12-24(c), *N.J.S.A.* 18A:12-24(e), *N.J.S.A.* 18A:12-24(f), *N.J.S.A.* 18A:12-24.1(e) and *N.J.S.A.* 18A:12-24.1(f) were violated. Regarding a violation of *N.J.S.A.* 18A:12-24(b), Complainant has not provided a scintilla of evidence that Respondent used or attempted to use her official position to secure an unwarranted privilege, advantage or employment for herself, members of her immediate family, or “others” when district employees signed her election petition. With regard to *N.J.S.A.* 18A:12-24(c), Complainant has not demonstrated how receiving signatures on an election petition is

acting in her official capacity in any matter where she, a member of her immediate family, or a business organization in which she has an interest, has a direct or indirect financial involvement that might reasonably be expected to impair her objectivity or independence of judgment.

While Complainant speculates that Respondent “used her position to get support from staff in return for their continued employment,” this is pure speculation on Complainant’s part, and therefore, Complainant has not provided sufficient factual evidence that Respondent 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 her, directly or indirectly, in the discharge of her official duties as required by *N.J.S.A.* 18A:12-24(e) or that Respondent used or, or allowed to be used, her public office or employment, or any information, not generally available to the members of the public, which she receives or acquires in the course of and by reason of her office or employment, for the purpose of securing financial gain for herself, any member of her immediate family, or any business organization with which she is associated as required by *N.J.S.A.* 18A:12-24(f). With regard to a potential violation of *N.J.S.A.* 18A:12-24.1(e), Complainant speculates that staff only signed the petition as part of a “a quid pro quo relationship”; however, Complainant does not provide any 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. Lastly, Complainant has not included 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; nor has Complainant demonstrated that Respondent used the schools in order to acquire some benefit for herself when she submitted an election petition with the signatures of school employees as required by *N.J.S.A.* 18A:12-24.1(f).

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(b), *N.J.S.A.* 18A:12-24(c), *N.J.S.A.* 18A:12-24(e), *N.J.S.A.* 18A:12-24(f), *N.J.S.A.* 18A:12-24.1(e) and *N.J.S.A.* 18A:12-24.1(f).

IV. Request for Sanctions

At its meeting on May 26, 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).

Complainant was aware through her request for an advisory opinion that merely obtaining signatures, without more, is not a violation of the School Ethics Act, yet she chose to file a complaint anyway without any evidence to support her accusations. As such, the Commission believes 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 is 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 \$100.00.

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 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 frivolous, and to grant 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: June 23, 2026

***Resolution Adopting Decision
in Connection with C134-25***

Whereas, at its meeting on May 26, 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 May 26, 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 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 \$100.00; and

Whereas, at its meeting on June 23, 2026, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on May 26, 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 June 23, 2026.

Brigid C. Martens, Director
School Ethics Commission