

***Before the School Ethics Commission
Docket No.: C34-26 and C35-26 (Consolidated)
Decision on Probable Cause***

**Yolanda Luna,
Complainant**

v.

SEC Docket No.: C34-26

**Cristina Garro,
Belleville Board of Education,
Essex County,
Respondent**

**Amanda Rivera,
Complainant**

v.

SEC Docket No.: C35-26

**Cristina Garro,
Belleville Board of Education,
Essex County,
Respondent**

I. Procedural History

The above-captioned consolidated matter arises from two separate but related Complaints that were filed with the School Ethics Commission (Commission) by Yolanda Luna and Amanda Rivera (Complainants), alleging that Cristina Garro (Respondent), a member of the Belleville Board of Education (Board), violated the School Ethics Act (Act), *N.J.S.A. 18A:12-21 et seq.* In the matters docketed as C34-26 and C35-26, which were both filed on March 16, 2026, by Complainant Luna and Complainant Rivera, respectively, Complainants alleged that Respondent violated *N.J.S.A. 18A:12-24(c)* and *N.J.S.A. 18A:12-24(e)*. Respondent filed Written Statements on May 8, 2026.

By correspondence dated August 17, 2026, the parties were advised that, pursuant to its authority as set forth in *N.J.A.C. 6A:28-6.6*, the Commission determined to consolidate the matters docketed as C34-26 and C35-26. The Commission's decision to consolidate the above-noted Complaints was based on a review of (1) the identity of the parties in each of the matters; (2) the nature of all questions of fact and law respectively involved; (3) the advisability generally of disposing of all aspects of a controversy in a single proceeding; and (4) other matters appropriate to a prompt and fair resolution of the issues. More specifically, because Respondent is the same, and each Complaint alleges that the same general conduct/action forms the basis for

the alleged violations of the Act, the Commission determined that, in the interest of efficiency, it can resolve both Complaints in one consolidated matter.

The parties were notified by correspondence dated August 18, 2026, that the above-captioned matter would be discussed by the Commission at its meeting on August 25, 2026, to determine whether probable cause exists. Following its discussion on August 25, 2026, the Commission adopted a decision at its meeting on September 22, 2026, finding that there are insufficient facts and circumstances pled in the Complaints and in the Written Statements to lead a reasonable person to believe that the Act was violated as alleged in the Complaints.

II. Summary of the Pleadings

A. *The Complaints*

Complainants are District employees, as well as the Parent Teacher Organization (PTO) President and Vice-President. Respondent is a Board member, and also a member of the PTO. According to Complainants, on March 10, 2026, “a disagreement arose related to volunteer activities” within the PTO, which “involved communications related to PTO volunteer coordination and was handled through a general PTO email account that is monitored by multiple parent volunteers.” Complainants maintain that despite the matter being unrelated to District employment matters, Respondent contacted the Superintendent “regarding the situation and raised concerns” about Complainants. Complainants maintain that as a Board member, Respondent “has communications with district leadership that ordinary citizens do not. Her ability to directly call or text the Superintendent regarding this matter stems from her access as a [Board member].” Complainants further maintain that Respondent “escalat[ed] a disagreement related to PTO volunteer activities to the Superintendent and [sought] administrative guidance and/or action against district employees[, which] raises concerns regarding the potential use of an elected official in connection with a personal matter.”

Complainants assert Respondent’s actions violated *N.J.S.A. 18A:12-24(c)* because she “used her position as a Board Trustee and her access to district leadership to escalate a personal PTO dispute and seek administrative action against a district employee unrelated to her employment” and violated *N.J.S.A. 18A:12-24(e)* by contacting the Superintendent and requesting administrative action in connection with a personal dispute, Respondent’s conduct creates the appearance that her position as a Board trustee could improperly influence the performance of official duties.

B. *Written Statements*

In her Written Statements, Respondent initially argues that the Complaint must be dismissed for failure to comply with the mandatory pleading requirements set forth in *N.J.A.C. 6A:28-6.3* because, among other things, the Complaint does not identify the date of each alleged violation and does not provide the specific facts and arguments necessary to support each count as required by the Act. If not dismissed for failure to comply, Respondent offers the following background information:

- On or around March 9, 2026, Respondent spoke with several other pre-K parents and asked one of them to reach out to Complainant Rivera, the PTO President, and see if the pre-K parents could assist with donating and setting up decorations for the ceremony for their children. This matter was of particular importance to Respondent, as it concerned her child's class and ceremony.

- Complainant Rivera responded to the pre-K parent, and stated that the pre-K parents could assist with the moving up ceremony decorations, but with the condition that Respondent could not be involved.

- On March 10, 2026, Respondent sent an email to the PTO email address asking specifically why she was not permitted to participate in setting up decorations for the moving up ceremony.

- Respondent and another PTO representative exchanged multiple emails throughout the day regarding the PTO's position that only members of the PTO Board, the President, Vice President, Secretary, and Treasurer, would be permitted to participate in decorating the various ceremonies, and that general PTO members and parent volunteers would not be allowed to help.

- At the same time the emails were occurring, Respondent reached out to the principal/PTO member, and asked for guidance regarding both the decoration issue and the interpersonal conflict and sense of targeting she experienced within the PTO.

- The principal subsequently contacted Complainants and then informed Respondent that there was nothing she could do, as the PTO Board had decided to handle the decorations themselves.

- Again, in her capacity as a parent, Respondent reached out to the Superintendent to "seek his guidance on the situation." According to Respondent, the Superintendent's contact information "is publicly available" on the District's website.

- On March 10, 2026, Respondent spoke with the Superintendent and "expressly stated that she was calling in her capacity as a parent and not as a Board Trustee." Respondent notes she informed the Superintendent of the "dispute regarding the decorations and the interpersonal issues she had experienced." Although she stated she felt "targeted" by the PTO President and Vice President, Respondent notes she did not mention their names and she did not request that the Superintendent take any action against either of them.

- Respondent states the Superintendent advised that the PTO was its own independent organization and that the school district had limited involvement in its affairs. He suggested that Respondent request the PTO's bylaws and bring the matter to a vote by the members.

- Thereafter, Respondent requested a copy of the bylaws and on March 16, Respondent received an email from the PTO stating that her membership was subject to review based upon the emails exchanged on March 10, 2026.

As to the specific allegations, specifically a violation of *N.J.S.A. 18A:12-24(c)*, Respondent argues that she contacted the Superintendent in her personal capacity as a parent of a pre-K student whose daughter's moving up ceremony was at issue, not as a Board Trustee. Respondent argues the matter involving her child was entirely unrelated to her duties as a Board Trustee. Respondent reasserts she expressly stated she was calling as a parent, not as a Board Trustee. Respondent contends she did not invoke her Board position, did not request any official Board action, and did not identify any PTO individuals by name – she only referred to them by their positions of President and Vice President. Respondent further contends the Superintendent's contact information is publicly posted on the district's website and available to

everyone. Per Respondent, the mere fact that a school official contacts a district administrator does not establish that she acted in her official capacity. Respondent maintains Complainants have not presented sufficient facts that could lead a reasonable person to believe that Respondent acted in her official capacity. Even if Respondent acted in her official capacity, Complainants have failed to allege facts sufficient to satisfy the second element, and therefore, does not provide any facts to show Respondent had a financial involvement, nor does it identify a benefit to Respondent or her child resulting from the call.

As to a violation of *N.J.S.A. 18A:12-24(e)*, Respondent argues that the Complaint does not contain any allegations or supporting facts to demonstrate that Respondent solicited or accepted a gift, favor, loan, political contribution, service, promise of future employment, or any other thing of value from any person in connection with the conduct alleged.

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 Complainants seek a determination from the Commission that Respondent may have violated any PTO or Board policies, the Commission advises that such determinations fall beyond the scope, authority, and jurisdiction of the Commission. Although Complainants 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

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

- 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;

To credit a violation of *N.J.S.A. 18A:12-24(c)*, Complainants 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)*, Complainants 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.

Based on its review, the Commission finds that there are insufficient facts and circumstances presented in the Complaints and the Written Statements to lead a reasonable person to believe that *N.J.S.A. 18A:12-24(c)* and *N.J.S.A. 18A:12-24(e)* were violated. The Commission has often stated that Board members do not give up their rights as parents when they become Board members. As such, Respondent can still contact the Superintendent in her capacity as a parent. Complainants have not shown that when Respondent contacted the Superintendent, she acted in her official capacity as a Board member as required to find a violation of *N.J.S.A. 18A:12-24(c)*. Regarding a violation of *N.J.S.A. 18A:12-24(e)*, Complainants have not demonstrated how 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.

Consequently, 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) and *N.J.S.A.* 18A:12-24(e).

V. Decision

In accordance with *N.J.S.A.* 18A:12-29(b), and for the reasons detailed herein, the Commission hereby notifies Complainants and Respondent that there are insufficient facts and circumstances pled in the Complaints and in the Written Statements to lead a reasonable person to believe that the Act was violated as alleged in the Complaints 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.

Dennis M. Roberts, Chairperson

Mailing Date: September 22, 2026

***Resolution Adopting Decision
in Connection with C34-26 and C35-26***

Whereas, at its meeting on August 25, 2026, the School Ethics Commission (Commission) considered the Complaints and the Written Statements submitted in connection with the above-referenced consolidated matter; and

Whereas, at its meeting on August 25, 2026, the Commission discussed finding that the facts and circumstances presented in the Complaints and the Written Statements would not lead a reasonable person to believe that the Act was violated, and therefore, dismissing the above consolidated matter; and

Whereas, at its meeting on September 22, 2026, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on August 25, 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.

Dennis M. Roberts, Chairperson

I hereby certify that the Resolution was duly adopted by the School Ethics Commission at its public meeting on September 22, 2026.

Brigid C. Martens, Director
School Ethics Commission