

Before the School Ethics Commission
Docket Nos.: C42-25, C47-25, C49-25, C50-25, and C51-25
(Consolidated)
Decision on Probable Cause

**Ernest Rucker,
*Complainant***

v.

SEC Docket No.: C42-25

**Eddie Gonzalez,
Paterson Board of Education, Passaic County,
*Respondent***

**Ernest Rucker,
*Complainant***

v.

SEC Docket No.: C47-25

**Joel Ramirez,
Paterson Board of Education, Passaic County,
*Respondent***

**Ernest Rucker,
*Complainant***

v.

SEC Docket No.: C49-25

**Mohammed Rashid,
Paterson Board of Education, Passaic County,
*Respondent***

**Ernest Rucker,
*Complainant***

v.

SEC Docket No.: C50-25

**Kenneth Rosado,
Paterson Board of Education, Passaic County,
*Respondent***

**Ernest Rucker,
*Complainant***

v.

SEC Docket No.: C51-25

**Hector Nieves, Jr.,
Paterson Board of Education, Passaic County,
Respondent**

I. Procedural History

The above-captioned consolidated matter arises from five separate but related Complaints filed with the School Ethics Commission (Commission) by Ernest Rucker (Complainant), alleging that Eddie Gonzalez (Respondent Gonzalez), Joel Ramirez (Respondent Ramirez), Mohammed Rashid (Respondent Rashid), Kenneth Rosado (Respondent Rosado) and Hector Nieves, Jr. (Respondent Nieves) (collectively Respondents), members of the Paterson Board of Education (Board), violated the School Ethics Act (Act), *N.J.S.A. 18A:12-21 et seq.*

More specifically, in the matter docketed as C42-25, filed on April 28, 2025, C47-25, filed on May 13, 2025, and the matters docketed as C49-25, C50-25, and C51-25, filed on May 21, 2025, Complainant alleges that each named Respondent violated *N.J.S.A. 18A:12-24(b)*, *N.J.S.A. 18A:12-24(d)*, *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(d)* and *N.J.S.A. 18A:12-24.1(f)* of the Code of Ethics for School Board Members (Code). Respondents filed separate Written Statements on June 20, 2025.

By correspondence dated December 8, 2025, the parties were advised that, pursuant to its authority set forth in *N.J.A.C. 6A:28-6.6*, the Commission determined to consolidate the matters docketed as C42-25, C47-25, C49-25, C50-25 and C51-25. Because the same general conduct/action forms the basis for the alleged violations of the Act and because Complainant alleged the same provisions of the Act for each Respondent, the Commission determined that, in the interest of efficiency, it can resolve the five Complaints in one consolidated matter.

The parties were notified by correspondence dated December 9, 2025, that the above-captioned matter would be discussed by the Commission at its meeting on December 16, 2025, in order to make a determination regarding probable cause. Following its discussion on December 16, 2025, the Commission adopted a decision at its meeting on January 27, 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. Complaints

Complainant offered the following background information that is relevant to each Complaint in this consolidated matter.

According to Complainant, at the January 2025 Reorganization Meeting, the Superintendent initially recommended the law firm of Shabazz & Woolridge Law Group

(Shabazz), a black female-owned firm, to continue to represent the Board as its general counsel. The appointment was tabled by the Board.

Complainant alleges the Board never approved a Request for Proposal (RFP) to be advertised for general counsel legal services under Bylaw 0174. Instead, the Board advertised a Request for Qualifications (RFQ), but not an RFP. In addition, the RFQ for legal services was allegedly not scored.

At the April 2, 2025, Board meeting, Complainant argues that Respondent Gonzalez presented a motion to remove the law firm of Shabazz, and to replace them with the “politically-connected” law firm of Buglione, Hutton & DeYoe (Buglione) who Complainant believes is not as qualified. Complainant maintains the motion passed. Complainant further maintains that the Superintendent was asked if it was her recommendation to select the new law firm at the Board meeting and she twice confirmed that it was done entirely at the Board level.

Additionally, Complainant alleges that Respondents have “ties to the politically-connected law firm of Buglione [] who donated to, or advocated for, [Respondents’] seat[s] on the Board.”

With the above in mind, Complainant asserts all Respondents violated *N.J.S.A. 18A:12-24(b)*, *N.J.S.A. 18A:12-24(d)*, *N.J.S.A. 18A:12-24(e)*, *N.J.S.A. 18A:12-24(f)*, *N.J.S.A. 18A:12-24.1(d)* and *N.J.S.A. 18A:12-24.1(f)* when they “circumvented the entire law firm selection process,” did not advertise an RFP for general counsel and legal services, lied about the RFP being advertised when it was an RFQ, did not complete/submit the required score sheets for an RFP, and disregarded the Superintendent’s recommended law firm and chose their politically connected firm.

In addition, Complainant alleges that each Respondent has conflicts, explained below, that involve “the selection of legal services vendors” and that resulted in them violating the Act when they voted on the selection of legal services.

Namely, Complainant provides that Respondent Gonzalez (C42-25) “has several conflicts” because his wife is employed as a teacher within the District and she is a member of the teacher’s union. Respondent Ramirez (C47-25) “has several conflicts” because he is the Director of Health and Human Services and Acting Business Administrator (during the adoption of the preliminary budget) for the City of Paterson, a trustee on the Passaic County Community College Board of Directors, the Chief of Staff for State Assemblyman Al Abel-Aziz, and an active member of the Passaic County Democratic Committee. Respondent Rashid (C49-25) “has several conflicts” because he is the Zoning Inspector for the City of Paterson, and he has “ties” to an active member of the Passaic County Democratic Committee, specifically Respondent Ramirez. Respondent Rosado (C50-25) “has several conflicts” because he serves on the housing board for the City of Paterson and he is also an active member of the Passaic County Democratic Committee. Finally, Respondent Nieves (C51-25) “has several conflicts” because he is the Director of Security for the City of Paterson, and is an active member of the Passaic County Democratic Committee.

B. *Written Statements*

All Respondents deny that an RFP is required for the procurement of legal services, that Buglione is a “lesser-qualified” law firm, or that they engaged in any conduct that was motivated by race or gender. Respondents deny that they have “‘ties’ to the Buglione firm” and that they “received any inappropriate support from the Buglione firm before, during, or after [their] campaign[s] for a seat on the Board.”

Additionally, Respondents deny the implications that the resolution to appoint the Shabazz firm was singled out for tabling, or that it was tabled for an improper purpose, that they directed any district employee to do anything, that they were “secretive,” that the responses to an RFQ need to be “scored” and that they and/or the Board are required to appoint the entity that the Superintendent recommends. As such, Respondents deny that they violated the alleged provisions of the Act.

Respondent Gonzalez admits that his wife is employed as a teacher, but denies that this presents a conflict related to the Board’s “selection of legal services.”

Respondents Rashid, Rosado, Ramirez, and Nieves admit that they serve on several committees but deny that their other activities present a conflict related to their Board service.

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 Board policies and procedures with respect to the RFP/RFQ process and selection of legal counsel, 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.

While outside the jurisdiction of the Commission, the Commission reminds the parties that boards of education must follow Public School Contracts Law, *N.J.S.A. 18A:18A-1 et seq.*

Alleged Violations of the Act

Complainant submits that, based on the conduct more fully detailed above, Respondents violated *N.J.S.A. 18A:12-24(b)*, *N.J.S.A. 18A:12-24(d)*, *N.J.S.A. 18A:12-24(e)* and *N.J.S.A. 18A:12-24(f)*, and these provisions of the Act states:

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;

d. No school official shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties;

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 Respondents used or attempted to use their official position to secure an unwarranted privilege, advantage or employment for themselves, members of their immediate family, or “others.”

In order to credit a violation of *N.J.S.A. 18A:12-24(d)*, Complainant must provide sufficient factual evidence that Respondents engaged in employment or service, regardless of whether compensated, which might reasonably be expected to prejudice their independence of judgment in the exercise of their official duties.

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

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

Complainant further submits that Respondents violated *N.J.S.A.* 18A:12-24.1(d) and *N.J.S.A.* 18A:12-24.1(f). These provisions of the Code provide:

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.

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(d) and *N.J.S.A.* 18A:12-24.1(f) need to be supported by certain factual evidence, more specifically:

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 Respondents 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.

6. Factual evidence of a violation of *N.J.S.A.* 18A:12-24.1(f) shall include evidence that Respondents 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 Respondents used the schools in order to acquire some benefit for themselves, a member of their immediate family or a friend.

After 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(b), *N.J.S.A.* 18A:12-24(d), *N.J.S.A.* 18A:12-24(e), and *N.J.S.A.* 18A:12-24(f), *N.J.S.A.* 18A:12-24.1(d) and/or *N.J.S.A.* 18A:12-24.1(f) were violated. The Commission notes that, as mentioned above, the bulk of the allegations appear to be a matter of Board policy,

Board governance, and/or involving the Public School Contracts Law over which the Commission does not have jurisdiction. As for a potential violation of *N.J.S.A. 18A:12-24(b)*, Complainant has not provided sufficient factual evidence to demonstrate that Respondents used or attempted to use their official position to secure an unwarranted privilege, advantage or employment for themselves, members of their immediate family, or “others.” Although Complainant alleges that the law firm of Buglione “donated to, or advocated for Respondents,” Complainant does not allege with any specificity when the law firm donated or how the law firm advocated for Respondents. Regarding a violation of *N.J.S.A. 18A:12-24(d)*, Complainant has not shown how Respondents engaged in employment or service, regardless of whether compensated, which might reasonably be expected to prejudice their independence of judgment in the exercise of their official duties. Respondent Gonzalez’s spouse is employed as a teacher within the District but it is unclear to the Commission how this affects the selection of legal counsel. While Respondents Ramirez, Rashid, and Nieves are employed by the City of Paterson, Complainant did not articulate how this employment affects the selection of legal counsel for the District. Although Respondent Rosado may hold a volunteer position with the municipality, it is again unclear how this creates a conflict related to the selection of legal counsel. While Respondents Ramirez, Rashid, Rosado, and Nieves are allegedly members of the Passaic County Democratic Committee, Complainant has again failed to demonstrate how this affects the selection of Buglione for legal counsel.

As required to find a violation of *N.J.S.A. 18A:12-24(e)*, Complainant does not allege with specificity if Buglione gave Respondents 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 them, directly or indirectly, in the discharge of their official duties. With regard to a violation of *N.J.S.A. 18A:12-24(f)*, Complainant has not provided sufficient factual evidence that Respondents used their public employment, or any information not generally available to the public, and which they received in the course of and by reason of their employment, for the purpose of securing financial gain for themselves, their business organization, or a member of their immediate family when they voted for Buglione to be legal counsel.

Additionally, Complainant has not shown how Respondents 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 as required by *N.J.S.A. 18A:12-24.1(d)* when they voted for and selected legal counsel for the Board. Lastly, as for a violation of *N.J.S.A. 18A:12-24.1(f)*, even if Respondents were the same members of a political party as Buglione, this does not demonstrate that Respondents 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 Respondents used the schools in order to acquire some benefit for themselves, a member of their immediate family or a friend.

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

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 Respondents 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 consolidated 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: January 27, 2026

***Resolution Adopting Decision
in Connection with C42-25, C47-25, C49-25, C50-25 and C51-25
(Consolidated)***

Whereas, at its meeting on December 16, 2025, 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 December 16, 2025, 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-captioned consolidated matter; and

Whereas, at its meeting on January 27, 2026, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on December 16, 2025; 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 January 27, 2026.

Brigid C. Martens, Director
School Ethics Commission