

***Before the School Ethics Commission
Docket No.: C71-25
Decision on Probable Cause***

**Nancy Lo Porto,
Complainant**

v.

**Karina Ramos,
Millstone Township 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 July 29, 2025, by Nancy Lo Porto (Complainant), alleging that Karina Ramos (Respondent), a member of the Millstone Township 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(c), *N.J.S.A.* 18A:12-24.1(d), *N.J.S.A.* 18A:12-24.1(e), *N.J.S.A.* 18A:12-24.1(g), *N.J.S.A.* 18A:12-24.1(i) and *N.J.S.A.* 18A:12-24.1(j) of the Code of Ethics for School Board Members (Code). Respondent filed a Written Statement on September 18, 2025.

The parties were notified by correspondence dated February 17, 2026, that the above-captioned matter would be discussed by the Commission at its meeting on February 24, 2026, to determine whether probable cause exists. Following its discussion on February 24, 2026, the Commission adopted a decision at its meeting on March 24, 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*

According to Complainant, on April 11, 2025, Respondent “confronted” Complainant, Administrative Assistant to the School Business Administrator, at the Board office during business hours and questioned whether Complainant “greeted her.” Complainant maintains Respondent continued “to berate” Complainant in front of her colleagues and supervisor. Complainant further maintains that Respondent “confronted a tenured staff member and directed [her] on how to perform [her] duties.”

Complainant asserts Respondent violated *N.J.S.A.* 18A:12-24.1(c) because she “failed to confine her board action to policy making”; violated *N.J.S.A.* 18A:12-24.1(d) because she administered the school by directing an employee how to perform their duties; violated *N.J.S.A.* 18A:12-24.1(e) because she took private action as a Board member creating an uncomfortable and hostile work environment compromising the board; violated *N.J.S.A.* 18A:12-24.1(i) because she failed to protect and support school personnel in the performance of their duties by confronting Complainant and criticizing her performance as a tenured employee; and violated *N.J.S.A.* 18A:12-24.1(j) because she failed to report complaints to the chief school administrative officer. Complainant further asserts a violation of *N.J.S.A.* 18A:12-24.1(g).

B. *Written Statement*

Respondent admits to a “verbal exchange” with Complainant. According to Respondent, after a meeting with the Superintendent, she and Board member Sico were leaving the office, Board member Sico said “bye” to the office staff, and Complainant offered an “inaudible ‘bye.’” Respondent asked Complainant, “what is wrong?” and commented on Complainant’s “rude facial expression.” According to Respondent, she also “pointed out to Complainant [] that she is the first point of contact with the public and should be pleasant to everyone who comes into the Board office.” Complainant replied that she was “too busy,” and Respondent notes she and Board member Sico proceeded to leave the office. Respondent asserts Complainant followed them outside, but Respondent maintains she did not engage. Thereafter, Respondent notes she and Board member Sico discussed reporting Complainant’s behavior to the Superintendent, and ultimately, Respondent made the report that day.

As to a violation of *N.J.S.A.* 18A:12-24.1(c), Respondent argues Complainant did not identify any “official action” by Respondent to effect policies and plans. Respondent further argues her statements “were not expressed to exercise that duty but were merely a comment on general courtesy in the Board office.”

Regarding a violation of *N.J.S.A.* 18A:12-24.1(d), Respondent maintains she did not give a direct order but rather, she took private action in telling Complainant that “she was being rude by not responding in a socially acceptable manner” to Board member Sico. Respondent further maintains her comments cannot “reasonably be expected to prejudice [her] independence of judgment in the exercise of [her] official duties.”

As to a violation of *N.J.S.A.* 18A:12-24.1(e), Respondent asserts Complainant did not provide any evidence to demonstrate that Respondent made a personal promise to anyone nor does Complainant identify any personal promise that could have compromised the Board.

Regarding a violation of *N.J.S.A.* 18A:12-24.1(g), Respondent contends Complainant did not provide any allegation that Respondent made public any information that is not already public. Respondent “merely reported to the Superintendent what transpired.”¹

¹ Respondent does not provide a defense for the alleged violations of *N.J.S.A.* 18A:12-24.1(i) and *N.J.S.A.* 18A:12-24.1(j).

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.”

Alleged Violations of the Act

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

- 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.
- i. I will support and protect school personnel in proper performance of their duties.
- j. I will refer all complaints to the chief administrative officer and will act on the complaints at public meetings only after failure of an administrative solution.

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

- 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.

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.

10. Factual evidence of a violation of *N.J.S.A.* 18A:12-24.1(j) shall include evidence that Respondent acted on or attempted to resolve a complaint, or conducted an investigation or inquiry related to a complaint (i) prior to referral to the chief administrative officer, or (ii) at a time or place other than a public meeting and prior to the failure of an administrative solution.

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(c), *N.J.S.A.* 18A:12-24.1(d), *N.J.S.A.* 18A:12-24.1(e), *N.J.S.A.* 18A:12-24.1(g), *N.J.S.A.* 18A:12-24.1(i) and/or *N.J.S.A.* 18A:12-24.1(j) were violated. Complainant has not demonstrated that Respondent took any board action to effectuate policies or plans, or took action unrelated to her duties, as required by *N.J.S.A.* 18A:12-24.1(c). As to a violation of *N.J.S.A.* 18A:12-24.1(d), Respondent did not give a direct order to school personnel or become involved in the day-to-day administration of the schools when she made a comment to

a staff member about being polite when greeting people, as such a comment does not amount to an order. Complainant has not established that Respondent made a personal promise or that her comments could compromise the Board, which is required to sustain a violation of *N.J.S.A.* 18A:12-24.1(e). As to a violation of *N.J.S.A.* 18A:12-24.1(g), Complainant did not make any allegations that Respondent disclosed confidential information or provided inaccurate information other than reasonable mistake or personal opinion. A violation of *N.J.S.A.* 18A:12-24.1(i) cannot be sustained because Complainant has not demonstrated that Respondent's comments undermined, opposed, compromised or harmed Complainant in the proper performance of her duties. Finally, regarding a violation of *N.J.S.A.* 18A:12-24.1(j), Respondent reported her concerns to the Superintendent, and therefore, did not act on a complaint prior to referral to the Chief School Administrator.

Consequently, 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(c), *N.J.S.A.* 18A:12-24.1(d), *N.J.S.A.* 18A:12-24.1(e), *N.J.S.A.* 18A:12-24.1(g), *N.J.S.A.* 18A:12-24.1(i) and *N.J.S.A.* 18A:12-24.1(j).

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: March 24, 2026

***Resolution Adopting Decision
in Connection with C71-25***

Whereas, at its meeting on February 24, 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 February 24, 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 March 24, 2026, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on February 24, 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 March 24, 2026.

Brigid C. Martens, Director
School Ethics Commission