

Before the School Ethics Commission
Docket No.: C73-24
Decision on Probable Cause

**Dominic Pugliese,
Complainant**

v.

**Patrick Ireland,
Egg Harbor Township Board of Education, Atlantic County,
Respondent**

I. Procedural History

The above-captioned matter arises from a Complaint that was filed with the School Ethics Commission (Commission) on September 21, 2024, by Dominic Pugliese (Complainant), alleging that Patrick Ireland (Respondent), a member of the Egg Harbor 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(d)*, *N.J.S.A. 18A:12-24.1(e)* and *N.J.S.A. 18A:12-24.1(j)* of the Code of Ethics for School Board Members (Code).

On October 17, 2024, Respondent filed a Written Statement, and also alleged that the Complaint is frivolous. Complainant filed a response to the allegation of frivolous filing on October 23, 2024.

At its meeting on February 18, 2025, the Commission voted to place this matter into abeyance until two related matters were fully and finally resolved. The Commission was notified by the parties on or about November 19, 2025, that the pending matters were complete and the ethics complaint could proceed.

Thereafter, 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 and the allegation of frivolous filing. 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 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 not frivolous, and denying Respondent's request for sanctions.

II. Summary of the Pleadings

A. *The Complaint*

By way of background, Complainant provides that he and his wife “founded and operate two charities,” “one which has been in ‘partnership’ with the school for the last couple [of] years.” According to Complainant, the partnership “took a swift change in direction when the school saw a Facebook post by [Complainant’s] organization stating [they would] be at a local coffee shop to discuss bullying.” Complainant believes the District administration “took offense” to his charity offering support to the community and ended the partnership. Complainant maintains that his organization had a meeting with school administrators on May 7, 2024, regarding “how [the] organization was treated when offering bullying support, steps the schools could take to improve communication with families dealing with bullying and even discussing reinstating the ‘partnership’ and donations since they all go to the kids and can help promote kindness.” Complainant further maintains an hour after the meeting, Respondent filed a “fict[iti]ous harassment complaint . . . riddled with lies and misrepresentations” with the police department, which was finalized in August 2024. Complainant states that during the meeting, Respondent said, “the ‘board attorney basically told me to come over here and make a complaint because he’s [(Complainant)] going to be posting something that’s completely slanderous soon so they wanted me to come here.” Complainant maintains the “fact that the school district is using a [Board] member to file fake harassment charges against someone in the [t]own, for something by his own words didn’t happen they just suspected it, is quite alarming.”

With the above in mind, and in Count 1, Complainant asserts Respondent violated *N.J.S.A.* 18A:12-24.1(d) because he “became directly involved in activities or functions that are the responsibility of school personnel and the day-to-day administration of the school district” as “[h]e should not have been aware of any meeting, nor taken any action as a result of said meeting, that had to do with [Complainant’s] organization and the school district.” Complainant also asserts Respondent violated *N.J.S.A.* 18A:12-24.1(e) because he “took personal action beyond the scope of his duties that has the potential to compromise the [Board], and “[b]y his actions he has created the appearance that the [Board] is targeting and retaliating against a local non-profit for discussing bullying in the school district[, which] has already generated a petition of appeal with the [Commissioner of Education] against the [Board] and creates the potential for additional litigation against the [B]oard.”

In Count 2, Complainant contends that Respondent “finalized and signed his harassment complaint after an email was sent to the [Superintendent] expressing concern about his actions” on July 16, 2024, and then another on August 2, 2024. Per Complainant, Respondent “signed his complaint August 2nd and referenced the email in his police report.” Complainant further contends Respondent violated *N.J.S.A.* 18A:12-24.1(j) because he “acted on a complaint ‘at a time and place other than a public meeting and prior to the failure of an administrative solution’” when “[h]e took personal action related to a complaint against him instead of following and adhering to the correct process.”

B. *Written Statement and Allegation of Frivolous Filing*

According to Respondent, he filed a harassment complaint with the local police department because Complainant was “sending several harassing text messages and Facebook postings with foul language over a several month period to Respondent.” Respondent notes the “text messages and Facebook postings continued even though Respondent requested that Complainant cease from sending text messages.” Further, “Complainant was also sent a cease-and-desist letter by an attorney on behalf of Respondent.” Respondent maintains that Complainant filed the within complaint because of Respondent’s harassment complaint and because Complainant is “upset that the [District] has issues with Complainant’s ‘Bags Against Bullies’ organization.”

Respondent argues Complainant “has not proffered any credible factual evidence to support Complainant’s claims that Respondent violated any section of the Code.” More specifically, as to a violation of *N.J.S.A. 18A:12-24.1(d)*, Respondent maintains Complainant has not provided any evidence to support that Respondent “gave [a] direct order to school personnel or became directly involved in the activities or functions that are the responsibility of the school personnel or the day-to-day administration of the school district.” On the contrary, Respondent notes Complainant alleges that “Respondent ‘initiated a harassment complaint after being given direction from the school district’” Respondent denies that he was told to file the harassment complaint, and states that he filed it in his “personal capacity due [to] the alarming behavior of Complainant.” Regarding a violation of *N.J.S.A. 18A:12-24.1(e)*, Respondent argues “Complainant has failed to articulate facts which would support a conclusion that Respondent took action or made personal promises which had the potential to compromise the board.” Respondent maintains he “has the right to protect himself and his family and as noted [the harassment complaint] was only filed after Complainant did not stop after receiving a cease and desist letter.”

As to a violation of *N.J.S.A. 18A:12-24.1(j)*, Respondent asserts the “harassment complaint filed against Complainant with the [police department] was solely based on Complainant’s threatening texts, social media posts and driving by his home.” Respondent further asserts the administration and the Board do not have “authority or jurisdiction to deal with this matter.” Therefore, “referring this to the Chief School Administrator is not appropriate nor is discussing this at a public meeting.”

Finally, Respondent contends the Complaint is frivolous because Complainant filed it in “bad faith solely for the purpose of harassment, embarrassment and malicious injury.”

C. *Response to the Allegation of Frivolous Filing*

Complainant states his “claim . . . is being made in good faith and using [Respondent’s] own words against him” and that “these are his words stated and signed in a document with the police department.” Complainant argues that he tried to handle the matter “within our school district until that proved useless.” According to Complainant, “it’s easy to see why that went nowhere when the administration and the [Board] (by the sheer number of times he [(Respondent)] used ‘we’ when filing the complaint) were aware of what he was doing.”

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(d)*, *N.J.S.A. 18A:12-24.1(e)* and *N.J.S.A. 18A:12-24.1(j)*, and 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.
- 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.
- 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(d)*, *N.J.S.A. 18A:12-24.1(e)* and *N.J.S.A. 18A:12-24.1(j)* 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 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 his duties such that, by its nature, had the potential to compromise the board.
- 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.

Based on its 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:12-24.1(d)*, *N.J.S.A. 18A:12-24.1(e)* and/or *N.J.S.A. 18A:12-24.1(j)* were violated. With respect to a violation of *N.J.S.A. 18A:12-24.1(d)*, Complainant has not established what direct order Respondent gave to school personnel, or how being aware of a meeting between school administrators and the charity organization constitutes day-to-day administration of the schools. As to a violation of *N.J.S.A. 18A:12-24.1(e)*, Complainant has not demonstrated that the filing of a harassment complaint was outside the scope of Respondent’s duties as a Board member, or that it had the potential to compromise the Board. Respondent filed the harassment complaint as a private citizen, not as a Board member, which followed efforts for Complainant to cease and desist. Finally, regarding a violation of *N.J.S.A. 18A:12-24.1(j)*, it is unclear what complaint Respondent acted on that should have been

referred to the Chief School Administrator. To the extent that the allegation is referring to the harassment complaint, Respondent was not required to follow an administrative procedure prior to going to the police.

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

IV. Request for Sanctions

At its meeting on December 16, 2025, 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). Despite Respondent's argument, the Commission cannot find evidence that might show that Complainant filed the Complaint in bad faith or solely for the purpose of harassment, delay, or malicious injury. The Commission also does not have information to suggest 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 January 27, 2026, the Commission adopted a decision finding the Complaint not frivolous, and denying the request for sanctions.

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 not frivolous, and to deny 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: January 27, 2026

***Resolution Adopting Decision
in Connection with C73-24***

Whereas, at its meeting on December 16, 2025, the School Ethics Commission (Commission) considered the Complaint, the Written Statement and 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 December 16, 2025, 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 December 16, 2025, the Commission discussed finding the Complaint not frivolous, and denying the request for sanctions; 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