

Before the School Ethics Commission
Docket No.: C75-25
Decision on Probable Cause

Nancy Bobb,
Complainant

v.

Sabrina Fatty,
Buena Regional 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 August 20, 2025,¹ by Nancy Bobb (Complainant), alleging that Sabrina Fatty (Respondent), a member of the Buena 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(f) and *N.J.S.A.* 18A:12-24(i), as well as *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(h) and *N.J.S.A.* 18A:12-24.1(j) of the Code of Ethics for School Board Members (Code). On September 3, 2025, Respondent filed a Written Statement.

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

Complainant, the Transportation Coordinator for Buena Regional School District (District), provides that one of the bus drivers informed her that Respondent approached him at a sporting event on May 24, 2025, and “started having a conversation about” Complainant. According to Complainant, Respondent commented about Complainant’s “lack [of] communication when it

¹ On August 14, 2025, Complainant filed a deficient Complaint; however, on August 20, 2025, Complainant cured all defects and filed an Amended Complaint that was deemed compliant with the requirements detailed in *N.J.A.C.* 6A:28-6.3.

comes to bus delays,” expressed her thoughts on what Complainant’s work hours should be and asked the bus driver what Complainant does during the day.

Complainant attached exhibits including several emails from Respondent and/or her spouse to Complainant expressing concern when the bus did not pick up their child for school on multiple occasions. Complainant also included an email from the bus driver summarizing his conversation with Respondent, explaining that during a “normal conversation,” Respondent “brought up work” and “proceeded to tell [him] about a few issues she had and still has with transportation.” The email recounts that Respondent “does not get notified or receive any information from the transportation department until it’s to [sic] late for her to make better arrangements with her babysitter to transport her children to school” when the bus is running late, and Respondent thought the “transportation department should have better hours, and be more available during the times the buses are on the road.”

Complainant asserts that she met with Respondent and Board counsel on July 24, 2025, and Respondent “said she was sorry and by no means was [Complainant’s] job in jeopardy,” and that “she signed [Complainant’s] new contract,” but “could have voted not to renew” it. Complainant responded that Respondent “needs to learn her roles as a board member and stay out of [Complainant’s] lane.” Per Complainant, Respondent said that “parents talked to her about transportation” in the District, and Board counsel informed her that she should refer the parent to Complainant.

With the above in mind, Complainant asserts that Respondent’s involvement in Complainant’s job responsibilities is a violation of *N.J.S.A. 18A:12-24(b)*, *N.J.S.A. 18A:12-24(c)*, *N.J.S.A. 18A:12-24(f)* and *N.J.S.A. 18A:12-24(i)*, as well as *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(h)* and *N.J.S.A. 18A:12-24.1(j)* because by discussing Complainant and her position to the public and expressing her opinion of Complainant and her job responsibilities, Respondent got “involved in the daily operations” and “overstepped her grounds,” thereby placing Complainant’s job in jeopardy. In addition, Complainant notes Respondent’s comments about signing her contract instead of denying it sounded like a threat.

B. Written Statement

Respondent admits that she dropped her child at the sports field on May 24, 2025, in her capacity as a parent, but notes she was not there performing “official board business,” and she did not use her position as a Board member for herself or her family. Respondent denies that she approached the bus driver with the intent to discuss Complainant. According to Respondent, the discussion was “casual and regarded general life updates as Respondent knows [the bus driver] through friends of friends.” Respondent maintains she did not discuss Complainant, her employment position or even the transportation department staff. Respondent notes she stated, she “could not wait for summer because it meant her children would not have to wait for a bus.” Then, the bus driver stated that he “heard all about the transportation issues that are occurring with her family because Complainant tells everyone in the office when she gets an email from ‘Futty.’” Respondent then relayed to the bus driver that she works as a teacher in another school district, and that in the school where she works “a staff member is available during the morning and afternoon to

handle transportation in case there are concerns from parents.” Respondent notes she was speaking as a parent, from her own experience, and she never discussed her fellow Board members, any Board discussions or decisions.

Ultimately, Respondent denies that she violated any of the provisions of the Act and denies the allegations contained within the Complaint.

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, 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(f) and *N.J.S.A.* 18A:12-24(i), 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;

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;

i. No elected member shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the member or a member of his immediate family, whether directly or indirectly, in return therefor.

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(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.

To credit a violation of *N.J.S.A.* 18A:12-24(i), Complainant must provide sufficient factual evidence that Respondent made an inquiry for information on behalf of a constituent and a fee, reward or other thing of value was promised to, given to or accepted by Respondent or a member of her immediate family, whether directly or indirectly, in return therefor.

Complainant further submits that Respondent violated *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(h) 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.

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.

h. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.

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)*, *N.J.S.A. 18A:12-24.1(g)*, *N.J.S.A. 18A:12-24.1(h)* 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 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.

8. Factual evidence of a violation of *N.J.S.A. 18A:12-24.1(h)* shall include evidence that Respondent acted on a personnel matter without a recommendation of the chief administrative officer.

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.

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(f)*, *N.J.S.A. 18A:12-24(i)*, *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(h)* and/or *N.J.S.A. 18A:12-24.1(j)* were violated. Respondent spoke with the bus driver in the capacity as a parent, who had transportation concerns regarding her family. It has not been alleged that she identified herself as a Board member or that she used her Board membership in any way during the conversation. Instead, she spoke in her role as a parent who was frustrated with the unreliability of her child's bus transportation. Accordingly, Respondent did not *use or attempt to use her official position* to secure an unwarranted privilege, advantage or employment in violation of *N.J.S.A. 18A:12-24(b)*; or *act in her official capacity* in a matter where she has a financial or

personal involvement that would impair her objectivity or create a benefit for herself or her family in violation of *N.J.S.A.* 18A:12-24(c). It is unclear what information not generally available to the public Respondent used or how that information would secure any financial gain, as required by *N.J.S.A.* 18A:12-24(f). With regard to a violation of *N.J.S.A.* 18A:12-24(i), Complainant did not allege that Respondent made an inquiry on behalf of a constituent, or that she was promised any thing of value from anyone. As to the Code allegations, Complainant has not established: that Respondent gave a direct order to school personnel or became involved in the day-to-day administration of the District when she spoke about her personal transportation issues as required by *N.J.S.A.* 18A:12-24.1(d); that Respondent made a personal promise to anyone or that she took action that had the potential to compromise the Board as required by *N.J.S.A.* 18A:12-24.1(e); or that Respondent disclosed any confidential information or provided inaccurate information other than reasonable mistake or opinion when she discussed a matter involving her family as a parent as required by *N.J.S.A.* 18A:12-24.1(g). Respondent did not act on a personnel matter without the recommendation of the chief administrative officer when she told the bus driver the transportation department should be more available during the times the buses are on the road, or when she told Complainant in a meeting that her job was not “in jeopardy,” because those statements are not personnel action, and a violation of *N.J.S.A.* 18A:12-24.1(h) cannot be sustained. Finally, with respect to a violation of *N.J.S.A.* 18A:12-24.1(j), Complainant has not set forth facts demonstrating that Respondent acted on or attempted to resolve a complaint without prior referral to the chief administrative officer when she expressed concern regarding the transportation issues her family has experienced. Moreover, Respondent and her spouse sent several emails to the transportation office regarding their personal concerns.

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(b), *N.J.S.A.* 18A:12-24(c), *N.J.S.A.* 18A:12-24(f), *N.J.S.A.* 18A:12-24(i), *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(h) 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 C75-25***

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