

Before the School Ethics Commission
Docket No.: C82-25
Decision on Probable Cause

Annette Siewert,
Complainant

v.

Chad Hyett,
Marlboro 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 September 11, 2025,¹ by Annette Siewert (Complainant), alleging that Chad Hyett (Respondent), a member of the Marlboro 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(c). On October 28, 2025, Respondent filed a Written Statement, which included an allegation that the Complaint is frivolous. On October 30, 2025, Complainant filed a response to the allegation of frivolous filing.

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 and whether the Complaint is frivolous. 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. 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*

According to Complainant, the Marlboro Education Foundation (MEF) is a non-profit organization "that provides financial support to the school district." Complainant maintains that

¹ On September 2, 2025, Complainant filed a deficient Complaint; however, on September 11, 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.

Respondent “volunteered his time at the [MEF] fundraiser” and he is also the administrator of a Facebook group, “Team Marlboro,” which was listed “as a monetary sponsor” to MEF. Complainant notes that “[s]ince the MEF has not disclosed the source of the funds connected to this sponsorship, it is reasonable to question whether [Respondent] himself may have contributed financially or facilitated donations.”

With the above in mind, Complainant asserts that at a Board meeting on August 26, 2025, Respondent “failed to recuse himself when voting to recognize the [MEF]” in violation of *N.J.S.A.* 18A:12-24(c). Complainant further asserts Respondent “has never abstained from voting on matters pertaining to the MEF before the Board” and his “participation in deliberations and decisions involving the MEF presents a clear conflict of interest . . . as his actions could compromise the independence of his judgment.”

B. *Written Statement and Allegation of Frivolous Filing*

Respondent maintains that in accordance with District Policy 9191, “the Board has by formal policy directed that the District support the MEF.” Respondent contends he is not “an officer, director, trustee or employee of MEF” as evidenced by their publicly available tax filings. Respondent further contends he does not hold, and he has never held any position with MEF. As to the event that Complainant references, Respondent maintains it was a fundraiser basketball game that was hosted by the MEF, and the MEF was responsible for the scheduling, logistics and administration of the event. Respondent further maintains “the District’s support of [the event] through promotion to parents, was approved by the [] Superintendent.” Moreover, Respondent provides the MEF “solicited volunteers to assist” during the event, and Respondent, along with other Board members, volunteered. At the event, Respondent indicates that he was assigned to work at the “merchandise table,” which consisted of “such things as finding the right size t-shirts for people and pumping up basketballs,” and he did not handle any money. Respondent notes that he consulted with Board counsel and was informed that he was not prohibited from volunteering.

Respondent provides that his “limited involvement with the Team Marlboro Facebook page is that [he] briefly served as the page’s administrator from” August 12 – October 1, 2025, which was a period of time after the basketball fundraiser. Respondent further provides he did not play a “part in any decision that Team Marlboro (or anyone on their behalf) may have made to donate to the event.” As to a violation of *N.J.S.A.* 18A:12-24(c), Respondent asserts he does not have a relationship with the MEF, other than serving as a volunteer at one of the events, and any vote he may have made “relative to the MEF, had no benefit to [Respondent], [his] family or any entity with which [he is] affiliated.”

Respondent asserts that the Complaint is frivolous because Complainant filed it “to retaliate against and harm” him. According to Respondent, Complainant’s motivation involves an ethics charge related to a former Board member who was a “political friend and ally” of Complainant, “as an effort to ‘get back’ at those whom she feels are responsible for the finding against her friend.” Therefore, Respondent “respectfully request[s] that Complainant be sanctioned for her abuse of the legal process.”

C. *Response to the Allegation of Frivolous Filing*

Complainant “respectfully disagree[s] with this characterization” and notes that she filed the Complaint “in good faith and [it] raises legitimate ethical concerns under the [Act].” Complainant reaffirms that her Complaint “does not focus on [Respondent’s] personal involvement or volunteer work with the MEF itself, but rather on his participation in the vote without recusal.” Finally, Complainant notes the Complaint is not personal and was filed “after careful consideration and based on the principles outlined in the [Act] regarding conflicts of interest and the appearance thereof.”

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(c)*, and this provision of the Act states:

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;

To credit a violation of *N.J.S.A. 18A:12-24(c)*, Complainant must provide sufficient factual evidence that Respondent acted in his official capacity in a matter where he, or a member of his immediate family, had a direct or indirect financial involvement that might reasonably be expected to impair his objectivity, or in a matter where he had a personal involvement that created some benefit to him, or to a member of his immediate family.

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(c)* was violated. Based on the facts alleged, Respondent does not appear to be conflicted with respect to the MEF or prohibited from voting to recognize the MEF. It is only alleged that Respondent volunteered for one event and does not have a leadership role in the MEF. Additionally, Respondent’s alleged involvement in a social media group in his personal/private capacity that may have donated to the fundraiser does not establish that

Respondent has a direct or indirect financial involvement with the MEF that might reasonably be expected to impair his independence of judgment or a personal involvement with the MEF that would create a benefit to himself or his immediate family. Accordingly, 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(c).

IV. Request for Sanctions

At its meeting on February 24, 2026, 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 March 24, 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: March 24, 2026

***Resolution Adopting Decision
in Connection with C82-25***

Whereas, at its meeting on February 24, 2026, the School Ethics Commission (Commission) considered the Complaint, the Written Statement and the 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 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 February 24, 2026, the Commission discussed finding the Complaint not frivolous, and denying the request for sanctions; 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