

Before the School Ethics Commission
OAL Docket No.: EEC-16971-25
SEC Docket No.: C87-24
Final Decision (Settlement)

Bernard Biesiada,
Complainant

v.

Deborah Riley,
Millstone 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 October 28, 2024, by Bernard Biesiada (Complainant), alleging that Deborah Riley (Respondent), a member of the Millstone Board of Education (Board), violated the School Ethics Act (Act), *N.J.S.A. 18A:12-21 et seq.* More specifically, the Complaint alleged that Respondent violated *N.J.S.A. 18A:12-24.1(b)*, *N.J.S.A. 18A:12-24.1(c)*, *N.J.S.A. 18A:12-24.1(e)*, *N.J.S.A. 18A:12-24.1(g)* and *N.J.S.A. 18A:12-24.1(i)* of the Code of Ethics for School Board Members (Code). Respondent filed a Written Statement on December 13, 2024, which included an allegation that the Complaint was frivolous. On January 2, 2025, Complainant filed a response to the allegation of frivolous filing.

At its meeting on, July 22, 2025, and after reviewing the Complaint, the Written Statement, including the allegation of frivolous filing, and the response to the allegation of frivolous filing, the Commission adopted a decision finding that there were sufficient facts and circumstances pled in the Complaint and in the Written Statement to lead a reasonable person to believe that *N.J.S.A. 18A:12-24.1(e)*, *N.J.S.A. 18A:12-24.1(g)* and *N.J.S.A. 18A:12-24.1(i)* were violated as set forth in the Complaint, but insufficient facts and circumstances to lead a reasonable person to believe that *N.J.S.A. 18A:12-24.1(b)* and *N.J.S.A. 18A:12-24.1(c)* were violated as alleged in the Complaint. The Commission also adopted a decision finding the Complaint not frivolous, and denying Respondent's request for sanctions. Based on its decision, the Commission also voted to transmit the matter to the Office of Administrative Law (OAL) for a hearing, where Complainant would carry the burden to prove that Respondent violated *N.J.S.A. 18A:12-24.1(e)*, *N.J.S.A. 18A:12-24.1(g)* and/or *N.J.S.A. 18A:12-24.1(i)*.

At the OAL, the parties agreed to amicably resolve the matter and, on or about January 13, 2026, the parties filed a fully executed settlement agreement. The Administrative Law Judge (ALJ) issued an Initial Decision (Settlement) on February 26, 2026, which concluded that the settlement agreement was voluntary, consistent with the law, and fully dispositive of all issues in controversy between the parties, and should therefore, be approved.

At its meeting on March 24, 2026, the Commission reviewed the *Initial Decision (Settlement)*, and at its meeting on April 28, 2026, the Commission voted to adopt the *Initial Decision (Settlement)* as its Final Decision. However, the Commission also voted not to take a position on the enforceability of the parties' written settlement agreement. Additionally, the Commission recommended that the Commissioner of Education (Commissioner) impose a penalty of censure, consistent with the terms of the settlement agreement.

II. Analysis

In their fully executed settlement agreement, the parties set forth the terms of their settlement. More specifically, the parties agreed, in relevant part, that Respondent admits that her conduct constituted violations of *N.J.S.A. 18A:12-24.1(g)* and *N.J.S.A. 18A:12-24.1(i)* and acknowledges that her conduct was inconsistent with the ethical standards required under the Act; Complainant will withdraw his complaint that Respondent violated *N.J.S.A. 18A:12-24.1(e)*; Respondent will accept the penalty of Censure to be read into the official record of a Board meeting within 60 days of approval of the settlement; upon execution of the settlement and satisfaction of its terms, Complainant releases and forever discharges Respondent from all claims, liabilities, damages, or causes of action arising out of or related to the underlying facts; Complainant agrees to discontinue the Action with prejudice upon execution of the agreement; and nothing in the agreement shall be construed as an admission of any wrongdoing by Complainant. *Initial Decision (Settlement)* (attachment).

After reviewing the terms of the parties' settlement agreement, the ALJ found that the settlement is voluntary, consistent with the law, and fully disposes of all issues in controversy between the parties. *Initial Decision (Settlement)* at 1-2. Having concluded that the parties' settlement agreement met the requirements of *N.J.A.C. 1:1-19.1* and should be approved, the ALJ incorporated the terms of the settlement into the Initial Decision. *Id.* at 2.

III. Decision

Following its review, the Commission does not find a reason why it should not defer to the parties' mutual decision to amicably resolve their dispute. As such, the Commission adopts the *Initial Decision (Settlement)* as its Final Decision, but does not take a position on the enforceability of the parties' written settlement agreement. Additionally, consistent with the terms of the settlement agreement, the Commission recommends that the Commissioner impose a penalty of censure.

Pursuant to *N.J.S.A. 18A:12-29(c)*, this decision shall be forwarded to the Commissioner for review of the Commission's recommended penalty.

Robert W. Bender, Chairperson

Mailing Date: April 28, 2026

***Resolution Adopting Final Decision (Settlement)
in Connection with C87-24***

Whereas, at its meeting on July 22, 2025, the School Ethics Commission (Commission) voted to transmit the above-captioned matter to the Office of Administrative Law (OAL) for a hearing; and

Whereas, while at the OAL, the parties submitted a duly executed settlement agreement to the Administrative Law Judge (ALJ) for review; and

Whereas, the ALJ issued an Initial Decision on February 26, 2026, concluding that the settlement met the requirements of *N.J.A.C.* 1:1-19.1 and should be approved; and

Whereas, at its meeting on March 24, 2026, the Commission considered the Initial Decision and discussed adopting the Initial Decision as its Final Decision, but not taking a position on the enforceability of the parties' written settlement agreement; and

Whereas, at its meeting on March 24, 2026, the Commission discussed recommending a penalty of censure, consistent with the terms of the settlement agreement; and

Whereas, at its meeting on April 28, 2026, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on March 24, 2026; and

Now Therefore Be It Resolved, the Commission hereby adopts the within decision as its Final Decision, and directs its staff to notify all parties to this action of its decision herein.

Robert W. Bender, Chairperson

I hereby certify that this Resolution was duly adopted by the School Ethics Commission at its meeting on April 28, 2026.

Brigid C. Martens, Director
School Ethics Commission