
IN THE MATTER OF

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**Before the School
Ethics Commission**

**JOANN CARTER,
WILLINGBORO BOARD OF EDUCATION,
BURLINGTON COUNTY**

**Docket No.: C24-97
DECISION**

PROCEDURAL HISTORY

This matter arises from a complaint brought by Edith Wright against Joann Carter a member of the Willingboro Board of Education. Ms. Wright alleges that Ms. Carter violated the School Ethics Act, N.J.S.A. 18A:12-24 when she met privately with members of a semi-professional football team, the Rage Organization (organization), and allegedly guaranteed their use of school district facilities. Ms. Wright further alleges that Ms. Carter hosted a private reception on behalf of the organization. Ms. Wright filed her complaint on August 13, 1997. Ms. Carter filed her answer on December 5, 1997 in which she responded that she met with the organization because of her high visibility relating to sports activities due to her previous service as founder and President of Willingboro Basketball Association. She also responded that she did not provide the organization with any guarantees of school district facility use. Finally she responded that a reception was held for the organization paid for exclusively by them.

The Commission invited the parties to attend the Commission's meeting on February 24, 1998 and present witnesses and testimony to aid in the Commission's investigation. Neither party appeared. The Commission voted to dismiss the matter at its public meeting on February 24, 1997, and directed staff to draft a decision consistent with their determination. The Commission adopted the decision at their March 30, 1998 meeting.

FACTS

On the basis of the pleadings, and documents submitted, the Commission finds the following facts to be undisputed. Respondent is a member of the Willingboro Board of Education. Complainant is also a member of the Willingboro Board of Education.

Respondent met privately with members of the organization who were introduced to her through the current President of the Willingboro PAL Football Team. A reception was held for the Rage Association in Willingboro for the purpose of introducing the Rage football team to the community. The reception was paid for by the organization.

ANALYSIS

Complainant alleges that respondent violated N.J.S.A. 18A:12-24(a) by meeting privately with members of a semi-professional football team, the organization, and that respondent violated N.J.S.A. 18A:12-24(b) when she guaranteed the organization use of school district facilities in that meeting. Complainant further alleges that respondent violated N.J.S.A. 18A:12-24(c) when she hosted a private reception on behalf of the organization. Based on minutes of the Willingboro School Board, complainant also alleges that respondent violated N.J.S.A. 18A:12-24(d), (e), (f) and (g). Respondent admits meeting with members of the organization, however, respondent notes that she was sought out by the organization because of her high visibility relating to sports activities due to her previous service as founder and President of Willingboro Basketball Association. Respondent denies providing a guarantee of school district facility use by the organization. Respondent states that she is aware that she has only one vote for any item or subject brought before the board. Respondent further denies that she hosted a private reception for the organization. Respondent does admit that a reception was held, however states that it was paid for by the organization.

The Commission finds that complainant fails to demonstrate that respondent has an interest in the organization or has received either an unwarranted privilege or anything of value which would have impaired her objectivity as a board member. Her attendance at the reception was in her capacity as former founder and President of the Willingboro Basketball Association. All community members were invited to the reception. The Commission does not conclude that such attendance would have operated to influence respondent's objectivity based on the facts.

The Commission is limited to reviewing violations of the School Ethics Act which is a set of minimum ethical standards to which all school officials must abide. While the provisions are quite broad in their scope, they simply do not prohibit all conduct by a school official which might be considered inappropriate or unprofessional. The conduct of Ms. Carter does not fall within the purview of the School Ethics Act and is not in violation of the Act. The facts do not support a finding of probable cause that respondent violated the School Ethics Act. Therefore, the Commission finds no probable cause to credit the allegations that respondent violated the School Ethics Act.

DECISION

For the foregoing reasons, the Commission finds no probable cause to credit the allegations in the complaint that respondent violated N.J.S.A. 18A: 12-24. Therefore, it dismisses the charges against her.

The decision dismissing the complaint is a final decision of an administrative agency. Therefore, it is appealable only to the Superior Court--Appellate Division.

Paul C. Garbarini
Chairperson

Resolution Adopting Decision -- C24-97

Whereas, the School Ethics Commission has considered the pleadings filed by the parties and the documents submitted in support thereof; and

Whereas, the Commission has found no probable cause to credit the allegations that respondent violated the School Ethics Act, N.J.S.A. 18A:12-24. and therefore dismisses the charges against her; and

Whereas the Commission has reviewed the proposed decision of its staff; and

Whereas, the Commission agrees with the proposed decision;

Now Therefore Be It Resolved that the Commission hereby adopts the proposed decision referenced as its decision in this matter and directs its staff to notify all parties to this action of the Commission's decision herein.

Paul C. Garbarini, Chairperson

I hereby certify that the Resolution
was duly adopted by the School
Ethics Commission at its public meeting
on March 30, 1998

Mary E. Torres
Acting Director