



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW
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Barry E. Moscovitz
Acting Director and Chief
Administrative Law Judge

Candice Hendricks
Assistant Director

June 2, 2025

By E-mail: opra+request-76919-26628ab5@requests.opramachine.com

Anonymous

Re: OPRA Request

Dear Requestor:

The Office of Administrative Law ("OAL") received your request under the Open Public Records Act on May 29, 2025. You requested:

"Probable cause notice in School Ethics Commission case C09-24 sent in August 2024."

In response to your request, please see attached responsive records.

Sincerely,

/s/Candice G. Hendricks
OPRA Custodian/Assistant Director
Judicial Standards and Procedures

Before the School Ethics Commission
Docket No.: C09-24
Decision on Probable Cause

Surendra Vallabhaneni,
Complainant

v.

Chari Chanley,
Monroe Township Board of Education, Middlesex County,
Respondent

I. Procedural History

The above-captioned matter arises from a Complaint that was filed with the School Ethics Commission (Commission) on February 1, 2024, by Surendra Vallabhaneni (Complainant), alleging that Chari Chanley (Respondent), Superintendent of the Monroe 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(a)*, *N.J.S.A. 18A:12-24(b)* and *N.J.S.A. 18A:12-24(c)* in Counts 1 through 3. On March 1, 2024, Respondent filed a Written Statement.

The parties were notified by correspondence dated July 16, 2024, that the above-captioned matter would be discussed by the Commission at its meeting on July 23, 2024, in order to make a determination regarding probable cause. Following its discussion on July 23, 2024, the Commission adopted a decision at its meeting on August 27, 2024, finding that there are 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(b)* and *N.J.S.A. 18A:12-24(c)* were violated in Counts 1 and 3, but insufficient facts and circumstances to lead a reasonable person to believe that *N.J.S.A. 18A:12-24(a)* (Counts 1 through 3), *N.J.S.A. 18A:12-24(b)* (Count 2) and/or *N.J.S.A. 18A:12-24(c)* (Count 2) were violated. Based on its finding of probable cause, the Commission voted to transmit the remaining allegations in the above-captioned matter to the Office of Administrative Law (OAL) for a hearing.

II. Summary of the Pleadings

A. *The Complaint*

In Count 1, Complainant states that Respondent is the Superintendent of the Monroe Township School District (District) and her spouse is employed by the Board as a Social Studies teacher. According to Complainant, since becoming “permanent,” Respondent has “recommended and approved actions related to her” spouse’s employment. More specifically, Complainant asserts on August 16, 2023, November 15, 2023, December 6, 2023, and January

17, 2024, Respondent recommended her spouse to provide home instruction to students in need, and he received additional compensation. Complainant further asserts Respondent violated *N.J.S.A. 18A:12-24(a)*, *N.J.S.A. 18A:12-24(b)* and *N.J.S.A. 18A:12-24(c)* because she recommended her spouse provide home instruction for additional compensation.

In Count 2, Complainant maintains that on August 16, 2023, Respondent “recommended professional development for herself to attend” a summit in Florida in December 2023. Further, on January 17, 2024, Respondent also recommended a professional development for herself to attend the New Jersey Association of School Administrators TechSpo in Atlantic City in January 2024. Complainant notes that professional development “comes with costs to the district, reimbursements to the employee and other personal benefits.” Complainant further notes that an Open Public Records Act (OPRA) request was submitted for a “copy of all paid trainings taken by [Chanley] for year 2023,” including “certificates of completion, proof of completion, payments [and] requests for training.” According to Complainant, the District replied to the OPRA request on January 31, 2024, noting that it had “no responsive records.” Complainant asserts that Respondent is required to submit a written request to attend professional developments, as well as evidence that the training/professional development was completed. Complainant further asserts that “it appears that the school district approved reimbursement for [Respondent’s] trip to Florida . . . without requiring her to submit a written request to have professional development there.” Further, Complainant maintains the District does not have any evidence to demonstrate that Respondent “underwent professional development” in Florida, which gives the impression that the trip was “essentially a tax-payer funded vacation.” Complainant contends Respondent violated *N.J.S.A. 18A:12-24(a)*, *N.J.S.A. 18A:12-24(b)* and *N.J.S.A. 18A:12-24(c)* because she recommended professional development for herself.

In Count 3, Complainant states that Respondent’s spouse reports to the Supervisor of Science and Social Studies (Supervisor), as well as the principal and acting principal of the school. Complainant maintains that on August 16, 2023, October 18, 2023, and November 15, 2023, Respondent “recommended professional development for her husband’s [S]upervisor.” In addition, on November 15, 2023, and January 17, 2023, Respondent “recommended leaves of absence for” the principal, and on November 15, 2023, Respondent recommended that the vice principal serve as the acting principal, both of whom have direct oversight over her spouse. Complainant asserts Respondent violated *N.J.S.A. 18A:12-24(a)*, *N.J.S.A. 18A:12-24(b)* and *N.J.S.A. 18A:12-24(c)* because she recommended employment matters of her spouse’s supervisors to the Board.

B. *Written Statement*

As to Count 1, Respondent argues that the Board did not take action to approve Respondent’s spouse for any position on any of the named dates. According to Respondent, her spouse’s name “only appears on the Board Meeting Minutes under the Superintendent’s Report,” which indicates that it was information provided to the Board, not that the Board took action. In addition, Respondent notes that “the exact same issue presented in Count [1] involving the same parties and identical claims has already been submitted to and dismissed by the Commission.

Regarding Count 2, Respondent maintains that it is a “contractual right, not a stipend payment” to attend professional development and the professional development was previously agreed upon by the Board and accepted by the New Jersey Department of Education (NJDOE). Respondent further maintains she did not obtain an additional benefit or unwarranted privilege. Moreover, Respondent asserts that “there is no subordinate within the District that can serve in a position to recommend professional development for the Chief School Administrator” and once again, even if the allegation was accepted as true, “recommending approval of a contractual obligation of the Board, and a contractual right of the Superintendent cannot violate” the Act.

As to Count 3, Respondent notes, once again, that professional development is a contractual obligation of the Board. In addition, approving medical leave is a statutory obligation of the Board once the employee’s request for leave is approved by the appropriate medical personnel. Respondent maintains the approval of the acting principal to fill the role of the principal who was approved for medical leave, is an obligation “solely directed to the Superintendent of the district by statute.” Respondent further maintains there is not another “employee within the district that could recommend the acting principal both by statute and that would not be evaluated ultimately or supervised by the Superintendent.”

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(a)*, *N.J.S.A. 18A:12-24(b)* and *N.J.S.A. 18A:12-24(c)*. These provisions of the Act state:

- a. No school official or member of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest;
- 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;

To credit a violation of *N.J.S.A.* 18A:12-24(a), Complainant must provide sufficient factual evidence that Respondent, or a member of her immediate family, has an interest in a business organization, or engaged in any business, transaction, or professional activity which was in substantial conflict with the proper discharge of her duties in the public interest.

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.

Count 1

In Count 1, Complainant contends that Respondent violated *N.J.S.A.* 18A:12-24(a), *N.J.S.A.* 18A:12-24(b) and *N.J.S.A.* 18A:12-24(c) by recommending her spouse to provide home instruction to students in need, resulting in additional compensation, on August 16, 2023, November 15, 2023, December 6, 2023, and January 17, 2024. Respondent argues that the Board did not take action to approve Respondent’s spouse for any position at any of the named Board meetings, and that his name only appears in the minutes under Superintendent’s Report, indicating it was information provided to the Board, and not that the Board took action. In addition, Respondent notes that “the exact same issue” was previously dismissed in another matter before the Commission.

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(a) was violated. The Complaint fails to demonstrate how Respondent’s spouse’s employment as a teacher in the District rises to the level of an “interest in a business organization” or that Respondent engaged in any “business, transaction or professional activity” that was in substantial conflict with her duties as Superintendent. Respondent’s husband’s employment as a teacher does not, on its own, substantially conflict with Respondent’s ability to discharge the duties of her position. Accordingly, and pursuant to *N.J.A.C.* 6A:28-9.7(b), the Commission dismisses the alleged violation of *N.J.S.A.* 18A:12-24(a) in Count 1.

However, following its assessment, the Commission finds that there are sufficient 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) and *N.J.S.A.* 18A:12-24(c) were violated. At the

outset, the Commission notes it does not appear “the exact same issue” was previously decided by the Commission in C12-23. In that case, the allegation was that the Assistant Superintendent recommended stipend positions for Respondent’s spouse, but that they still appeared in the Superintendent’s Report on the Board meeting agendas. *Vallabhaneni v. Chanley, Monroe Township Board of Education, Middlesex County*, Docket No. C12-23, Decision on Motion to Dismiss, August 22, 2023. The Commission dismissed the allegation because “the semantics of how items are placed on the Board’s agenda do not demonstrate that Respondent approved matters concerning her husband” and the facts demonstrated that the Assistant Superintendent was responsible for approving personnel matters concerning Respondent’s spouse. *Ibid.* In this matter, the allegations are not the same and Respondent has not set forth the same argument.

Nevertheless, in *Vallabhaneni v. Chanley, Monroe Township Board of Education, Middlesex County*, Docket No. C12-23, January 23, 2024, in finding a violation of the Act for recommending the reappointment of Respondent’s child for the position of substitute teacher, the Commission explained:

In [*Advisory Opinion A13-20 (A13-20)*], the Commission issued clear and unequivocal guidance that a Superintendent would violate the Act by recommending a family member for a promotion, and that while such action may not violate the Nepotism policy, it does not relieve a school official of their ethical obligations pursuant to the Act. The Commission noted that “there is no question that the public would perceive” the promotion of a family member “as securing an unwarranted privilege, advantage or employment” for the family member, which “create[s] a justifiable impression among the public that their trust was being violated.” Additionally, the Commission made clear that a promotion is not the only employment action that a Superintendent may not make involving a family member, stating that as the Superintendent supervises all staff in the District, he or she “must recuse [himself or herself] from any and all discussions” regarding the family member’s employment, “including [the] evaluation, retention, and possible future promotions,” and the Superintendent “may not make any recommendations relative to these issues.” A13-20 (emphasis added).

As such, if Complainant can prove that Respondent, rather than an Assistant Superintendent, recommended any action item related to her spouse’s employment, including for home instruction, then Respondent may have used or attempted to use her official position to secure an unwarranted privilege, advantage or employment for her spouse, and a violation of *N.J.S.A. 18A:12-24(b)* may be substantiated in Count 1. Additionally, if Complainant can establish that Respondent, rather than an Assistant Superintendent, recommended any action item related to her spouse’s employment, including for home instruction, then Respondent may have acted in her official capacity in a matter where she or her spouse has a direct or indirect financial or personal involvement that might reasonably be expected to impair her objectivity or

independence of judgment or provide a benefit to her or her spouse, and a violation of *N.J.S.A.* 18A:12-24(c) may be supported in Count 1.

Count 2

In Count 2, Complainant asserts that Respondent violated *N.J.S.A.* 18A:12-24(a), *N.J.S.A.* 18A:12-24(b) and *N.J.S.A.* 18A:12-24(c) when she recommended professional development, for herself, in Florida and Atlantic City, as it comes with costs to the District. Complainant further asserts that Respondent did not submit written requests to the Board and/or certifications of completion for her trainings, despite receiving reimbursement. Respondent maintains that it is a contractual right, not a stipend payment to attend professional development, and it was also previously approved by the Board and the NJDOE.

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(a), *N.J.S.A.* 18A:12-24(b) and/or *N.J.S.A.* 18A:12-24(c) were violated. Professional development for a Superintendent is generally an item negotiated into their contract, which Respondent contends is the case here. Additionally, the Commission notes that as Respondent reports directly to the Board, she is permitted to address the Board and seek approval for items pertaining to her own employment, such as professional development. To the extent that Complainant alleges that Respondent did not submit requests to attend training in writing or proof of completion of her trainings, the Commission notes that such requirements are a matter of Board governance, over which it does not have jurisdiction. Accordingly, the Commission finds that Respondent has not engaged in a business, transaction, or professional activity which is in substantial conflict with her duties, secured an unwarranted privilege, advantage or employment for herself, or acted in her official capacity in a matter where she has an interest that might be reasonably be expected to impair her objectivity or create a benefit to her. Consequently, 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(a), *N.J.S.A.* 18A:12-24(b) and *N.J.S.A.* 18A:12-24(c) in Count 2.

Count 3

In Count 3, Complainant contends that Respondent violated *N.J.S.A.* 18A:12-24(a), *N.J.S.A.* 18A:12-24(b) and *N.J.S.A.* 18A:12-24(c) by recommending professional development for her spouse's supervisor and a leave of absence for the principal of the school where her spouse works, and appointing the vice principal of the school where her spouse works to the position of acting principal during the principal's absence. Respondent counters that professional development is a contractual obligation, approving medical leave is a statutory obligation of the Board, and that she is solely directed by statute to fill the role of principal.

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(a) was violated. The Complaint fails to establish how Respondent's alleged conduct involved an "interest in a business organization" or that Respondent engaged in any "business, transaction or professional activity" that was in substantial conflict with her duties as

Superintendent. Therefore, and pursuant to *N.J.A.C.* 6A:28-9.7(b), the Commission dismisses the alleged violation of *N.J.S.A.* 18A:12-24(a) in Count 3.

However, following its assessment, the Commission finds that there are sufficient 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) and *N.J.S.A.* 18A:12-24(c) were violated. The Commission notes that a school official who has an immediate family member employed by the District must always abstain from involvement in any and all matters pertaining to the family member, or any person who has supervisory authority over the family member, regardless of whether the involvement may be described as ministerial, as it will create a justifiable impression among the public that the school official is using his/her position to obtain an unwarranted privilege, advantage, or employment for him/herself, an immediate family member, or others. See *I/M/O Deborah Anderson, High Point Regional Board of Education, Sussex County*, Docket No. C45-19, August 30, 2021. As such, if Complainant can demonstrate that Respondent was involved in any employment decision regarding anyone with supervisory authority over Respondent's spouse, it may appear that she or her spouse secured an unwarranted privilege, advantage or employment, and a violation of *N.J.S.A.* 18A:12-24(b) may be substantiated in Count 3. Additionally, if Complainant can demonstrate that Respondent was involved in any employment decision regarding anyone with supervisory authority over Respondent's spouse, it may appear to a reasonable member of public that Respondent acted in her official capacity in a matter where her spouse had a direct or indirect financial or personal involvement that may impair Respondent's judgment or create a benefit to her or her spouse, and a violation of *N.J.S.A.* 18A:12-24(c) may be supported in Count 3.

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 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(b) and *N.J.S.A.* 18A:12-24(c) were violated in Counts 1 and 3, but insufficient facts and circumstances to lead a reasonable person to believe that *N.J.S.A.* 18A:12-24(a) (Counts 1 through 3), *N.J.S.A.* 18A:12-24(b) (Count 2) and/or *N.J.S.A.* 18A:12-24(c) (Count 2) were violated.

Pursuant to *N.J.A.C.* 6A:28-9.8(a)(1) and *N.J.A.C.* 6A:28-9.8(a)(2), where the Commission finds probable cause to credit any allegations of prohibited acts (*N.J.S.A.* 18A:12-24), and where the material facts are not admitted by Respondent or where the Commission otherwise determines necessary, Complainant and Respondent shall be advised that the matter is being transmitted to the OAL for a hearing to be conducted pursuant to the Uniform Administrative Procedure Rules (*N.J.A.C.* 1:1 et seq.). The hearing shall be limited to those allegations which the Commission found probable cause to credit. Complainant and Respondent are thus notified that this Complaint shall be transmitted to the OAL for a hearing. *N.J.S.A.* 18A:12-29(b).

Additionally, Complainant shall no longer be a party to the Complaint. Where the Commission finds probable cause and transmits a Complaint to the OAL, the attorney for the

Commission shall prosecute those allegations in the Complaint for which the Commission found probable cause to credit. *N.J.A.C. 6A:28-9.8(a)(2)*.

Handwritten signature of Robert W. Bender in cursive script.

Robert W. Bender, Chairperson

Mailing Date: August 27, 2024

***Resolution Adopting Decision
in Connection with C09-24***

Whereas, at its meeting on July 23, 2024, 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 July 23, 2024, the Commission discussed finding that the facts and circumstances presented in the Complaint and Written Statement would lead a reasonable person to believe that *N.J.S.A.* 18A:12-24(b) and *N.J.S.A.* 18A:12-24(c) were violated in Counts 1 and 3; and

Whereas, at its meeting on July 23, 2024, and pursuant to *N.J.A.C.* 6A:28-9.8(a)(1) and *N.J.A.C.* 6A:28-9.8(a)(2), the Commission discussed transmitting the within matter to the Office of Administrative Law for a hearing; and

Whereas, at its meeting on August 27, 2024, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on July 23, 2024; 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 August 27, 2024.



Brigid C. Martens, Director
School Ethics Commission