

Before the School Ethics Commission
Docket No.: C45-23
Final Decision
Summary Disposition

Lisa J. Guzik,
Complainant

v.

Ryan Campbell,
Mantua Township Board of Education, Gloucester County,
Respondent

I. Procedural History

The above-captioned matter arises from a Complaint that was filed with the School Ethics Commission (Commission) on April 19, 2023, by Lisa J. Guzik (Complainant), alleging that Ryan Campbell (Respondent), a member of the Mantua 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:12-24.1(e) of the Code of Ethics for School Board Members (Code).

When Respondent failed to file a Written Statement, the Commission, in accordance with *N.J.A.C.* 6A:28-7.3(b), issued a notice, dated May 16, 2023, and again on June 21, 2023, informing Respondent that he had 10 additional days to file a Written Statement or each allegation in the Complaint would be deemed admitted, and the Commission may decide the matter on a summary basis. Despite these notices, Respondent did not file a Written Statement.

At its meeting on January 23, 2024, the Commission considered the filings, and at its meeting on February 27, 2024, the Commission adopted a decision finding that there are sufficient facts and circumstances pled in the Complaint¹ to lead a reasonable person to believe that *N.J.S.A.* 18A:12-24.1(e) was violated as set forth in the Complaint. Additionally, the Commission voted to decide the above-captioned matter by summary decision, in accordance with *N.J.A.C.* 6A:28-9.8(c), and directed Respondent to file a statement setting forth the reasons (Statement of Reasons) he should not be found in violation of the Act. Respondent was advised that if he disputes any of the facts determined by the Commission to be both material and undisputed, he should set forth the facts with which he disagrees, and why they are material to the case. Finally, Respondent was advised that the Commission may then make a determination of a violation on a summary basis.

¹ As Respondent did not file a Written Statement, the Commission's review of this matter was limited solely to the Complaint.

The Commission sent a notice on April 2, 2024, when Respondent failed to file a Statement of Reasons, and then again on April 23, 2024, informing Respondent that if he failed to file a Statement of Reasons within 10 days, the matter would be decided on a summary basis without his Statement of Reasons. Despite these notices, Respondent did not file a Statement of Reasons.

Consequently, at its meeting on May 21, 2024, the Commission reviewed the record in this matter and, at its special meeting on June 17, 2024, adopted a decision finding that Respondent violated *N.J.S.A.* 18A:12-24.1(e) and recommending a penalty of censure for Respondent's violation of the Act.

II. Summary of the Pleadings

The Complaint

Complainant asserts that on April 4, 2023, Respondent contacted the principal of the school where Complainant works and that during the conversation with the principal, Respondent identified himself as a Board member. Complainant contends that Respondent informed the principal that Complainant “personally attack[s] him” at Board meetings and he believes the “attacks began because of his opposition to gender neutral bathrooms.” Complainant attached an email to the Complaint that appears to be from her supervisor, stating:

I received a message from a Ryan Campbell to give him a call. I did call him back . . . and [he] wanted to inform me that:

- He is a school board member in Mantua.
- Ms. Guzik personally attacks him at the [B]oard meetings with unfounded claims.
- He is preparing to sue Ms. Guzik over her unfounded claims.
- He believes the attacks began because of his opposition to gender neutral bathrooms.

I did express my concern over the purpose of the call and this matter is not a School or District related matter. It was an unusual phone call from someone claiming to be Ryan Campbell.

Complainant asserts that Respondent violated *N.J.S.A.* 18A:12-24.1(e) because “[h]is actions were an attempt to silence [Complainant’s] speaking out at the . . . Board meetings” and Respondent “identified himself as a school board member in a private matter for his own perceived personal gain,” which questions the “integrity and authority” of the Board.

III. Findings of Fact

Based on its thorough and independent review of the record, the Commission finds the following facts to be undisputed:

1. Respondent was a Board member in the Mantua Township School District (District). *Complaint* at page 1.
2. Complainant works at a school and reports to a principal. *Complaint* at page 1.
3. On April 4, 2023, Respondent called the principal of the school where Respondent works and asserted that Respondent “personally attack[s] him” at Board meetings and that he believed that the “attacks began because of his opposition to gender neutral bathrooms.” *Complaint* at page 1.
4. Complainant received an email from the principal of the school where she works, stating:

I received a message from a Ryan Campbell to give him a call. I did call him back . . . and [he] wanted to inform me that:

- He is a school board member in Mantua.
- Ms. Guzik personally attacks him at the [B]oard meetings with unfounded claims.
- He is preparing to sue Ms. Guzik over her unfounded claims.
- He believes the attacks began because of his opposition to gender neutral bathrooms.

I did express my concern over the purpose of the call and this matter is not a School or District related matter. It was an unusual phone call from someone claiming to be Ryan Campbell.

Complaint at page 1; *Exhibit to Complaint*.

IV. Analysis and Conclusions of Law

Complainant argues that Respondent violated *N.J.S.A.* 18A:12-24.1(e) when he called her employer, identified himself as a Board member, and complained about her actions during Board meetings. This provision of the Code states:

- 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.

Pursuant to *N.J.A.C.* 6A:28-9.8(a)(3), 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 his duties such that, by its nature, had the potential to compromise the board.

Respondent failed to submit a Written Statement and/or Statement of Reasons, and as such, the allegations in the Complaint are undisputed.

With the above in mind, the Commission finds that Respondent acted beyond the scope of his duties as a Board member when he called Complainant's supervisor, represented himself as a member of the Board, and complained about actions that she took as a private citizen at a Board meeting. Respondent's behavior certainly has the potential to compromise the Board, as it undermines the integrity of the Board for its members to attempt to silence members of the public and/or encourage them not to attend future Board meetings by calling their employers in an apparent attempt to get them into trouble in the workplace. Accordingly, and based on the undisputed evidence as set forth herein, the Commission finds Respondent violated *N.J.S.A.* 18A:12-24.1(e) when he called Complainant's employer regarding "attacks" she made at a Board meeting.

V. Recommended Penalty

Having found that Respondent violated *N.J.S.A.* 18A:12-24.1(e), the Commission is authorized to recommend to the Commissioner of Education (Commissioner) an appropriate penalty, which may range from reprimand to removal. *N.J.S.A.* 18A:12-29(c).

In its review, the Commission finds that **censure** is the most appropriate penalty. In reaching this determination, the Commission finds that, based on the record, Respondent deliberately used his position as a Board member to intimidate Complainant because she had a different opinion on the issue of gender neutral bathrooms and spoke publicly at Board meetings. Whether Respondent believed that he was being attacked, he acted inappropriately by contacting a constituent's supervisor regarding action taken in a personal capacity at a Board meeting and which has no bearing on her employment.

VI. Decision

For the reasons set forth above, the Commission recommends that the Commissioner impose a penalty of **censure** for the violation of *N.J.S.A.* 18A:12-24.1(e).

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. The parties may either: 1) file exceptions to the recommended sanction; 2) file an appeal of the Commission's finding of a violation; or 3) file both exceptions to the recommended sanction together with an appeal of the finding of a violation.

Parties taking exception to the recommended sanction of the Commission but **not disputing** the Commission's finding of a violation may file, **within thirteen (13) days** from the date the Commission's decision is forwarded to the Commissioner, written exceptions regarding

the recommended penalty to the Commissioner. The forwarding date shall be the mailing date to the parties, as indicated below. Such exceptions must be forwarded to: Commissioner of Education, c/o Bureau of Controversies and Disputes, P.O. Box 500, Trenton, New Jersey 08625, marked "Attention: Comments on Ethics Commission Sanction," as well as to (ControversiesDisputesFilings@doe.nj.gov). A copy must also be sent to the Commission (school.ethics@doe.nj.gov) and all other parties.

Parties seeking to appeal the Commission's finding of a violation *must* file an appeal pursuant to the standards set forth at *N.J.A.C. 6A:4:1 et seq.* **within thirty (30) days** of the filing date of the decision. The filing date shall be three (3) days after the date of mailing to the parties, as shown below. In such cases, the Commissioner's review of the Commission's recommended sanction will be deferred and incorporated into the Commissioner's review of the finding of violation on appeal. Where a notice of appeal has been filed on or before the due date for exceptions to the Commission's recommended sanction (thirteen (13) days from the date the decision is mailed by the Commission), exceptions need not be filed by that date, but may be incorporated in the appellant's briefs on appeal.

Robert W. Bender, Chairperson

Mailing Date: June 17, 2024

***Resolution Adopting Decision
in Connection with C45-23***

Whereas, at its meeting on May 21, 2024, the School Ethics Commission (Commission) considered the entirety of the record in this matter; and

Whereas, at its meeting on May 21, 2024, the Commission discussed finding a violation of *N.J.S.A.* 18A:12-24.1(e); and

Whereas, at its meeting on May 21, 2024, the Commission discussed recommending a penalty of censure for the violation of *N.J.S.A.* 18A:12-24.1(e); and

Whereas, at its special meeting on June 17, 2024, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on May 21, 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 special meeting on June 17, 2024.

Brigid C. Martens, Director
School Ethics Commission