

***Before the School Ethics Commission***  
***Docket No.: C81-24***  
***Decision on Probable Cause***

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**Brian Reilly,  
Complainant**

**v.**

**Meghan Gifford,  
Clementon Board of Education, Camden County,  
Respondent**

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**I. Procedural History**

The above-captioned matter arises from a Complaint that was filed with the School Ethics Commission (Commission) on October 9, 2024, by Brian Reilly (Complainant), alleging that Meghan Gifford (Respondent), Director of Curriculum and Special Services, employed by the Clementon 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(b).

Respondent filed a Written Statement on October 28, 2024, and also alleged that the Complaint is frivolous. On October 29, 2024, Complainant filed a response to the allegation of frivolous filing.

The parties were notified by correspondence dated June 10, 2025, that the above-captioned matter would be discussed by the Commission at its meeting on June 17, 2025, in order to make a determination regarding probable cause and the allegation of frivolous filing. Following its discussion on June 17, 2025, the Commission adopted a decision at its meeting on July 22, 2025, 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***

By way of background, Complainant provides that he retired from the New Jersey State Police after 25 years and has been employed as a school counselor within the Camden County Educational Services Commission in Clementon for the past 14 years. He was recently assigned to one of the middle schools in the Bellmawr Public School District (District) where

Respondent's child is a student. Respondent is employed as the Director of Curriculum and Special Services for the Clementon School District in Camden County (Director).

Complainant notes that on February 7, 2024, he was called "to assist with" a student (Respondent's child). According to Complainant, during this incident, the student was physically aggressive toward Complainant, but the incident ultimately concluded positively and without any disciplinary actions for Complainant. Complainant maintains that the entire incident was captured on school surveillance and as a result, the administration noted that Complainant "handled the situation professionally and appropriately," and the principal inquired whether Complainant wanted to file a complaint against the student for assaulting him, to which Complainant declined. Complainant further provides that on April 12, 2024, which was 65 days after the incident, the student's parents were notified that their child would not be "eligible to attend [the] grade-level field trip due to excessive disciplinary write ups for the year." After being notified of this decision, Complainant states that Respondent then decided to contact the Institutional Abuse Investigation Unit (IAIU) within the New Jersey Department of Children and Families (DCF) and report Complainant for "institutional abuse" regarding the incident that occurred in February with her child and Complainant. As a result of Respondent's contact with the IAIU, Complainant "was removed from [his] position ... and subjected to an interview with a [S]tate investigator." Ultimately, Complainant was out of school/work from April 17, 2024, until June 7, 2024. Consequently, and despite the results of the investigation being "UNFOUNDED," his position with the District, "which had been confirmed for renewal for the 24/25 school year, was rescinded by the Superintendent" and Respondent's child was allowed to attend the school trip.

With the above in mind, Complainant asserts that Respondent "knowingly reported a false claim of physical abuse against [him], to intimidate and manipulate the administrative team at [the] Bellmawr School District into allowing her [child] to participate in a privilege [the child] lost due to [] personal behavior, as well as retribution for that decision." Complainant notes, "[i]t cannot be a coincidence that [Respondent] chose to make a report of abuse 65 days after the alleged incident and on the exact same day she was informed that her [child] was ineligible to attend [the] grade level field trip." Moreover, Complainant contends that "as the [Director], [Respondent] would be acutely aware of the ripple effects of making such a claim directly to the IAIU, rather than following up directly with" District administration. Complainant notes that Respondent "NEVER alleged any misconduct following the incident." Complainant asserts Respondent violated *N.J.S.A. 18A:12-24(b)* because she "abused her standing as an administrator and intimate knowledge of school systems and processes, and the abuse reporting systems, which her administrative position afforded her – to willingly afflict [Complainant] as an individual, and the [D]istrict in which [he] was placed . . . to exact spiteful revenge for a decision that was made regarding her [child]" who "secur[ed] the privilege of attending the trip."

#### **B. *Written Statement and Allegation of Frivolous Filing***

Respondent provides an opposing account to Complainant's recollection of the events, namely that she had a meeting with her child's principal at the beginning of the 2023/2024 school year, requesting that her child "have a different counselor and limited contact with [Complainant] moving forward." Respondent notes that she was not able to view the school

surveillance, and therefore, her knowledge of the event was based on her child's account, as well as the principal's and the Dean of Students' accounts of the event. According to Respondent, Complainant's account of the interaction is different from her child's account of the incident. Respondent states she spoke to the principal the next day, and after the principal reviewed the video of the incident, the principal issued a detention to her child for phone use. At that time, Respondent again requested that Complainant not have contact with her child and the principal informed her that "he was following the school's policy and that it was being taken care of."

Respondent admits that "there was a delay in calling IAIU"; however, she notes "this was due to the fact that [she] was told that the school's policies were being followed." According to Respondent, although she had been through "months of discrimination and months of advocating to the Dean of Students and Principal" it was not until her child "lost [the] right to go on the field trip on Friday, 4/12/24," that she decided to report the incident. Respondent maintains she contacted the Superintendent on April 12, 2024, after finding out the field trip matter, and "expressed her concerns about the discrimination and brought up the incident with [Complainant] as an example." Respondent further maintains that is when she learned that the Superintendent was not aware of the February incident and after scheduling another phone call with the Superintendent for the following day, Respondent contacted IAIU to inquire if the incident was reported to them. Respondent provides that IAIU indicated they did not have a record of the incident and also directed her to file a report, which she did. Respondent argues that she was acting as "a concerned mother trying to protect her child," and she did not file a false allegation. Moreover, Respondent provides that by the time IAIU conducted their investigation, her child was allowed to attend the field trip. Respondent asserts she followed school policy, and she did not file the report in response to her child not being allowed to attend a trip, but rather because the Superintendent was not aware that the incident occurred. Respondent apologizes for any rumors that are circulating related to Complainant, but notes she has never discussed this incident or the fact that she filed a report with anyone, and she admittedly told the Superintendent and the IAIU that she "did not think Mr. Reilly intentionally hit her [child]." Respondent further notes an unfounded finding does not mean the claim was false nor that the physical contact did not occur.

Respondent asserts the Complaint was filed beyond the 180-day statute of limitations and she cannot "disprove the allegations as emails and pictures have been deleted and matters have been put to rest through IAIU . . . ." Respondent further asserts the Complaint is frivolous "[d]ue to the points outlined above" and further because it is "another form of discrimination against [her child] and [her] family."

### ***C. Response to Allegation of Frivolous Filing***

Complainant begins by addressing the "misstatements and contradictions with [Respondent's] statement," and defending his initial Complaint and allegations, which is not permissible, and therefore, was not considered by the Commission. Complainant asserts the Complaint is "not frivolous and addresses a specific way in which an administrator weaponized her professional experience, knowledge, standing in educational leadership to manipulate circumstances in favor of a family member -at the expense of [his] personal and professional reputation and well-being, the school district at large, and the students."

### 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.”

#### *Jurisdiction of the Commission*

In reviewing the allegations in this matter, the Commission notes that its authority is limited to enforcing the Act, *N.J.S.A. 18A:12-21 et seq.*, a set of minimum ethical standards by which all school officials must abide. In this regard, the Commission has jurisdiction only over matters arising under the Act, and it may not receive, hear, or consider any matter that does not arise under the Act, *N.J.A.C. 6A:28-1.4(a)*.

With the jurisdiction of the Commission in mind, to the extent that Complainant seeks a determination from the Commission that Respondent may have filed a false complaint with a state agency, the Commission advises that such determination falls beyond the scope, authority, and jurisdiction of the Commission. Although Complainant may be able to pursue a cause of action(s) in the appropriate tribunal, the Commission is not the appropriate entity to adjudicate those claims. Accordingly, such claim is dismissed.

#### *Alleged Untimeliness*

In her Written Statement, Respondent submits that the allegations are time-barred as they occurred more than one hundred eighty (180) days prior to Complainant’s filing, and therefore, are untimely and should be dismissed.

The Commission’s regulations provide a one hundred eighty (180) day limitation period for filing a complaint. More specifically, *N.J.A.C. 6A:28-6.5(a)* provides, in relevant part:

- (a) Complaints shall be filed within 180 days of notice ***of the events which form the basis of the alleged violation(s)***. A complainant shall be deemed to be notified of events which form the basis of the alleged violation(s) ***when he or she knew of such events or when such events were made public so that one using reasonable diligence would know or should have known*** (emphasis added).

In the present matter, the Complaint was filed on October 9, 2024, which is within the 180-day time period of the allegation, the filing of a complaint with DCF on April 12, 2024, that forms the basis of this Complaint. Therefore, the Commission finds the complaint to be timely.

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

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;

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.” 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(b) was violated. As the Appellate Division recently stated, “the mere fact that an individual may be a school official does not mean, without more, that all actions and conduct undertaken is in their official capacity and can violate the Act.” (*Bennett v. Sullivan*, A-3244-22, A-1636-23, App. Div. April 30, 2025) Although she is also an administrator, as a parent, Respondent is allowed to file complaints with DCF and/or the school district if she feels it is necessary. Therefore, the Complaint does not demonstrate how Respondent used or attempted to use her official position when she filed a complaint using the same process that all parents may utilize. 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(b).

### **IV. Request for Sanctions**

At its meeting on June 17, 2025, 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 July 22, 2025, 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.

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Robert W. Bender, Chairperson

Mailing Date: July 22, 2025

***Resolution Adopting Decision  
in Connection with C81-24***

***Whereas***, at its meeting on June 17, 2025, the School Ethics Commission (Commission) considered the Complaint, the Written Statement and 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 June 17, 2025, 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 June 17, 2025, the Commission discussed finding the Complaint not frivolous, and denying the request for sanctions; and

***Whereas***, at its meeting on July 22, 2025, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on June 17, 2025; 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.

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Robert W. Bender, Chairperson

I hereby certify that the Resolution was duly adopted by the School Ethics Commission at its public meeting on July 22, 2025.

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Dana C. Jones  
School Ethics Commission