

***Before the School Ethics Commission***  
***Docket No.: C94-24***  
***Decision on Probable Cause***

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**Michael Mansi,**  
***Complainant***

v.

**Patrick Madden,**  
**Camden County Educational Services Commission, 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 December 11, 2024,<sup>1</sup> by Michael Mansi (Complainant), alleging that Patrick Madden (Respondent), a member of the Camden County Educational Services Commission (CCESC) 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)*, as well as *N.J.S.A. 18A:12-24.1(a)*, *N.J.S.A. 18A:12-24.1(c)*, *N.J.S.A. 18A:12-24.1(g)*, and *N.J.S.A. 18A:12-24.1(j)* of the Code of Ethics for School Board Members (Code).

Respondent filed a Written Statement on January 28, 2025, and also alleged that the Complaint is frivolous. On February 7, 2025, Complainant filed a response to the allegation of frivolous filing.

The parties were notified by correspondence dated July 15, 2025, that the above-captioned matter would be discussed by the Commission at its meeting on July 22, 2025, in order to make a determination regarding probable cause and the allegation of frivolous filing. Following its discussion on July 22, 2025, the Commission adopted a decision at its meeting on August 19, 2025, finding that Counts 1, 4, and 5 are dismissed as being deficient because they allege violations of the Code, which only applies to school board members, and Respondent is an administrator.<sup>2</sup> The Commission further adopted a decision finding that there are insufficient

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<sup>1</sup> A deficient Complaint was filed on January 8, 2024. A related matter was pending with the Commissioner of Education (COE) which was completed on November 22, 2024. Thereafter, Complainant filed a Second Deficient Complaint on December 2, 2024. Complainant then cured all defects (with the exception of the alleged violations of the Code of Ethics for School Board Members) and submitted an Amended Complaint on December 11, 2024, that was deemed compliant with the requirements detailed in *N.J.A.C. 6A:28-6.3*.

<sup>2</sup> Despite two notifications that the Complaint was deficient for improper allegations, Complainant did not amend the Code violations.

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 is the owner of Student One Transportation (Bus Company). The Bus Company has been providing services to the CCESC for years "with favorable feedback." Respondent is the Business Administrator/Board Secretary (BA/BS) for the CCESC. Complainant asserts that Respondent, along with the transportation supervisor, "provided false information regarding a bus route" in October 2022. Thereafter, Complainant "acted in good faith and discontinued the deficient route based on the information provided by" Respondent and the supervisor.

Subsequently, on July 13, 2023, Respondent "debarred the owners of the company from doing business with the district in violation of the [CCESC's] regulations."

In Count 1, Complainant asserts Respondent violated *N.J.S.A.* 18A:12-24.1(a) as he was "unable to uphold and enforce all laws, rules and regulations of the State Board of Education and did not follow the legal and ethical procedures in doing so."

In Counts 2 and 3, Complainant asserts Respondent violated *N.J.S.A.* 18A:12-24(a), because he has been "debarred the company and its owners . . . from receiving any quotes resulting in financial harm and burdening the public expense with higher pricing due to less contractor competition," which is in substantial conflict with proper discharge of his duties. Complainant further asserts that Respondent violated *N.J.S.A.* 18A:12-24(b), because he "selectively disbarred several small sized, minority owned school bus companies from placing bids or quotes with [the] CCESC," and therefore, used his official position to secure unwarranted privileges and advantages to the larger sized bus companies.

In Counts 4 and 5, Complainant asserts Respondent violated *N.J.S.A.* 18A:12-24.1(c), *N.J.S.A.* 18A:12-24.1(g), and *N.J.S.A.* 18A:12-24.1(j) when he "demonstrated a lack of credibility and has discriminated against contractors based on company size and ethnicity," "knowingly discussed sensitive information pertaining to a handicapped student deliberately in a public location," and "did not refer all complaints to the chief administrative officer and did not act on the complaints at public meetings only after failure of an administrative solution."

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

In his Written Statement, which includes an allegation of frivolous filing, as well as an allegation that the Complaint is untimely, Respondent notes Complainant previously filed an almost identical petition of appeal with the Commissioner of Education (COE) on January 30, 2024, and a subsequent lawsuit with the Division on Civil Rights (DCR), alleging that the

CCESC “discriminated against Complainant regarding public bidding and contracting for transportation services.” The petition of appeal was transmitted to the OAL where it was dismissed and the DCR closed its case thereafter.

Respondent argues that Complainant admits in his statement that he knew of the facts of the matter on October 31, 2022, and therefore, the Complaint is time barred. Moreover, Respondent is an administrator, and therefore, the Code allegations do not apply.

As to the allegations that Respondent violated *N.J.S.A.* 18A:12-24(a) and *N.J.S.A.* 18A:12-24(b), Respondent argues Complainant “does not provide any proofs to suggest any conflict of interest, as his perceived issues are rooted in falsely accusing [Respondent] and [the] CCESC of discrimination.” Despite the administrative law judge’s (ALJ) and DCR’s dismissals, Respondent contends “even if they were sustained, accusations of discrimination do not rise to the level of alleged conflicts of interest.”

Finally, Respondent asserts the Complaint is frivolous because Complainant filed the Complaint “in bad faith solely for the purpose of harassment, delay, and malicious injury after the [ALJ], [the COE] and the [DCR] all dismissed the same claims.” Moreover, the Code clearly states that it only applies to Board members, and therefore, Complainant “knew, or should have known, that the Complaint is without any reasonable basis in law or equity . . . .”

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

Complainant argues his Complaint was filed on January 1, 2024, based upon Respondent’s “unethical action” that occurred on July 23, 2023, and therefore, the Complaint is timely filed. A Deficient Complaint was filed on January 8, 2024. A related matter was pending with the COE and was completed on November 22, 2024. Thereafter, Complainant filed a Second Deficient Complaint on December 2, 2024. Complainant then cured all defects and submitted an Amended Complaint on December 11, 2024.

Complainant reaffirms his original allegations and maintains that Respondent “knowingly breached [the] CCESC terms and conditions, violated several state laws and clearly discriminated against company owners.” Complainant asserts the Complaint is not frivolous, and was filed in good faith “to resolve the negative outcome [Respondent] has placed the company and its owner in.”

## **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 Untimeliness***

In his Written Statement, Respondent submits that the allegation is time-barred as the vote occurred more than one hundred eighty (180) days prior to Complainant's filing, and therefore, is untimely and should be dismissed. *N.J.A.C. 6A:28-6.5(a)* provides a one hundred eighty (180) day limitation period for filing a complaint. *N.J.A.C. 6A:28-6.7(b)* further provides that a complainant may amend a complaint to cure technical defects, clarify or amplify allegations made in the original complaint and such amendments will relate back to the date the complaint was first received by the Commission for the purpose of determining timeliness pursuant to *N.J.A.C. 6A:28-6.5*.

In the present matter, a Deficient Complaint was filed on January 8, 2024. A related matter was pending with the COE and was completed on November 22, 2024. Thereafter, on December 2, 2024, Complainant filed a Second Deficient Complaint. Complainant then cured all defects and submitted an Amended Complaint on December 11, 2024. As the original Deficient Complaint was filed on January 8, 2024, it is within the 180-day time period of the notification on July 13, 2023, that forms the basis of this Complaint. Therefore, the Commission finds the Complaint to be timely.

### ***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 violated any Board policies and/or any other laws in addition to the Act, the Commission advises that such determinations fall 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, those claims are dismissed.

In addition, *N.J.S.A. 18A:12-24.1* is the Code of Ethics for School Board Members, and therefore, only applies to members of a board of education. As Respondent is not a Board member, he cannot violate the Code of Ethics. Accordingly, those claims and Counts 1, 4 and 5 are dismissed.

### ***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)* and *N.J.S.A. 18A:12-24(b)*, and 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;

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 his 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 his 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 his official position to secure an unwarranted privilege, advantage or employment for himself, members of his immediate family, or “others.”

In Counts 2 and 3, Complainant asserts Respondent violated *N.J.S.A. 18A:12-24(a)* and *N.J.S.A. 18A:12-24(b)* when he “debarred the owners of the company from doing business with the” CCESC and when he “debarred” their company from placing bids or quotes with the CCESC. Respondent argues Complainant did not provide any proofs to suggest any conflict of interest.

Following its assessment, 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)* and/or *N.J.S.A. 18A:12-24(b)* were violated. As required by *N.J.S.A. 18A:12-24(a)*, Complainant has not provided evidence that Respondent, or a member of his 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 his duties in the public interest. In addition, Complainant has not provided any evidence that Respondent used or attempted to use his official position to secure an unwarranted privilege, advantage or employment for himself, members of his immediate family, or “others” as required by *N.J.S.A. 18A:12-24(b)*.

Accordingly, and pursuant to *N.J.A.C. 6A:28-9.7(b)*, the Commission dismisses the alleged violations of *N.J.S.A. 18A:12-24(a)* and *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 August 19, 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: August 19, 2025

***Resolution Adopting Decision  
in Connection with C94-24***

***Whereas***, at its meeting on July 22, 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 meetings on July 22, 2025, the Commission discussed finding the allegations in Counts 1, 4, and 5 as being deficient because they allege violations of the Code against an administrator; and

***Whereas***, at its meeting on July 22, 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 July 22, 2025, the Commission discussed finding the Complaint not frivolous, and denying the request for sanctions; and

***Whereas***, at its meeting on August 19, 2025, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on July 22, 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 August 19, 2025.

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Dana C. Jones  
School Ethics Commission