

***Before the School Ethics Commission
OAL Docket No.: EEC 15302-25
SEC Docket No.: C90-24
Final Decision***

**Christo Makropoulos,
Complainant**

v.

**Christopher Lugo,
Edison 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 November 7, 2024, by Christo Makropoulos (Complainant), alleging that Christopher Lugo (Respondent), a member of the Edison Township Board of Education (Board), violated the School Ethics Act (Act), *N.J.S.A. 18A:12-21 et seq.* More specifically, the Complaint averred that Respondent violated *N.J.S.A. 18A:12-24.1(e)* and *N.J.S.A. 18A:12-24.1(f)* of the Code of Ethics for School Board Members (Code). Respondent filed a Written Statement on January 2, 2025.

The Commission adopted a decision at its meeting on August 19, 2025, 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 the Act was violated as set forth in the Complaint. Based on its finding of probable cause, the Commission voted to transmit the above-captioned matter to the Office of Administrative Law (OAL) for a hearing where Complainant would carry the burden to prove the allegations that Respondent violated *N.J.S.A. 18A:12-24.1(e)* and *N.J.S.A. 18A:12-24.1(f)*.

At the OAL, the Administrative Law Judge (ALJ) conducted a hearing on March 11, 2026. Thereafter, the ALJ issued an Initial Decision on June 25, 2026, finding that Respondent violated *N.J.S.A. 18A:12-24.1(e)* and *N.J.S.A. 18A:12-24.1(f)* and recommending a penalty of reprimand. Neither party filed exceptions to the Initial Decision.

At its meeting on July 28, 2026, the Commission discussed the above-captioned matter, and at its meeting on August 25, 2026, the Commission voted to adopt the Initial Decision's findings of fact, and the legal conclusions that Respondent violated *N.J.S.A. 18A:12-24.1(e)* and *N.J.S.A. 18A:12-24.1(f)*. The Commission also voted to adopt the recommended penalty of reprimand.

II. Initial Decision

Based on documentary evidence and witness testimony, the ALJ issued the following findings of fact:

1. Respondent is currently a member of the Edison Township Board of Education. His term expires in 2027.
2. Respondent agreed to endorse two fellow Board members, Doug Schneider and Brian Rivera during the 2024 election.
3. Respondent also agreed to endorse Manoj Jaitly for election to the Board.
4. Respondent is a District Committeeman, as is Manoj Jaitly.
5. Respondent did not prepare the letter or campaign flyer that contained the endorsement but stands behind its content.
6. The flyer was distributed by the Edison Republican Organization.
7. Doug Schneider and Brian Rivera, in addition to being Board members, are Democrats.
8. Respondent signed the letter using his title as a Board of Education Member without providing a disclaimer indicating that his actions were not representative of the official stance of the Edison School Board.

Initial Decision at 3.

Per the ALJ, Complainant asserted that it is reasonable and appropriate for the public to construe Respondent's comments as both an attempt to use his Board position to get more votes for the endorsed candidates and that the Board is endorsing their candidacy as well. *Ibid.* The ALJ noted that Respondent argues this was a one-time, "non-controversial, simple political endorsement. . . . There was no connection to the Board of Education as a whole, nor was there any implication that there was a formal [Board] endorsement" and "a reasonable observer would not be misled to conclude that the flyer was a formal fully adapted [(sic)] Board of Education endorsement." *Id.* at 3-4.

According to the ALJ, the issue is whether Respondent violated *N.J.S.A.* 18A:12-24.1(e) and *N.J.S.A.* 18A:12-24.1(f) of the Code by making personal promises or taking action that had the potential to compromise the Board, or by taking action on behalf of a special interest group that adheres to a particular political party. *Id.* at 4.

The ALJ found that Complainant argued that Respondent, in his role as a Board member, "sought a benefit for others and acted on behalf of a political organization when he did not give a written disclaimer indicating that he was endorsing these candidates as a private citizen rather than as a [Board] member." *Id.* at 7. Moreover, Respondent did not include a disclaimer, and therefore, Respondent's "endorsements, which were made in a letter distributed by the local Republican organization and signed as a member of the [Board], would not have given the audience an indication that he was speaking as a private citizen rather than as a Board member, and the public could only construe [R]espondent's endorsement as the Board's approval or endorsement of these candidates, and as such, [R]espondent utilized his position for the gain of the endorsed candidates by way of seeking to increase their voter pool." *Id.* at 7-8.

The ALJ concluded that Respondent made a political endorsement of three candidates in a letter distributed by the Edison Republican Organization for the upcoming Board election and did not include a disclaimer about his comments, thus using his position on the Board to solicit support and/or votes for the benefit of those three candidates, and in doing so, used the schools to acquire a personal benefit, in violation of *N.J.S.A. 18A:12-24.1(e)* and *N.J.S.A. 18A:12-24.1(f)*. *Id.* at 8. The ALJ further concluded that a penalty of reprimand is warranted for Respondent's actions. *Ibid.*

III. Analysis

Upon a careful, thorough, and independent review of the record, the Commission adopts the ALJ's findings of fact and the legal conclusions that Respondent violated *N.J.S.A. 18A:12-24.1(e)* and *N.J.S.A. 18A:12-24.1(f)* and adopts the recommended penalty of reprimand.

Pursuant to *N.J.S.A. 18A:12-24.1(e)*, a board member must recognize that authority rests with the board and a board member shall not make any personal promises nor take any private action that may compromise the board. In accordance with *N.J.A.C. 6A:28-6.4(a)*, 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. The Commission finds that when Respondent used his name and title, without a disclaimer, on an endorsement for school board candidates that was distributed by the Edison Republican Organization, his actions had the potential to compromise the Board as it appeared as though the entire Board was endorsing the candidates. While the Commission has long held that Board members do not give up their right to participate in political activity, the Commission has warned that Board members must ensure that the activity does not violate the Act. Therefore, Board members need to make it clear that they are speaking on their own behalf and not as a Board member. Accordingly, the Commission agrees with the ALJ that Respondent's actions violated *N.J.S.A. 18A:12-24.1(e)*.

N.J.S.A. 18A:12-24.1(f) requires a board member to refuse to surrender his independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends. Pursuant to *N.J.A.C. 6A:28-6.4(a)*, factual evidence of *N.J.S.A. 18A:12-24.1(f)* shall include evidence that Respondent took action on behalf of, or at the request of, a special interest group or persons organized and voluntarily united in opinion and who adhere to a particular political party or cause; or evidence that Respondent used the schools in order to acquire some benefit for himself, a member of his immediate family or a friend. The Commission agrees with the ALJ that when Respondent used his title, without a disclaimer, to endorse school board candidates, he obtained a benefit for himself and for his friends. Therefore, the Commission agrees with the ALJ that Respondent violated *N.J.S.A. 18A:12-24.1(f)*.

As to the appropriate penalty, the Commission further agrees with the ALJ and adopts the recommended penalty of reprimand for Respondent's violations of *N.J.S.A. 18A:12-24.1(e)* and *N.J.S.A. 18A:12-24.1(f)*.

IV. Decision

For all of the aforementioned reasons, the Commission adopts the Initial Decision's findings of fact and the legal conclusions that Respondent violated *N.J.S.A.* 18A:12-24.1(e) and *N.J.S.A.* 18A:12-24.1(f) and adopts the recommended penalty of reprimand.

Pursuant to *N.J.S.A.* 18A:12-29(c), this decision shall be forwarded to the Commissioner of Education 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 Office 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 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 from which the appeal is taken. 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 into the appellant's briefs on appeal.

Dennis M. Roberts, Chairperson

Mailing Date: August 25, 2026

***Resolution Adopting Decision
in Connection with C90-24***

Whereas, at its meeting on August 19, 2025, the School Ethics Commission (Commission) voted to transmit the above-captioned matter to the Office of Administrative Law (OAL) for a plenary hearing; and

Whereas, the Administrative Law Judge (ALJ) issued an Initial Decision dated June 25, 2026; and

Whereas, the ALJ found that Respondent violated *N.J.S.A.* 18A:12-24.1(e) and *N.J.S.A.* 18A:12-24.1(f), and recommended a penalty of reprimand; and

Whereas, the parties did not file exceptions to the Initial Decision; and

Whereas, at its meeting on July 28, 2026, the Commission reviewed the record in this matter, and discussed adopting the ALJ's findings of fact and the legal conclusions that Respondent violated *N.J.S.A.* 18A:12-24.1(e) and *N.J.S.A.* 18A:12-24.1(f), and adopting the recommended penalty of reprimand; and

Whereas, at its meeting on August 25, 2026, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its meeting on July 28, 2026; and

Now Therefore Be It Resolved, the Commission hereby adopts the within decision.

Dennis M. Roberts, Chairperson

I hereby certify that this Resolution was duly adopted by the School Ethics Commission at its meeting on August 25, 2026.

Brigid C. Martens, Director
School Ethics Commission