

***Before the School Ethics Commission***  
***Docket No.: C64-22***  
***Decision on Motion to Dismiss***

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**Shauna Williams,  
*Complainant***

v.

**Robert Cianciulli, Jordan Hyman, Angela Penna, Pamela Stanley, and Michael D'Aquila,  
Berkeley Heights Board of Education, Union County,  
*Respondents***

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**I. Procedural History**

The above-captioned matter arises from a Complaint that was filed on June 8, 2022, by Shauna Williams (Complainant), alleging that Robert Cianciulli (Respondent Cianciulli), Jordan Hyman (Respondent Hyman), Angela Penna (Respondent Penna), Pamela Stanley (Respondent Stanley), and Michael D'Aquila (Respondent D'Aquila) (collectively referred to as Respondents), members of the Berkeley Heights 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 Respondents violated *N.J.S.A.* 18A:12-24.1(c), *N.J.S.A.* 18A:12-24.1(e), *N.J.S.A.* 18A:12-24.1(f), and *N.J.S.A.* 18A:12-24.1(g) of the Code of Ethics for School Board Members (Code).

On June 8, 2022, the Complaint was served on Respondents via electronic mail, notifying them that ethics charges had been filed against them with the School Ethics Commission (Commission), and advising that they had twenty (20) days to file a responsive pleading.<sup>1</sup> On July 2, 2022, Respondents filed a Motion to Dismiss in Lieu of Answer (Motion to Dismiss), and Complainant filed a response to the Motion to Dismiss on July 14, 2022.

The parties were notified by correspondence dated September 6, 2022, that the above-captioned matter would be discussed by the Commission at a special meeting on September 14, 2022, in order to make a determination regarding the Motion to Dismiss. Following its discussion on September 14, 2022, the Commission adopted a decision at a special meeting on October 17, 2022, denying the Motion to Dismiss in its entirety.

Based on its decision, the Commission also directed Respondents to file an Answer to Complaint (Answer) as to the allegations in the Complaint. Immediately following receipt of

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<sup>1</sup> In order to conduct business during the Coronavirus (COVID-19) pandemic, the Commission implemented an electronic filing system, which remains a permissible method by which the Commission and parties can effectuate service of process. Consequently, service of process was effectuated by the Commission through electronic transmission only.

**Resolution Adopting Decision  
in Connection with C64-22**

*Whereas*, at a special meeting on September 14, 2022, the School Ethics Commission (Commission) considered the Complaint, the Motion to Dismiss in Lieu of Answer (Motion to Dismiss), and the response to the Motion to Dismiss submitted in connection with the above-referenced matter; and

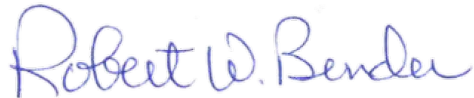
*Whereas*, at a special meeting on September 14, 2022, the Commission discussed denying the Motion to Dismiss in its entirety; and

*Whereas*, at a special meeting on September 14, 2022, the Commission discussed directing Respondent to file an Answer to Complaint (Answer) as to the allegations in the Complaint; and

*Whereas*, at a special meeting on September 14, 2022, the Commission discussed transmitting this matter to the Office of Administrative Law immediately upon receipt of the Answer; and

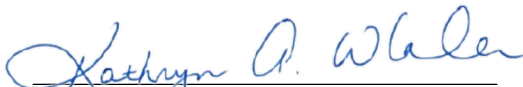
*Whereas*, at a special meeting on October 17, 2022, the Commission reviewed and voted to approve the within decision as accurately memorializing its actions/findings from its special meeting on September 14, 2022; and

***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 a special meeting on October 17, 2022.

  
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Kathryn A. Whalen, Esq.  
Director, School Ethics Commission