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03/14/2025

IN THE MATTER OF SHAUNA WILLIAMS,
Complainant,

v.

ROBERT CIANCIULLI, JORDAN HYMAN, ANGELA PENNA,
PAMELA STANLEY, and MICHAEL D'AQUILA,
Respondents.

AMICUS CURIAE BRIEF OF SHAUNA WILLIAMS

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I. INTEREST OF AMICUS CURIAE

NJ21st (formerly Berkeley Heights Community Watch) is an independent, non-profit platform committed to increasing transparency and accountability within local government, focusing on the 21st District in New Jersey. The initiative began as a response to perceived secrecy and misinformation in local government decisions, particularly around education and budgeting, and has expanded to cover a broader range of issues affecting various communities in the district.

NJ21st's mission is to provide residents with a factual, citizen-driven perspective on local governance, advocate for evidence-based decision-making, and offer a forum for public discourse that is free from corporate and political influence.

Amicus curiae, John Migueis, on behalf of NJ21st, submits this brief in support of the School Ethics Commission's decision that the Respondents violated multiple provisions of the School Ethics Act, N.J.S.A. 18A:12-21 et seq. NJ21st has a vested interest in ensuring that school board members adhere to the highest ethical standards to preserve the integrity of public education governance. This brief aims to reinforce the importance of holding school board members accountable for their misuse of authority.

II. SUMMARY OF ARGUMENT

This case presents a clear instance where school board members, including Respondent Pamela Stanley, abused their positions to advance personal agendas. By voting to authorize the board's legal counsel to file an ethics complaint against another board member, Respondents circumvented ethical and legal safeguards. Their actions not only contravened N.J.S.A. 18A:12-24(b), (c), and (f) but also eroded public trust in the governance of Berkeley Heights Board of Education. The Commission's modification of the penalty from reprimand to censure is appropriate and necessary to deter future violations.

III. ARGUMENT

A. RESPONDENTS' ACTIONS VIOLATE THE SCHOOL ETHICS ACT

The School Ethics Act explicitly prohibits school board members from using their official positions to secure unwarranted privileges. Respondent Stanley and others, by voting in favor of utilizing taxpayer-funded legal representation for a personal ethics complaint, engaged in self-serving conduct. The ALJ and the Commission correctly found that their actions violated N.J.S.A. 18A:12-24(b) and (c). The decision to file an ethics complaint using board counsel was not a policy-making decision, and therefore, it fell outside the scope of the board's legal authority.

B. MISUSE OF PUBLIC OFFICE AND FUNDS FOR PERSONAL GAIN

Respondents not only breached ethical guidelines but also misappropriated public resources. The use of board counsel to file ethics charges—when the School Ethics Commission has made clear that only individuals, not boards, may file complaints—constitutes an abuse of office. Respondents authorized actions that were explicitly against existing statutory and regulatory guidelines, reinforcing the necessity of a censure rather than a mere reprimand.

C. PUBLIC TRUST AND THE NEED FOR ACCOUNTABILITY

School board members are entrusted with the responsibility to act in the best interests of the students, staff, and taxpayers. When members prioritize personal interests over their ethical obligations, it damages the credibility of the institution. Public confidence in school governance relies on transparency and accountability. Given the severity and public nature of the violations, a censure appropriately signals that ethical breaches will not be tolerated.

D. NECESSITY OF CENSURE OVER REPRIMAND

A reprimand is a private or less formal acknowledgment of misconduct, often carrying little public weight or deterrent effect. In contrast, a censure is a formal and public condemnation of unethical behavior, making it clear that such violations will not be tolerated. Given the nature of the misconduct at issue—misuse of taxpayer resources, self-serving actions, and an attempt to circumvent legal safeguards— a mere reprimand would fail to uphold the accountability necessary for ethical governance. A censure not only holds the Respondents publicly accountable but also establishes a precedent that ethical violations in school governance will be met with meaningful consequences. Public trust in the governance of educational institutions demands transparency and accountability, and a censure ensures that these values are upheld.

Moreover, overturning this decision or imposing a lesser consequence would have severe implications for school boards across the state. It would set a dangerous precedent that board members can abuse their positions without meaningful repercussions, eroding public confidence in local governance. A failure to uphold the censure risks encouraging further ethical breaches and undermining the enforcement of the School Ethics Act, ultimately weakening accountability mechanisms designed to protect the integrity of public education.

IV. CONCLUSION

For the foregoing reasons, Amicus Curiae respectfully urges this body to uphold the School Ethics Commission's findings and its decision to impose a censure on the Respondents. The integrity of public education governance depends on strict adherence to ethical norms, and a failure to impose adequate consequences risks setting a dangerous precedent.

Respectfully submitted,

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