
**IN THE MATTER OF
ROBERT GUARASCI,
BOARD OF TRUSTEE MEMBER,
WILLIAM PATERSON UNIVERSITY**

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STATE ETHICS COMMISSION

Commission Case No. 26-15
DECISION

BACKGROUND

William Paterson University requests an exception to Executive Order 14 (Corzine 2006) (“EO 14”) on behalf of William Paterson University’s Board of Trustee Member Robert Guarasci (“Guarasci”), who is also a compensated Chief Executive Officer for the New Jersey Community Development Corporation (“NJCDC”), which operates a charter school called the Paterson Family Center (“School”). NJCDC seeks to enter into an agreement with William Paterson University to provide a Professor in Residence and other services to the School in return for a fee and NJCDC’s participation in the William Paterson University, College of Education’s Professional Development School Network.

EO 14 prohibits a member of a State college or university governing board from being employed by or deriving or receiving any compensation from a firm, association, or partnership that does business with the institution that the board member governs. The term “doing business with” is defined to mean “providing or receiving any goods or services or otherwise engaging in a transaction involving the exchange of anything of value.” Pursuant to paragraph 5 of EO 14, however, the State Ethics Commission is authorized to grant exceptions from this prohibition if “in the judgment of the Executive Director, the entity that is doing business with the institution is doing so pursuant to a contract awarded in accordance with the competitive bidding laws applicable to that institution or the public interest requires an exception to be made.”

APPLICATION

According to the information provided, the William Paterson University College of Education has the same type of fee for service Professor in Residence programs in other public schools in Paterson and other high needs districts. The costs, terms and conditions of the proposed agreement between NJCDC and William Paterson are the same as those offered to other public schools. Moreover, the proposed agreement will not be brought before William Paterson University’s Board of Trustees for discussion or approval and neither Guarasci nor the Board of Trustees will have any involvement in William Paterson University’s decision to enter into the agreement with the NJCDC.

Based on the facts provided, it is in the public interest to grant an EO 14 exception to Guarasci.

DECISION

The Commission grants Guarasci an exception to the provisions of EO 14. In his official State capacity, however, Guarasci must recuse himself from any matters involving NJCDC.

DECISION RENDERED BY THE
STATE ETHICS COMMISSION ON
THE 16TH DAY OF JUNE, 2015