



*State of New Jersey*

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

DAVID C. HESPE  
*Acting Commissioner*

April 23, 2014

**FOR PUBLIC RELEASE**

SUBJECT: Advisory Opinion—A13-14

The School Ethics Commission (Commission) is in receipt of your request for an advisory opinion on your behalf, regarding you as a member of the Local Board of Education (Board). Pursuant to your request for an advisory opinion and consistent with its authority under N.J.S.A. 18A:12-28(b), the Commission discussed this matter at its March 25, 2014 meeting. The Commission will provide its advice based on the information you included in your advisory opinion request. The Commission's authority to issue advisory opinions is expressly limited to determining whether any proposed conduct or activity would constitute a violation of the School Ethics Act. N.J.S.A. 18A:12-31.

You explain that you are a freelance writer with the local press and that you report on town events as well as school events such as games, teams, band, award night, fund raisers, etc. You inquire as a Board member whether there are any restrictions to your reporting with the local press.

In its review and based on the information you provided, the Commission determines that such conduct will not violate the School Ethics Act, N.J.S.A. 18A:12-31 *et seq.*, as long as you do not report on Board of Education discussions or issues. If you do, you may violate N.J.S.A. 18A:12-24(f), which states:

No school official shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated;

It is important that in your reporting you preserve the integrity and the confidentiality of Executive Session of the Board and that you do not divulge any topic, personnel or student matter which may come before the Board in the exercise of its statutory responsibilities.

We trust this answers your inquiry.

Sincerely,

Robert W. Bender, Chairperson