When journalists emphasize the importance of the Sunshine Act, some people might think we’re seeking special favors or a particular privilege – that we’re looking for more ways to “get dirt.” Nothing could be further from the truth, and here’s why:

The Sunshine Act is about preserving public access to public information from public bodies.

It’s about journalists acting on the public’s behalf to make information known. That is what we do every day, seven days a week. We go to borough council meetings and school board sessions and water authority hearings while you’re busy living your life. Then we tell you all about it. It’s in our job description.

To be specific, the Sunshine Act ensures the public has the right to see an agency *deliberate* its business – to see how members of a public body make decisions that affect your tax rate, that determine the size of your police force, that hire and fire a township employee. At the same time, these bodies are entitled to meet in executive session for a host of reasons.

During Sunshine Week (March 10-16), journalists across the state remind everybody that the Sunshine Act is the law of the land, that it’s a set of agreed-upon guidelines, that it allows media and local government to do their respective jobs in serving the public. It’s also a time to note that the Sunshine Act allows public officials a reasonable amount of privacy as part of their overall duties.

A case involving our newspaper and a local school board illustrates the distinction.

Members of the board called an executive session, with the board’s attorney, to discuss a property tax assessment appeal. So far, so good. They can meet to gather information with counsel to help inform future decisions. Property taxes are the lifeblood of a school district. Board members might want to explore all the angles in private, protected by attorney-client privilege, a principle everyone respects.

But here was the problem: The board also invited the owners of the property. The gathering became, in fact, a *deliberation* among the elected officials and property owners over the tax assessment appeal. That’s no longer an executive session – that’s public business at what should be a public meeting. But our reporter was denied access.

We filed suit against the school board. The case went all the way to Pennsylvania Commonwealth Court. And we prevailed. Lawyers who educate public officials on complying with the Sunshine Act cite the case as a strong example of what not to do.

The state Office of Open Records website shows what is and is not permitted under the Sunshine Act. Elected and appointed officials – and reporters and editors – should bookmark **openrecords.pa.gov** and refer to it any time they are in doubt.

Under the FAQs in the Sunshine Act section, the rules are explained in clear language. You will see what “an official action” is, what defines “a meeting,” what is the role of public comment, and more. The question “Can an agency have a closed meeting” lists the seven conditions for an executive session. They include discussions of personnel matters, information sessions about negotiating a labor agreement, and consulting with an attorney about litigation. Sensitive public safety issues may be discussed privately, if disclosing the information would itself threaten public safety or preparedness. All the guidelines are common sense for the common good.

To be sure, sometimes public officials make honest mistakes about what business is required to be conducted in public. Sunshine Week is here to help! The Pennsylvania NewsMedia Association maintains excellent resources at **panewsmedia.org** to summarize the Sunshine Act and how to observe it.

As journalists, we observe the Sunshine Act every day. But this week, please take a moment to appreciate the state legislation, passed in 1998, that preserves one of the bedrocks of our nation’s democracy: the public’s right to know what their government, at every level, is doing on their behalf.

*Jennifer Bertetto is president and CEO of Trib Total Media.*