

## ETHICS STANDARDS IN BRIEF COLLEGE AND UNIVERSITY ADJUNCT FACULTY

This pamphlet summarizes ethics law provisions that you need to know.

If you have questions, contact your department chair or Ethics Liaison Officer ("ELO"). An ELO list is available at <http://nj.gov/ethics/agency/>.

ELO information for The College of New Jersey may be found at: <http://www.tcnj.edu/ethics/>

You may also call the New Jersey State Ethics Commission ("SEC") at (609) 292-1892 or 1-888-223-1355 or visit our web site at <http://nj.gov/ethics/>.

You should **always** seek the advice of your ELO **before** engaging in any activity that may be violative of the Conflicts of Interest Law or the Uniform Ethics Code.

### **Scholarly Capacity**

There are special ethics standards that apply to employees acting in a scholarly capacity. Scholarly capacity is defined as any pedagogical, academic, artistic, educational or scholarly activity performed by a State official for the State institution of higher education that employs or has appointed such State official.

An employee acting in a scholarly capacity may accept an honorarium, academic prize or other thing of value if it reflects payment for sharing his or her intellectual property orally or in writing, acting in an editorial capacity for a journal or other publication, reviewing journal or book manuscripts, grants or contract proposals, or participating in accreditation or other peer review activities.

An employee acting in a scholarly capacity may also accept compensation for published works created as a part of his or her official duties, on State time,

using State resources. If the employee mandates the use of his or her own published work in a course that he or she teaches, monies resulting from such use must be donated to the college or university or to a non-profit institution. A State employee acting in a scholarly capacity may accept compensation for the use of his or her published work in a course that he or she does not teach, provided that he or she was not involved in the selection of the published work for use in that course.

An employee acting in a scholarly capacity may attend, participate in or make presentations at colloquia, seminars, conferences or similar scholarly gatherings, provided that the employee notifies his or her department chair of his or her attendance, participation or presentation.

A State official acting in a scholarly capacity may accept certain direct or indirect benefits associated with his or her attendance at an event such as reasonable travel and meal expenses and allowable entertainment expenses. Allowable entertainment expenses include costs for a guest speaker, as well as incidental music and other ancillary entertainment at an event, provided they are moderate and not elaborate or excessive.

On an annual basis, an employee acting in a scholarly capacity is required to disclose to his/her department chair any travel, meal or entertainment expenses, honoraria, academic prizes or other things of value related to activities performed in his/her scholarly capacity. An employee acting in a scholarly capacity shall use the SEC's Annual College and University Disclosure Form to make his/her annual disclosure of receipt of things of value that are related to scholarly activities. This form shall be submitted to the employee's department chair and is kept on file for five years.

### **Gifts, Services, Favors & Other Things of Value**

There is a zero tolerance policy towards accepting gifts, favors, or any thing of value related in any way to your official State position. The only exceptions:

- Honoraria, academic prizes and compensation for published works received in connection with activities performed in a scholarly capacity.
- Snacks such as coffee, soda, cookies, bagels, or doughnuts offered at meetings and conferences.
- Logo items or trinkets of nominal value such as pens or calendars available to the general public.
- Trophies and plaques awarded to the employee
- Employee discounts offered to all State or government employees.
- A gift from a co-worker, provided that the gift is not excessive or inappropriate for a business environment.

### **Outside Employment and Activities**

You must complete a Conflict of Interest Form and disclose all employment and volunteer activities to ensure that your employment, volunteer activities and personal business interests are compatible with your institution's rules and your State responsibilities. You must not use State time, personnel, or resources for any outside activity or employment.

### **Compensation for Official Duties**

Your paycheck is your only permitted compensation for performing your official State duties.

### ***Exploitation of Official Position***

You may not use your position to secure unwarranted privileges, benefits or advantages such as jobs, contracts, governmental approvals or special benefits for yourself, your family, your friends or others.

You may not use your State issued identification, business card or your institution's letterhead for any purposes that are not related to your official State duties.

You may not disclose confidential information or information that is not generally available to the public except in connection with your official State duties.

### ***Attendance at Events***

Except as provided in the rules pertaining to scholarly capacity, you must obtain approval from your institution's ELO before you attend events that you are invited to because of your official State position, if the event takes place away from your work location and is sponsored or co-sponsored by an entity other than a State academic institution or State government.

### ***Political Activity***

You are permitted to be involved in partisan political activities, as long as your institution does not prohibit such activities.

You must not use State time or resources for political activities.

If you are an announced candidate for elective public office, you may solicit and accept campaign contributions. You cannot, however, accept a campaign contribution if you know it is given to substitute for a payment that you would otherwise not be permitted to accept pursuant to the zero tolerance gift policy.

### ***Conflicts of Interest/Recusal***

You may have no official involvement in a matter when you have a conflict of interest or the appearance of a conflict of interest.

You have a conflict of interest when you have an outside financial or personal interest that is incompatible with the performance of your official State duties. Some examples of outside financial and personal interests that might pose a conflict with your official State duties include other employment, sources of income, investments, leadership roles in professional and trade organizations and matters related to business associates, friends or family members.

If you have a financial or personal interest that impairs your objectivity and independent judgment or creates the appearance of impropriety in any matter, you must recuse yourself from any involvement in the matter.

If you think you may have a conflict of interest, promptly seek advice from your ELO, college or university counsel or the SEC to determine whether recusal is required.

### ***Representation of Businesses or Individuals Before State Colleges and Universities***

You are prohibited from personally representing a party other than the State before the college or university that employs you. This prohibition includes making personal appearances on behalf of a party other than the State, making phone calls, sending e-mail or signing documents on behalf of a party other than the State on any matter pending before the institution that employs you. This prohibition also applies to any partnership, firm or corporation in which you have an "interest," as that term is defined in the Conflicts of Interest Law.

### ***Post Employment Restrictions***

After you leave State service, you are prohibited from representing a party other than the State in

connection with a matter in which you were substantially and directly involved when you were in State service. [If you have questions regarding post-employment restrictions](#), see your ELO before leaving State service. If you have questions regarding post-employment restrictions after you leave State service, contact the SEC.

### ***Penalties***

If you violate the Conflicts of Interest Law, the Uniform Ethics Code or your institution's supplemental ethics code, if applicable, you may be fined from \$500 to \$10,000 for each violation. You may also be suspended from your job for up to one year. If you willfully and continuously violate the Conflicts Law or any ethics codes, you may be removed from public employment and prohibited from holding any public employment for up to five years. You may also be subject to suspension, demotion or other discipline.

### ***When in Doubt, Ask!***

If you think you have a conflict of interest or are unsure of any of these rules, ask your Ethics Liaison Officer or the SEC.

Allegations of a violation of the Conflicts Law or the Uniform Ethics Code should be forwarded to the SEC.

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X \_\_\_\_\_ Name  
X \_\_\_\_\_ Department  
X \_\_\_\_\_ Date

**New Jersey State Ethics Commission  
P.O. Box 082  
Trenton, NJ 08625**