

ROWAN UNIVERSITY CODE OF ETHICS

I. PURPOSE

In recognition that it is essential that the conduct of public officials and employees shall hold the respect and confidence of the people, public officials must, therefore, avoid conduct which is in violation of their public trust or which creates a justifiable impression among the public that such trust is being violated. N.J.S.A. 18A:3B-14(e) was enacted by the New Jersey Legislature and signed by the Governor on November 20, 1995 and provides that, within the guidelines contained therein, institutions of higher education shall promulgate a code of ethics to govern and guide the conduct of State officers and employees in its agency. The following code of ethics for Rowan University is based on the New Jersey Conflicts of Interest Law. N.J.S.A. 52:13D-12 et seq.; N.J.A.C. 19:61-1.1 et seq.

II. APPLICABILITY

The following code of ethics is applicable to employees paid from federal, state, county, or other funds and who are employed by Rowan University. All references to employees include University faculty, staff, administrators, and student employees. In addition, Rowan employees are subject to existing University policies that govern employee conduct and activities and the applicable compliance procedures therein.

III. BASIC POLICY

1. No employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in substantial conflict with the proper discharge of his/her duties.
2. No employee should use his/her official position to secure unwarranted privileges or advantages for himself/herself or others.
3. No employee should act in his/her official capacity in any matter in which he/she has a direct or indirect personal financial interest that might reasonably be expected to impair his/her objectivity or independence of judgment.
4. No employee should undertake any employment or service, whether compensated or not, which might reasonably be expected to impair his/her objectivity and independence of judgment in the exercise of his/her official duties, or would interfere with employee's ability to fulfill his/her employment obligations.
5. No employee should accept any gifts, favors, services, or other things of value under circumstances from which it might reasonably be inferred that such gifts, services, or other things of value were given or offered for the purpose of influencing him/her in the discharge of his/her official duties. Nevertheless, employees, during the course of their official duties, may accept meals which are offered as part of a meeting or event so long as all attendees of such meeting or event are also provided such meals. In the event that a sponsor of a meeting has pending with the institution a matter on which the officers or employees must act in the exercise of their duties, during the time that said matter is pending, employees shall not accept any meals from any such sponsor.
6. No employee should knowingly act in any way that might reasonably be expected to create, among the public having knowledge of the acts, an impression or suspicion that he/she may be engaged in conduct violative of his/her trust as a public employee.
7. No employee should use or allow to be used his/her employment or any information not generally available to members of the public for the purpose of securing financial gain for himself/herself or others with whom he/she is associated.
8. Employees who desire to enter into any contractual relationship with the University or who desire to appear before the University and/or other public entities on behalf of other parties must strictly adhere to the institutional policy on conflict of interest. To the extent that state statute, rules, or regulations exist that cover these activities, such statute, rules, or regulations will govern.

9. No Rowan employee may knowingly undertake or execute any contract, agreement, sale or purchase of the value of \$25.00 or more with the State agency where he is employed. Additionally, no Rowan employee shall knowingly himself, or by his partners or through any corporation in which he controls more than 1% of the stock, or by any person for his use or benefit or on his account, undertake, execute, in whole or part, any contract, agreement, sale or purchase of the value of \$25.00 or more, made, entered into, awarded, or granted by any State agency, except as exempted by Conflict of Interest Code. A Rowan University employee can only contract with a State agency, other than a State college or university, if the contract is made after public notice and competitive bid, in accordance with NJSA 52:34-10 or is a contract of insurance pursuant to NJSA 52:27B-62. The contract must have the prior approval of the Executive Commission on Ethical Standards. A Rowan employee may only contract with a State college or university if the contract is awarded after public notice and competitive bid or if the contract conforms to NJSA 18A-64-56; that is, the subject matter of the contract is included in section 56(a), the amount exceeds \$17,700 and the contract is awarded by resolution of the board of trustees at a public meeting. The contract must have the prior approval of the Executive Commission.

10. Notwithstanding the provisions of the New Jersey Conflicts of Interest Law and of #8 above, a faculty or staff member or his/her partners or any corporation or firm in which he/she owns or controls more than 1% of the stock, assets or profits may enter into a contract or agreement with the University, where the contract or agreement is for the development of scientific or technological discoveries or innovations in which the University has a property right, if the faculty or staff member receives approval to do so in accordance with the administrative procedure adopted for this purpose as specified in University policy.

IV. REPORTING OUTSIDE EMPLOYMENT (Fulltime Employees)

Employees who engage in outside employment must report such employment annually to the president, in accordance with established University policies and practices. University employees who are members of a bargaining unit must report their outside employment to the president or his designee. Employees not included in a bargaining unit are to obtain prior approval if they wish to engage in outside employment. The president, or his designee, will make the determination of a possible conflict of interest and apprise the individual of any concerns. Advice and counsel of the New Jersey Executive Commission on Ethical Standards may be sought prior to making a determination in this matter if necessary. The Office of Human Resources will maintain and furnish forms. Forms may also be obtained from the university website.

Further, employees should not engage in any particular business, profession, trade or occupation which is subject to licensing or regulation by a specific agency of State Government without promptly filing notice of such activity with the Executive Commission on Ethical Standards.

V. EMPLOYMENT OF FAMILY OR HOUSEHOLD MEMBERS

To avoid issues of favoritism and any potential conflict of interest, no employee shall act in his or her official capacity in any University matter where the employee or an immediate family* member of the employee has a direct or indirect interest that might reasonably be expected to impair the employee's objectivity or independence of judgment.

Direct interest include, but are not limited to, initial employment, retention, job classification, salary, performance appraisals and work assignments. Therefore, no employee shall directly supervise a member of his or her own family*. It is the intent of the University to avoid instances that could be influenced by the family relationship in hiring, performance evaluation, promotion, reclassification, discipline, grievance, or dismissal processes.

**Family members are defined as spouses, children, parents, or siblings residing in the same household, or cohabitants with whom you have a financial relationship.*

VI. POST-EMPLOYMENT RESTRICTIONS

No Rowan employee, subsequent to the termination of his or her employment, shall agree to represent, appear for, or negotiate on behalf of any person or party, other than the State, in connection with any cause, proceeding, application, or any other matter with respect to which he made any investigation, rendered any ruling, gave an

opinion, or was otherwise substantially and directly involved during the course of his employment. There is no time limit on this prohibition. The restriction also applies to the partnership, firm, or corporation if the former employee is a shareholder, employee, or controls more than 10% of the stock, or more than 10% of the profits of any firm, association or corporation.

VII. VIOLATIONS AND SANCTIONS

Any employee who violates the Code of Ethics may be subject to sanctions in accordance with the Conflicts of Interest Law N.J.S.A. 52:13D-21. In addition, University employees who violate this Code of Ethics may be subject to disciplinary action by the University and the Executive Commission on Ethical Standards. Discipline may include fines, suspension, removal, demotion or other disciplinary action. The president shall appoint a campus Ethics Committee, which shall include the chair of the Senate Ethics committee, to review issues pertaining to this document.

All employees shall sign a receipt indicating the date the Code of Ethics was received and acknowledge that he or she is responsible for reading the Code and is bound by it. Receipts shall be maintained in the employee's personnel file per N.J.A.C. 19:61-2.2.

To report a potential ethics violation or to seek advice, please contact:

Dr. Christy Faison
256-4012
faison@rowan.edu

Violations can also be reported directly to ECES (see below). Employees may also directly request an advisory opinion.

For more information, examples and/or frequently asked questions:

State of New Jersey
Executive Commission on Ethical Standards (ECES)
609-292-1892
www.state.nj.us/lps/ethics

Related Policies (including, but not limited to the following):

- University Senate Code of Ethics
- Form for Reporting Outside Employment
- Ethical Principles and Policies for Conducting Research
- Policy on Conflict of Interest in the Design, Implementation or Reporting of Grants and Sponsored Projects
- Human Resource Regulations
- Intellectual Property Policy/Agreement

11/28/01