

SCHOLARLY CAPACITY

ETHICS STANDARDS IN BRIEF

This pamphlet summarizes ethics law provisions you need to know!

If you have any questions, contact your Ethics Liaison Officer (“ELO”). An ELO list is available on the NJ State Ethics Commission (“SEC”) website at: <http://www.nj.gov/ethics>. Or, call the NJ State Ethics Commission (“SEC”) at (609) 292-1892.

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

Academic Staff at NJ State Colleges and Universities are State employees subject to the Conflicts Law and the UEC. This pamphlet summarizes in brief some 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 or employee 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 their 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 their official duties, on State time, using State resources. If the employee mandates the use of their own published work in a course they teach, 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 their published work in a course that they do not teach, provided that they were 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 their department chair of their attendance, participation or presentation.

A State official acting in a scholarly capacity may accept certain direct or indirect benefits associated with their 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.

A State official serving in a scholarly capacity shall disclose annually to his or her department head any travel, subsistence or entertainment expenses, honoraria, academic prizes, or other things of value related to activities performed in his or her scholarly capacity received in the prior academic year (July 1st through June 30th). The sources of all such expenses and things of value shall be identified.

This form shall be submitted to the employee’s department chair, kept on file for five years, and a copy sent to the SEC each academic year end.

When in Doubt, ASK!

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

**NJ State Ethics Commission
P.O. Box 082
Trenton, NJ 08625
(609) 292-1892
<http://www.nj.gov/ethics>**

