

NEW JERSEY SCHOOLS CONSTRUCTION CORPORATION CODE OF ETHICS

I. PURPOSE

The Board of Directors of the New Jersey Schools Construction Corporation has adopted this Code of Ethics to state the conflict of interest policy for the Corporation, a subsidiary of the New Jersey Economic Development Authority (NJEDA), specifying standards of conduct for employees and directors to ensure the propriety of their actions as public officials or in their representation of the Corporation. This Code of Ethics is promulgated pursuant to Section 12 of P.L. 1972, c. 182, N.J.S.A. 52:13D-23, the New Jersey Conflicts of Interest Law. Accordingly, it conforms to the general standards set forth in the New Jersey Conflicts of Interest Law and is formulated with respect to the particular needs and problems of the Corporation to which it shall apply.

II. DEFINITIONS

All references in this Code to “person”, “interest”, “cause”, “proceeding”, “application” or “other matter”, and all capitalized terms herein, except as otherwise defined in this Code, shall have their meanings as set forth in the Conflicts Law.

“Allowable entertainment expenses” means the costs for a guest speaker, incidental music and other ancillary entertainment at any meal at an event, provided they are moderate and not elaborate or excessive, but does not include the costs of personal recreation, such as being a spectator at or engaging in a sporting or athletic activity which may occur as part of that event.

“Chief Executive Officer” means the administrative or executive head of the Corporation as established in the Corporation By-Laws, or his designee.

“Code” shall mean this Code of Ethics.

“Commission” means the Executive Commission on Ethical Standards established pursuant to the Conflicts Law.

“Conflicts Law” shall mean N.J.S.A. 52:13D - 12 et seq., as amended from time to time.

“Corporation” shall mean the New Jersey Schools Construction Corporation, established as a subsidiary of the NJEDA pursuant to Section 16 of P.L. 1997, c. 150, (C.34: 1B-159) and the Agreement and Certificate of Incorporation filed pursuant thereto.

“Director” shall mean any of the eight (8) ex-officio representatives and seven (7) representatives appointed by the Governor and any other individuals officially designated to lawfully vote on Corporation matters, as established by the Agreement and Certificate of Incorporation of the New Jersey Schools Construction Corporation, approved by the NJEDA pursuant to N.J.S.A. 34:1B-4 (as amended by P.L. 1981, c. 122).

“Employee” shall mean any person employed by the Corporation.

“Ethics Liaison Officer” shall mean the employee designated by the Chief Executive Officer to administer the requirements of this Code of Ethics.

“Event” shall mean a meeting, conference, seminar, speaking engagement, symposium, training course, ground-breaking, ribbon-cutting, meal, open house, cocktail party, fundraiser, holiday party, social function, or similar event that takes place away from the employee’s work location, is sponsored or co-sponsored by a non-State government source and the invitation is extended to the employee or director because of his/her official position.

“Immediate family” shall mean the person’s spouse, child, parent or sibling residing in the same household.

“Interested party” shall mean any person that is or may reasonably be anticipated to be: (1) subject to the regulatory, licensing, or supervisory authority of the Corporation; (2) a vendor, supplier or contractor or agent thereof; (3) an organization that advocates or represents the positions of its members to the Corporation; or (4) an organization that has a majority of members who are as described in 1 through 3 of this paragraph.

“Personal funds” means funds of an employee or director. It does not include funds that are loaned, advanced, promised or reimbursed to an employee or director for any purpose by an interested party.

“Political activity” shall mean activity primarily aimed at affecting the election to public office or political party office of a specific candidate or candidates or of the candidates of a particular political party in general.

“Reasonable expenses for travel or subsistence” means commercial travel rates directly to and from an event and food and lodging expenses which are moderate and neither elaborate nor excessive.

“Supplier” means any private sector person that is providing or is seeking to provide or may reasonably be expected to provide goods and/or services to the Corporation, including but not limited to, consultants, vendors and lessors.

“Thing of value” includes, but is not limited to, compensation; money; a stock, bond, note or other investment in an entity; employment; offer of employment; gift; reward; honorarium; favor; goods; service; loan; forgiveness of indebtedness; gratuity; property or real property; labor; fee; commission; contribution; rebate or discount in the price of any thing of value; an automobile or other means of personal transportation; entertainment; meal; or any other thing of value offered to or solicited or accepted by an employee or director in connection with his or her official position.

III. BASIC PREMISE

The Corporation, as an agency of the State government, has a basic purpose to serve the public interest. All employees and directors must therefore conduct themselves in the course of their employment in such manner as to hold the respect, trust and confidence of the public. They must avoid any activities and associations which are, or might justifiably appear to be, in violation of the public interest. All employees and directors are subject to the provisions of the

Conflicts Law and applicable implementing regulations promulgated by the Commission, N.J.A.C. 19:61-1.1 et seq.

IV. GENERAL PROVISIONS - RESTRICTIONS ON OUTSIDE ACTIVITY

(a) No employee or director shall 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 or her duties in the public interest.

(b) No employee or director shall make, directly or indirectly, or advise or otherwise assist any other person to make, any financial investment based upon information available to him or her through his or her official position, unless such information is generally available to the public and provided that such investment or related advice and assistance is made or given in a manner consistent with the other provisions of this Code, the Conflicts Law and any other applicable provisions of the law.

(c) No employee or director shall undertake any employment or service, whether compensated or not, which might reasonably be expected to impair his/her objectivity or independence of judgment in the exercise of his or her official duties.

(d) No employee or director shall 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 with the Ethics Liaison Officer, who shall then file same with the Commission.

V. RESTRICTIONS ON INDIVIDUAL CONDUCT

(a) No employee or director shall knowingly act in any way that might reasonably be expected to create an impression or suspicion among the public having knowledge of his or her acts, that he or she may be engaged in conduct violative of his or her trust as a director or employee.

(b) No employee or director shall use or attempt to use his or her official position to secure unwarranted privileges or advantages for himself or herself or others.

(c) No employee or director shall use for the purpose of pecuniary gain, whether to himself or herself or any other person, whether directly or indirectly, any information not generally available to members of the public which he or she receives or acquires in the conduct of and by reason of his or her official duties.

(d) No employee or director shall willfully disclose to any person, whether or not for pecuniary gain, any information not generally available to members of the public, which he or she receives or acquires in the course of and by reason of his or her official duties.

(e) No employee or director shall use Corporation resources, property, and funds for personal gain or benefit.

1. Corporation property, including office supplies, cars, funds, and other resources may only be used for Corporation business and not for personal or private use.

2. Corporation employees may not utilize Corporation business time, whether their own or that of other employees, for personal or private purposes.

(f) No employee or director shall act in his or her official capacity in any matter wherein he or she has a direct or indirect personal or financial interest that might be expected to impair his or her objectivity or independence of judgment.

(g) No director or employee of the Corporation shall be interested, either directly or indirectly, in any school facilities project undertaken pursuant to the Educational Facilities Construction and Financing Act, P.L. 2000, c. 72 (C.18A: 7G-1 et seq.), or in any school facilities project, or contract, sale, purchase, lease or transfer of real or personal property to which the Corporation is a party.

(h) No director or employee, directly or indirectly, shall knowingly undertake or execute, in whole or in part, any contract, agreement, sale or purchase of the value of \$25 or more with any State agency. The provisions of this section shall not apply (1) to purchases, contracts, agreements or sales which are made or let after public notice and competitive bidding or which, pursuant to N.J.S.A. 52:34-10, may be made, negotiated or awarded without public advertising for bids; or (2) to any contract of insurance entered into by the Director of the Division of Purchase and Property in the Department of Treasury pursuant to N.J.S.A. 52:27B-62, if such purchases, contracts or agreements, including change orders and amendments thereto, shall receive prior approval of the Executive Commission on Ethical Standards.

⊕(i) No director or employee, nor any member of the immediate family of any director or employee, nor any business organization in which the director or employee is associated or has an interest, directly or indirectly, shall hold an interest in or employment with, or represent, appear for, or negotiate on behalf of, any holder of, or applicant for, a casino license, or on behalf of any holding or intermediary company with respect thereto, unless in the judgment of the Executive Commission on Ethical Standards such employment will not interfere with the responsibilities of the director or employee and will not create a conflict of interest on the part of the director or employee. For purposes of this section, an interest in a business organization shall not include aggregate familial ownership or control of one percent or less of an interest in the capital or equity of the business organization. A director or employee defined as a “person” under N.J.S.A. 52:13D-17.2(a) is ineligible for consideration of the Commission waiver permitted under this subsection.

(j) The Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, and all employees at a level of authority of Assistant Director or above are prohibited from having any personal contractual or business relationship with a director or another employee of the Corporation.

VI. DISCLOSURE AND AVOIDANCE OF CRIMINAL CONDUCT

(a) It shall be the duty of a director or employee to refrain at all times from any criminal conduct and to cooperate with law enforcement officers in the proper performance of their official duties.

(b) It shall be the duty of a director or employee who is aware of conduct by himself or herself or any other director or employee in the Corporation which violates this Code of Ethics, State, or Federal law to disclose the conduct to the Ethics Liaison Officer.

(c) In situations where the conduct of a director or employee in the Corporation involves potential criminality, disclosure should be made to the Attorney General.

(d) It shall be the duty of a director or employee who reasonably believes any activity, policy or practice of the Corporation is in violation of a law, or a rule or regulation promulgated pursuant to law, or is fraudulent or criminal, or is incompatible with a clear mandate of public policy concerning the public health, safety or welfare, to disclose the activity, policy or practice to the Corporation's Ethics Liaison Officer pursuant to the provisions of the Conscientious Employee Protection Act, N.J.S.A. 34:19-1 et. seq.

(e) It shall be the duty of a director or employee charged with a crime or charged with an offense or motor vehicle violation that would adversely impact on the performance of duties to report the charge to the Corporation or the Ethics Liaison Officer.

(f) It shall be the duty of a director or employee who intends to testify on behalf of an accused in a criminal action, or on behalf of a party that is an adversary to the State of New Jersey in a civil action, to promptly notify his or her supervisor and the Ethics Liaison Officer.

(g) A director or employee who has a reasonable doubt as to the propriety under this Code or other Corporation regulation or policy or under the New Jersey Conflicts of Interest Law of any action shall seek the assistance of the Ethics Liaison Officer to resolve the doubt before taking the action. Such assistance shall also be sought when reasonable doubt exists as to the application or meaning of any provision of this Code or the New Jersey Conflicts of Interest Law.

(h) Any disclosure, notification, reporting or requests for assistance or advice required by the provisions of this section shall be made by the officer or employee in the form of a written explanation of all relevant circumstances and details. In appropriate matters, the Chief Executive Officer shall request the Ethics Liaison Officer to seek, on behalf of the employee or the Corporation, a formal advisory opinion from the Executive Commission on Ethical Standards.

VII. DISCLOSURE AND AVOIDANCE OF CERTAIN CONFLICTS OF INTEREST

(a) All employees shall complete and sign each year a "*Conflict of Interest Questionnaire and Disclosure of Outside Office or Employment Statement*" (see Attachment A) in which he or she shall identify all non-Corporation offices held, all professional or occupational licenses held, any outside employment and business interests. All outside activities reported on these statements must be reviewed and approved by the Ethics Liaison Officer to avoid potential conflicts of interest.

1. The Chief Executive Officer may allow employees to hold outside offices or employment provided there is no conflict of interest with the employee's official duties, and the employee does not use Corporation offices, time or resources for the conduct of duties related to outside office or employment, whether compensated or uncompensated.

2. A request for approval of an outside office or employment shall be made on the “*Employee Request for Approval of Outside Office or Employment*” form (see Attachment B) and must be completed and approved in advance of participation by the Ethics Liaison Officer and Chief Executive Officer. Pursuant to N.J.A.C. 19:61-2.2, the Ethics Liaison Officer shall send copies of all forms that disclose outside employment to the Executive Commission on Ethical Standards for review.
3. Directors who are subject to Executive Order or other law requiring financial disclosure (as currently required by E.O. No. 10 (McGreevey 2002) requiring the filing of a Personal Financial Disclosure with the Executive Commission on Ethical Standards) shall provide a copy of the filed disclosure to the Ethics Liaison Officer.

(b) In the event a director or employee has or acquires a direct or indirect financial interest in, or business dealings with, any individual or entity, or subsidiary or affiliate of an entity which seeks to do, or does business with the Corporation directly or indirectly, in any capacity, including, without limitation, as an applicant, consultant, contractor, attorney or architect, the director or employee, as soon as he or she knows of such interest, in addition to taking any other action required by law, shall:

1. Fully disclose any such ownership interest or business dealings in writing to the Ethics Liaison Officer; and
2. (a) Fully divest himself/herself of the interest or discontinue the business dealings; or,
(b) refrain from participating in all activities of the Corporation relating to the individual or entity.

VIII. RECUSAL PROCESS

(a) An employee or director shall recuse himself or herself from a matter if he or she has:

1. Any financial interest, direct or indirect, that is incompatible with the discharge of his or her duties as an employee or director; or
2. Any personal interest, direct or indirect, that is incompatible with the discharge of his or her duties as an employee or director.

(b) For the purposes of (a) above, an incompatible financial or personal interest includes, but is not limited to: outside employment; a debtor/creditor relationship; a fiduciary relationship; a source of income; any matter pertaining to a relative or cohabitant; a relationship with a person providing funds, goods or services without compensation; any matter pertaining to a business associate or business investment; and a leadership role in a professional or trade organization, which interest might reasonably be expected to impair the employee’s or director’s objectivity and independence of judgment in the exercise of his/her official duties, or might reasonably be expected to create an impression or suspicion among the public having knowledge of his/her acts that he or she may be engaged in conduct violative of his or her trust as an employee or director. An incompatible financial or personal interest shall be found when a matter involves a school district in which a director or employee resides or involves a school district in which an

immediate family member of the director or employee is enrolled. An incompatible financial interest shall be found where the matter involves a former employer.

(c) An incompatible financial or personal interest may exist in other situations which are not clearly within the provisions of (a) and (b) above, depending on the totality of the circumstances. The employee or director shall contact the Ethics Liaison Officer or the Commission for guidance in such cases.

(d) An employee or director shall seek the advice of the Ethics Liaison Officer, the Corporation's legal counsel or the Commission as to the propriety of participation in a matter if a person requests that the employee or director recuse himself or herself from that matter. Oral advice, followed up by writing, may be provided by the Ethics Liaison Officer, the Corporation's legal counsel or the Commission to avoid delay. Oral advice should subsequently be memorialized in writing.

(e) If an employee or director finds, or is advised by the Corporation's legal counsel or the Ethics Liaison Officer, that an incompatible financial or personal interest exists on a matter, the employee or director must recuse himself or herself from that matter or seek advice from the Commission. The recusal must be absolute, that is, the employee or director must have no involvement with the matter from which he or she has recused himself or herself.

(f) All recusals, other than those provided for in (g) below, shall be memorialized in writing. The writing shall:

1. Specify the reason for and the date of the recusal;
2. Specify the duration of the recusal (which may be expressed in terms related to the pendency of the matter in the Corporation);
3. Specify the effect of the recusal on the employee or director and the Corporation (for example, that the employee or director is not to be contacted or involved or participate in any manner concerning the matter from which he/she has been recused);
4. Name the person who is to assume responsibility and authority for the matter from which the employee or director has been recused (if applicable); and
5. Be disseminated to all persons who might be affected by the employee's or director's recusal and to the Ethics Liaison Officer, who shall maintain the writing for as long as the employee or director serves in his/her position.

(g) In the case of a Board meeting where a public record of a proceeding is maintained, formal written recusal is not required; however, the following procedures must be followed:

1. To the extent feasible, meeting materials involving a matter from which the director must recuse himself/herself should not be distributed to the director;
2. At the subject meeting, the director must place his/her recusal and the reason for such recusal on the record prior to any discussion of the matter; and

3. The director shall leave the room at a non-public portion of the meeting while the matter in question is under discussion.

IX. ACCEPTANCE OF COMPENSATION AND GIFTS, BUSINESS INVITATIONS, AND HONORARIA

(a) Prohibition against acceptance of a gift or thing of value:

1. No employee or director shall accept from any person, whether directly or indirectly, and whether by himself or herself or through his/her spouse or any other member of his/her family or through any partner or associate, any gift, favor, service, employment or offer of any other thing of value which he or she knows or has reason to believe or under circumstances from which it might be reasonably inferred is offered to him/her with intent to influence him/her in the performance of his/her public duties and responsibilities. This section shall not apply to the acceptance of contributions to the campaign of an announced candidate for elective public office.
2. No employee or director shall solicit, receive or agree to receive, whether directly or indirectly, any compensation, reward, employment, gift, honorarium, out-of-state travel or subsistence expense or other thing of value from any source other than the State of New Jersey or the Corporation, for any service, advice, assistance, appearance, speech or other matter related to the employee's or director's official duties, except as authorized in Section IX (a) 3 or Section IX (c). This section shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective office, except that campaign contributions may not be accepted if they are known to be given in lieu of payment prohibited pursuant to this section and N.J.S.A. 52:13d-24 and 24.1.
3. In accordance with the guidelines and applicable regulations of the Commission, an employee or director shall report all offers and receipt of all gifts or other things of value to the Ethics Liaison Officer, who in consultation with the Corporation's Chief Executive Officer, will review the circumstances of the offer or gift and determine the proper course of action to return or redirect the gift or, if the gift is unsolicited and from other than an interested party, determine according to the provisions of N.J.A.C. 19:61-6.10 whether the gift may be accepted. The Ethics Liaison Officer and the Chief Executive Officer shall comply with the provisions, where applicable, of N.J.A.C. 19:61-6.9 and 6.10 in their review of reported gifts.

(b) Compensation for published works:

1. An employee may not receive compensation for published works created as part of his official duties, but may accept compensation for published works not created as part of official duties if permission is granted by the Ethics Liaison Officer and Chief Executive Officer according to the standards set forth in N.J.A.C. 19:61-6.1 et seq., and specifically N.J.A.C. 19:61-6.7.

(c) Attendance at events:

1. Events sponsored by interested parties.

- a. An employee or director who receives an invitation to any event from or with a firm or person doing business with the Corporation, or contemplating doing business with the Corporation, or other interested party, shall report the invitation to his or her division director and may request approval to attend on the “*Request for Approval of Attendance at Outside Event*” form (see Attachment C), and all such requests shall be reviewed and approved by the Ethics Liaison Officer and Chief Executive Officer prior to attendance pursuant to N.J.A.C. 19:61-6.1 et seq.
- b. Approval to attend an event may be denied by the Chief Executive Officer in his sole discretion, or granted pursuant to the regulations of the Commission set forth in N.J.A.C. 19:61-6.4, in consultation with appropriate persons and upon determination that: (1) representation of the Corporation by the employee or director is appropriate and serves a legitimate Corporation purpose; (2) acceptance of the invitation does not conflict with this Code, the Conflicts Law or Commission guidelines; (3) the Corporation will pay the reasonable expenses of the employee or director associated with attending the event and (4) no direct or indirect benefit is received by the employee or director from any other source.
- c. Notwithstanding the foregoing, the Chief Executive Officer may approve attendance at an event where requirements (3) and (4) are not met, if the event is designed to provide training, dissemination of information, or the exchange of ideas and the employee or director is making a speech, is participating in a panel at the event, or is an accompanying resource person for the speaker and/or participant and subject to the limitations and exceptions as provided in N.J.A.C. 19:61-6.4(c). If attendance is approved by the Chief Executive Officer under this exception, the approval must be forwarded to the Commission for review. No honoraria for fee shall be accepted for making a speech or participating in a panel at an event.

2. Events sponsored by other parties.

- a. An employee or director who receives an invitation to an event sponsored by other than an interested party shall report the invitation to his or her division director and may request approval to attend. Subject to approval by the Chief Executive Officer, an employee or director may, as provided in and limited by N.J.A.C. 19:61-6.5, accept reimbursement of actual and reasonable expenditures for travel or subsistence and allowable entertainment expenses not paid by the Corporation as provided in N.J.A.C. 19:61-6.5(b). A request for approval to attend the event and/or accept reimbursement shall be made on the “*Request for Approval of Attendance at Outside Event*” form (see Attachment C) and all such requests shall be reviewed and approved by the Ethics Liaison Officer prior to attendance pursuant to N.J.A.C. 19:61-6.1 et seq. and specifically N.J.A.C. 19:61-6.5.

X. POLITICAL ACTIVITY AND CONTRIBUTIONS

~~(a)~~(a) This Code permits participation in political activities by employees subject to the requirements and limitations of law and those set forth herein.

~~(b)~~(b) No employee during the hours of duty, nor director when acting in his official capacity as a director, shall engage in political activity; nor shall he or she utilize any State resource or property at any time to conduct political activity; nor shall an employee at any time participate in political activities which would impair his or her usefulness in the position in which he or she is employed.

~~(c)~~(c) Public employees whose principle employment is in connection with an activity financed, in whole or in part, by federal loans or grants may be subject to the restrictions of the Hatch Act, 5 U.S.C. 1501 et seq. which prohibits certain political activity by public officers. Since the Corporation is legally authorized to accept federal funds, any employee whose principle employment may arise from the receipt of federal funds may be subject to the provisions of the Hatch Act. To avoid conflicts with the Hatch Act, questions should be directed to the Ethics Liaison Officer.

(d) The Corporation permits participation in the political process by its employees, to the extent permitted by law, and so long as the activity is outside of, and does not present a conflict with, Corporation business.

~~(e)~~(e) An employee who actively participates in political activities shall disclose such participation in the “*Conflict of Interest Questionnaire and Disclosure of Outside Office or Employment*” form (see Attachment A) required under Section VII of this Code.

1. A director of the Corporation, the Chief Executive Officer, the Chief Operating Officer, the Chief Financial Officer, a Deputy Director, a Managing Director and any Corporation employee having delegated authority to grant approval of an application made by a school district shall not seek or hold elected or appointed office on a school board in any school district.

(f) Employees and directors who participate in political activities shall comply with all applicable laws regulating such activity and the making of campaign contributions.

(g) No director or employee shall apply any pressure, direct or implied, on any other director or employee or interested party to decide whether, to whom and in what amount a personal political contribution is to be made, to make or refrain from making any political contribution, or participate or refrain from participating in any political activity.

(h) Employees and directors who are permitted to participate in political activities in their personal capacity after disclosure to the Corporation and a finding that no conflict of interest exists, have an obligation to make it clear that any representation or statements are made in their private, personal capacity and do not relate in any way to the mission or business of the Corporation, that they are acting solely in their personal capacity and that all views expressed are personal and do not reflect the views of the Corporation. The employee or director shall also make it clear in such communications that he or she is strictly prohibited from disclosing

any information about the Corporation obtained during the course of his official Corporation duties that is not public information.

XI. POST EMPLOYMENT RESTRICTION

(a) No employee or director, subsequent to the termination of his or her office or employment with the Corporation, shall represent, appear for, negotiate on behalf of, or provide information not generally available to members of the public or services to; or agree to represent, appear for, negotiate on behalf of or provide information not generally available to the public or services to; whether by himself or herself or through any partnership, firm or corporation in which he or she has an interest, or through any partner, officer or employee thereof, any person or party other than the Corporation in connection with any cause, proceeding, application or other matter with respect to which such employee or director shall have made any investigation, rendered any ruling, given any opinion, or otherwise been substantially and directly involved at any time during the course of his or her office or employment. Any employee or director who willfully violates the provisions of this section is a disorderly person, and shall be subject to a fine not to exceed \$500 or imprisonment not to exceed six months, or both.

(b) The Executive Commission on Ethical Standards determined in 2002 that for the purposes of post-employment restriction, each individual school project is a “matter.”

(c) Any former employee affected by the above restriction can seek guidance from the Executive Commission on Ethical Standards.

XII. VIOLATIONS AND SANCTIONS

(a) A director or employee who violates this Code may be subject to sanctions in accordance with the Conflicts Law, N.J.S.A. 52:13D-12 et seq. These sanctions may include fines, removal, suspension or termination from office and ineligibility for future state employment. Employees who violate this Code may be subject to disciplinary action by the Corporation, including but not limited to reprimand, suspension, demotion or termination.

(b) All employees and directors are advised to strictly adhere to this Code and to seek advice from the Ethics Liaison Officer or the Executive Commission on Ethical Standards if they have any questions concerning their obligations under this Code.

(c) The Executive Commission on Ethical Standards periodically issues and updates its guidelines. Copies of the Conflicts Law and Commission guidelines are available on the Commission’s website at www.nj.gov/lps/ethics.

**NEW JERSEY SCHOOLS CONSTRUCTION CORPORATION
CONFLICT OF INTEREST QUESTIONNAIRE AND
DISCLOSURE OF OUTSIDE OFFICE OR EMPLOYMENT ***

Employee Name (please print): _____

Job Title: _____

Division & Location: _____

Business Telephone Number: _____

Business Email: _____

1) Are you currently engaged in any business, trade, profession and/or part-time or full-time employment outside of, or in addition to, your State employment? Yes* No
If no, go to question (3).

2) Name of Outside Employer(s) or Business(es): _____

Please indicate if you are an owner, partner or corporate officer: _____

Address: _____

Type of Business: _____

Describe Responsibilities: _____

Outside Employment: Days Worked: Per Week Hours Worked: Per Day Per Week

Is your employment or business being performed for or with any other NJ State Department employee or official? Yes No

Name of employee or official and title: _____

Does your outside employment or business require/cause you to have contacts with NJ State agencies, vendors, consultants or casino license holders? Yes No

If yes, explain: _____

3) Do you hold a license issued by a State agency that entitles you to engage in a particular business, profession, trade or occupation? Yes No

If yes, type of license: _____

When was the license issued: _____ Active? Inactive?

4) Do you currently hold or plan to hold outside voluntary position(s), which could, under certain circumstances, present a possible conflict with your official duties? Yes* No

If yes, explain: _____

**NEW JERSEY SCHOOLS CONSTRUCTION CORPORATION
CONFLICT OF INTEREST QUESTIONNAIRE AND
DISCLOSURE OF OUTSIDE OFFICE OR EMPLOYMENT ***

5) Are you an officer in any professional organization? Yes No

If yes, explain: _____

6) Are you serving in any public office, or considering appointment or becoming a candidate for any public office? Yes* No

What is the nature of elective/appointive position? _____

What are your duties? _____

Hours engaged in elective/appointive activity: Per Day Per Week Per Month

7) Are any members of your immediate family employed by or, through partnership or corporate office, hold an interest in any firm performing any service for the State of New Jersey or directly or indirectly receiving funding from the State? Yes No

Family Member's Name: _____ Relationship: _____

Name of Firm: _____

8) Are any members of your immediate family employed by, or represent, appear for, or negotiate on behalf of, a NJ casino or an applicant for a NJ casino license? Yes** No

Family Member's Name: _____ Relationship: _____

Name of Casino: _____

9) Please list all former employers by name and location (to assist in ensuring proper recusal).

10) Are there any other situations, circumstances, etc. not covered above that may cause an appearance of a conflict of interest that you feel you should report? Yes No

If yes, explain: _____

**NEW JERSEY SCHOOLS CONSTRUCTION CORPORATION
CONFLICT OF INTEREST QUESTIONNAIRE AND
DISCLOSURE OF OUTSIDE OFFICE OR EMPLOYMENT ***

I certify that this questionnaire contains no willful misstatement of fact or omission of material fact and that after it is submitted, any future activity subject to disclosure will be reported before I engage in such activity. I understand the Executive Commission on Ethical Standards may review this information and further documentation may be required.

Signature of Employee: _____ **Date:** _____

* If you have answered affirmatively to any of the questions indicated with (*) you are REQUIRED to also submit an "Employee Request for Approval of Outside Office or Employment" (See Attachment B). Approval by the Corporation is REQUIRED for employees before employees engage in outside employment and other business activities, and if approved, the Corporation will forward the approval to the Executive Commission on Ethical Standards (ECES) for review.

** A waiver from ECES is required if you or any members of your immediate family are employed by, or represent, appear for, or negotiate on behalf of, a NJ casino or an applicant for a NJ casino license.

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Division Director (Check one box): Approved Disapproved

Name: _____ Title: _____

Signature: _____ Date: _____

Comments and/or reason for disapproval: _____

Note: Division Director Approval/Disapproval indicates that the request has been reviewed for purposes of obtaining supervisory/administrative approval and that the proposed activity does not negatively impact Division Operations, workload, functions, etc. Director approval does not indicate that the proposed activity complies with the NJSCC Code of Ethics.

Ethics Liaison Officer (Check one box): Approved Disapproved

Name: _____ Title: _____

Signature: _____ Date: _____

Comments and/or reason for disapproval: _____

Note: Approval of the Ethics Liaison Officer (or ECES when necessary) is required to determine compliance with these ethical requirements. ECES shall be notified of any licenses held or casino-related activities.

Sent to ECES? ___ Yes ___ No Date Sent: _____

ECES Follow - Up? ___ Yes ___ No

**NEW JERSEY SCHOOLS CONSTRUCTION CORPORATION
EMPLOYEE REQUEST FOR APPROVAL OF OUTSIDE OFFICE OR EMPLOYMENT**

SECTION - A (to be completed by employee)

Employee Name (please print): _____

Job Title: _____

Division & Location: _____

Business Telephone & Email: _____

Description of Current Duties: _____

I am requesting approval to engage in the following outside office, employment, self-employment, professional or business activity: _____

Name of employer/business: _____

Address: _____

Description of Duties: _____

Hours Required Each Week (Also, indicate time of day and days of the week which are involved):

Is this employment or activity for compensation? Yes No

Is the activity you wish to engage in licensed or regulated by a State agency? Yes No

Is the prospective employer a holder of, or applicant for, a casino license? Yes No

Is the prospective employer providing or seeking to provide goods and/or services to the Corporation? Yes No

Does the prospective employer receive grants from, or contracts with, the SCC? Yes No

I hereby certify that this request for approval of outside office, employment, self-employment, or professional business activity contains no willful misstatement of fact or omission of a material fact.

Signature of Employee: _____ **Date:** _____

If your request is approved by the Corporation, the Corporation will send a copy of the written notice of approval to the Executive Commission on Ethical Standards, 28 West State Street, Room 1047, P.O. Box 082, Trenton, NJ 08625 pursuant to N.J.S.A. 52:13D-23(e)(2). You must disclose this outside activity to the Commission yearly.

**NEW JERSEY SCHOOLS CONSTRUCTION CORPORATION
EMPLOYEE REQUEST FOR APPROVAL OF OUTSIDE OFFICE OR EMPLOYMENT**

SECTION - B (to be completed by Employee's Supervisor)

Recommend: Approval Disapproval

Name: _____ Title: _____

Signature: _____ Date: _____

Comments and/or reason for disapproval: _____

SECTION - C (to be completed by Corporation)

1. Approval by Divisional Director/Manager Approved Disapproved

Does this request raise a question or appearance of actual or potential conflict? ___ Yes ___ No

If yes, comments and recommendations: _____

Name: _____

Title: _____

Signature: _____ Date: _____

Note: Division Director Approval/Disapproval indicates that the request has been reviewed for purposes of obtaining supervisory/administrative approval that the proposed activity does not negatively impact Division Operations, workload, functions, etc. Director approval does not indicate that the proposed activity complies with the NJSCC Code of Ethics.

2. Referral to Ethics Liaison Officer Approved Disapproved

Licensed or Regulated Activity: _____

Name: _____

Title: _____

Signature: _____ Date: _____

Note: Approval of the Ethics Liaison Officer (or ECES when necessary) is required to determine compliance with these ethical requirements.

Sent to ECES (Date): _____ ECES follow-up: _____

3. Referral to Chief Executive Officer Approved Disapproved

Name: _____

Signature: _____ Date: _____

**NEW JERSEY SCHOOLS CONSTRUCTION CORPORATION
REQUEST FOR APPROVAL OF ATTENDANCE AT OUTSIDE EVENT**

PART I – Employee/Director Identifying Information

Employee Name (please print): _____

Job Title: _____

Division & Location: _____

Business Phone & Email: _____

Responsibilities: _____

Date of Event: _____

Location of Event: _____

Please describe the nature of the event or function (attach invitation or announcement):

Will the employee be using their official title at this event? _____ Yes _____ No

PART II – Sponsoring Entity Information – Please describe:

(a) The identity of the sponsoring organization: _____

1. Is this sponsor an “**interested party**”? _____ Yes _____ No

An “interested party” is, or is reasonably anticipated to be:

- a. A person or entity subject to regulatory, licensing or supervisory authority of the Corporation,*
- b. A vendor, supplier or contractor of the Corporation or an agent thereof,*
- c. An organization that advocates or represents the positions of its members to the Corporation,*
- d. An organization that has a majority of members who are as described in a. through c. above, or*
- e. A party or entity interested on any other basis/reason*

2. Is this sponsor other than an interested party? _____ Yes _____ No

3. Is this sponsor a nonprofit organization? _____ Yes _____ No

- a. Does the nonprofit have any contracts with the corporation? _____ Yes _____ No
- b. Is the employee a member of the nonprofit? _____ Yes _____ No

**NEW JERSEY SCHOOLS CONSTRUCTION CORPORATION
REQUEST FOR APPROVAL OF ATTENDANCE AT OUTSIDE EVENT**

PART II – Sponsoring Entity Information (continued)

(b) The circumstances under which the invitation was extended:

(c) The nature of your interaction or relationship with the sponsoring organization:

(d) Whether you will attend the event on work time or personal time: _____

(e) Whether out of state travel is required: ____ Yes ____ No

IF YES, justification should be attached and CEO approval is required.

PART III – Estimated Costs of Attendance at Event

(a) Please list estimated costs and expenses and proposed reimbursement for these, if any, for your attendance at the event:

Event Registration: _____

Travel (provide details): _____

Overnight Accommodation, if allowed: _____

Other (describe): _____

NOTE: Reimbursement of employee expenses is subject to the guidelines established in SCC's Travel & Entertainment Policy.

(b) Who will pay the costs for attendance? ____ Employee ____ SCC ____ Sponsor

NOTE: If costs are being paid for by SCC or Sponsor, complete Section IV.

(c) Is an honorarium offered? ____ No ____ Yes

NOTE: Acceptance of honorarium is not permitted.

**NEW JERSEY SCHOOLS CONSTRUCTION CORPORATION
REQUEST FOR APPROVAL OF ATTENDANCE AT OUTSIDE EVENT**

PART IV - Reimbursement of Expenses

- (a) Is the sponsor an “**interested party**” (see Part II)? _____ Yes _____ No
- (b) Who is paying for expenses associated with attending the event? _____ SCC _____ Sponsor
- (c) Is employee/director receiving meals (other than refreshments), travel, accommodations, waiver of fees, etc. associated with attending the event? _____ Yes _____ No
- (d) Is the event designed to provide training, dissemination of information, or the exchange of ideas, and is the employee/director making a speech, participating in a panel, or acting as an accompanying resource person for the speaker? _____ Yes _____ No

NOTE: In all cases, employees/directors are prohibited from accepting entertainment that is collateral to the event, such as a golf outing or meals taken other than in a group setting with all attendees.

If the sponsor is an interested party, employees/directors are also prohibited from receiving meals, travel, accommodations, waiver of fees, etc. unless the conditions described in (d) are met. In this instance, the Ethics Liaison Officer must forward the approval to the Ethics Commission.

In cases where reimbursements by the sponsor are acceptable, certain limitations apply and additional information may be required.

PART V - Benefit to SCC

Why you believe that your attendance at the event or function:

(a) Will benefit the NJSCC: _____

(b) Will not create an appearance of impropriety or otherwise violate this Code:

Employee Signature: _____ Date: _____

**NEW JERSEY SCHOOLS CONSTRUCTION CORPORATION
REQUEST FOR APPROVAL OF ATTENDANCE AT OUTSIDE EVENT**

FOR INTERNAL USE

Corporation Review and Approval/Disapproval:

1. Divisional Director/Manager Approved Disapproved

Name: _____

Title: _____

Signature: _____ Date: _____

Comments: _____

Note: Division Director Approval indicates that the request has been reviewed for purposes of obtaining supervisory/administrative approval, and that the proposed activity does not negatively impact Division Operations, workload, functions, etc. Division Director approval does not indicate that the proposed activity complies with the NJSCC Code of Ethics.

2. Human Resources Approved Approved with Changes Disapproved

Name: _____

Title: _____

Signature: _____ Date: _____

Comments: _____

Note: Human Resources Approval indicates that the request has been reviewed to ensure that the event is relevant to the employee's job responsibilities, is not duplicative of events already attended and costs are appropriate.

3. Ethics Liaison Officer Approved Disapproved

Name: _____

Title: _____

Signature: _____ Date: _____

Comments: _____

Note: Approval of the Ethics Liaison Officer (or Executive Commission on Ethical Standards when necessary) is required to determine compliance with ethical requirements.

Sent to ECES? ___ Yes ___ No Date Sent: _____

ECES Follow - Up? ___ Yes ___ No

4. Chief Executive Officer Approved Disapproved Not Required

Name: _____

Signature: _____ Date: _____