Georgia State University Policy

0209172 Conflict of Interest and Conflict of Commitment

Full Policy Text

Georgia State University Policy on
InDIVIDUAL Conflict of Commitment AND CONFLICT OF INTEREST

Responsible University Office:  Office of Research Integrity
                               Office of Legal Affairs

Responsible University Officer:  Vice President for Research
                                 University Counsel

Corresponding Policies:  Georgia State University Policy on Financial Disclosures in
                        Sponsored Instruction, Research or Service Activities; Board of Regents Policy Manual Section
                        8.2.15: Outside Activities

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1. Purpose

Georgia State University (“University”) encourages its faculty and staff to participate in activities of professional associations, governmental entities, industry organizations, and other public and private groups that serve to benefit the interests of the participants and the University. The experience and enhanced national status that such participation affords the University contribute to the richness and diversity of the academic community. While the University recognizes the benefit of such participation, it is important to identify and address potential, actual and apparent conflicts of interest and commitment that have the potential to directly and significantly affect the University’s interests, compromise objectivity in carrying out University responsibilities, or otherwise compromise performance of University responsibilities.

The purpose of this Georgia State University Policy on Individual Conflict of Interest and Conflict of Commitment (“Policy”) is to increase the awareness of faculty and staff, including part-time and visiting faculty and staff, of the potential for conflicts of interest and commitments, and to establish procedures for identifying, reviewing, and managing such relationships to help assure the integrity of University endeavors. While the spirit of this Policy is to foster open and complete disclosure, its intent is not to discourage the participation of University employees in activities that serve to benefit the interests of the participants and the University.
1. **State of Georgia and Board of Regents Requirements**

All employees of the University are subject to Georgia laws governing business transactions between employees and state entities. While this Policy does implement some aspects of Georgia law (specifically, Section IX), each University employee is solely responsible for understanding his or her obligations as a state employee under Georgia law. Approval of any activity or external interest under this Policy does not guarantee compliance with Georgia law. Also, the Board of Regents' policies governing conflicts of interest and outside activities apply to University Employees and are covered by this Policy.

**Section II. Application.**

This policy applies to all University faculty and staff, including visiting and part-time faculty and staff.

**Section III. Additional Definitions.**

1. **Conflict of Interest Officer** means the Associate Vice President for Research Integrity or other designee of the Vice President for Research.

1. **Financial Interest** means anything of monetary value or potential monetary value.

1. **Full Time** means: (1) for faculty, the period of time that the faculty member’s employment is based on a 100% workload, which, for those meeting the definition of “Full Time Faculty” set forth in the Faculty Handbook, occurs during the 9-month academic year; during the summer semester, only those faculty members that carry 100% workload are considered Full Time for the purposes of this policy; (2) for other employees, full time refers to the period of time the employee is employed for at least forty (40) hours of work per week for the University. (See Faculty Handbook and Employee Handbook for further information).

1. **Immediate Family** means a University Employee’s spouse and dependents.

1. **Management Plan** means a plan to address a Conflict of Interest by reducing or eliminating the Conflict of Interest.

2. **Responsible Representative** means (i) with respect to college employees, the Dean of the college in which such person conducts the majority of his or her University activities, or his or her designee, (ii) with respect to non-college employees the Vice President to which such
person directly or indirectly reports, (iii) with respect to any Dean, the Vice President for Research and (iv) with respect to any Vice President or any other University Employee not covered under clauses (i) through (iii), the President of the University.

1. “Supervisor” means a University Employee’s unit chair, college Dean, direct supervisor or equivalent administrator as established by the University Employee’s Dean or Vice President.

1. “University Employee” means a full-time or part-time faculty member or staff member or a visiting faculty member. Graduate Assistants are excluded from this definition.

1. “University Responsibilities” means a University Employee’s professional responsibilities on behalf of the University including, but not limited to, activities such as research, research consultation, teaching, professional practice, institutional committee memberships, and service on panels.

Section IV. Conflict of Interest Committee.

The President shall appoint a committee of faculty and staff to review all Management Plans submitted by the Conflict of Interest Officer and to make recommendations to the President and the Vice President for Research for appropriate changes to this Policy and to make recommendations regarding the procedures for disclosure, evaluation, approval and management of Conflicts of Interest (the “Conflict of Interest Committee”). The Conflicts of Interest Committee shall also have the authority to develop additional guidelines and procedures consistent with this Policy regarding the disclosure, evaluation, approval and management of Conflicts of Interest. The Conflicts of Interest Committee shall submit such additional guidelines and procedures to the University Senate Research Committee for review and comment prior to publishing the additional guidelines and procedures to the University community. The Conflicts of Interest Committee shall include the University Attorney or his or her designee, the Vice President for Research, and one representative from the general faculty selected by the Executive Committee of the Faculty Senate. The Conflict of Interest Officer shall also serve as a non-voting member of the Conflict of Interest Committee. The Conflict of Interest Committee may in its discretion engage advisors or consultants from outside of the University as necessary.

Section V. Conflict of Commitment.

1. Background

All Full Time University Employees are expected to devote their primary professional loyalty, time and energy to the educational, research and scholarship programs of the University. A "Conflict of Commitment" occurs when the aggregate time devoted to external activities (including both paid and unpaid activities) adversely affects a Full Time University Employee’s capacity to meet the
responsibilities of his or her position. The specific responsibilities and professional activities that constitute an appropriate commitment will differ across colleges and departments, but they should be based on a general understanding between the Full Time University Employee and his or her Supervisor.

Pursuant to the Board of Regents' policies governing outside activities described in Appendix A (the “Board of Regents’ Policy on Outside Activity”), Full Time University Employees are required to receive advance approval before engaging in certain external activities, including but not limited to consulting, teaching, speaking, and participating in business or service enterprises, and are restricted from engaging in certain other external activities. While the Board of Regents’ Policy on Outside Activity provides certain limits on external activities, a Full Time University Employee’s Supervisor has the discretion to determine that external activities otherwise permitted under the Board of Regents’ Policy on Outside Activity are inappropriate in scope and duration or constitute excessive time away from University duties. Practical considerations necessitate a limit of not more than one day a week average for the aggregate of all outside activities when the employee is being paid for Full Time duty.

1. Procedure for Disclosure

Prior to engaging in an external professional, service or commercial activity, including consulting, teaching, speaking, and participating in business or service enterprises, other than pre-approved activities, a Full Time University Employee shall provide written notification of such proposed activity to his or her Supervisor (an “Outside Activity Notification”) in the manner requested by the Supervisor. Supervisors may provide Full Time University Employees under their supervision with a list of pre-approved activities that do not need to be disclosed pursuant to this paragraph.

The Supervisor shall review the information in the Outside Activity Notification and determine if the disclosed activity or interest violates the Board of Regents’ Policy on Outside Activity or interferes with the discloser’s ability to meet their responsibilities to the University. If the Supervisor identifies a potential Conflict of Commitment, the Supervisor shall notify the discloser in writing that the external activity is not approved for reasons of a possible Conflict of Commitment. If the activity is approved, the Supervisor shall advise the discloser in writing.

A Full Time University Employee may appeal the decision of the Supervisor to the Conflict of Interest Officer. If the Conflict of Interest Officer identifies a potential Conflict of Commitment, the Conflict of Interest Officer shall notify the discloser, the Supervisor and the appropriate department Chair and Dean (if different from the Supervisor) in writing that the external activity is not approved for reasons of a possible Conflict of Commitment. If the activity is approved, the Conflict of Interest Officer shall advise the discloser, the Supervisor and the appropriate department Chair and Dean (if different from the Supervisor) in writing.

A Full Time University Employee shall not engage in a proposed activity until he or she has received such written approval, and such University Employee shall discontinue any such activity if
the written approval is revoked by his or her Supervisor or the Conflict of Interest Officer. If the proposed activity also presents a Conflict of Interest, a Full Time University Employee shall also disclose the information relating to the potential Conflict of Interest to the Conflict of Interest Officer. The University may establish additional policies or publish additional procedures regarding outside activities and consulting by Full Time University Employees.

Section VI.  Conflicts of Interest.

A “Conflict of Interest” exists whenever personal, professional, commercial, or financial interests or activities outside of the University have the possibility (either in actuality or in appearance) of influencing a University Employee’s decision or behavior with respect to teaching and student affairs, appointments and promotions, uses of University resources, procurement and business transactions, or other matters of interest to the University or of biasing the design, conduct or reporting of University research. An essential step in addressing a Conflict of Interest is for the University Employee involved to make full disclosure of relevant information related to any actual or potential Conflict of Interest so that interested parties inside and outside of the University may evaluate such information.

1. Purchasing, Contracting, and Other Business Transactions

Before a University Employee participates in awarding, negotiating, reviewing or approving a business transaction (including but not limited to purchases, contracts, and subcontracts) involving the University and an entity in which such employee or his or her Immediate Family has a Financial Interest, the University Employee must disclose the proposed transaction in writing to the Conflict of Interest Officer for review. If the Conflict of Interest Officer determines that a Conflict of Interest exists, a Management Plan relating to such activity shall be created as set forth in Section VIII below to reduce or eliminate the Conflict of Interest, if such activity is permitted by State law. See also Section IX below.

1. Use of University Resources

The University's name, letterhead, facilities, services (including the time and assistance of University staff, faculty or students), electronic resources, and equipment are to be used for the furtherance of University goals and not for the benefit of, or to imply the University's support of, a non-University activity.

University Employees may not use University facilities, resources, equipment or services in connection with any outside employment or consulting or other non-University activity except in a purely incidental way or as provided below.

In certain situations, subject to the other restrictions of this Policy, other University policies and
procedures and state law, a University Employee or a commercial entity in which a University Employee has a Financial Interest may access University facilities or equipment on the same terms as such facilities or equipment are available to persons or organizations outside of the University. Arrangements for reimbursing the University must be made prior to using the University’s facilities or equipment for outside activities. The reimbursement plan will include costs consistent with rates charged to outside groups or persons.

1. **External Employment of Students**

Except as otherwise provided in this Policy, faculty members may not employ, either directly or through any business in which the faculty member or his or her Immediate Family has a Financial Interest, any current student of the University without first disclosing in writing the proposed employment relationship to the Conflict of Interest Officer. If the Conflict of Interest Officer determines that there is no risk of a Conflict of Interest, he or she shall notify the faculty member in writing that the employment relationship is permitted. If the Conflict of Interest Officer determines that a Conflict of Interest exists, the Conflict of Interest Officer may either prohibit the proposed employment relationship by notifying the faculty member in writing or create a Management Plan relating to such activity as set forth in Section VIII below to reduce or eliminate the Conflict of Interest.

Faculty members may not assign students, postdoctoral fellows, or other trainees (in a situation where the person(s) would not feel free to refuse) to University projects sponsored by a business in which the faculty member has a Financial Interest.

1. **Other Potential Conflicts**

Illustrative examples of other activities that present potential Conflicts of Interest are listed on Appendix B. The circumstances described in the examples listed on Appendix B would in most cases require disclosure to the Conflict of Interest Officer and management under this Policy, and in some cases, the conflicting activities described in such examples would be completely prohibited. Inclusion or exclusion of any activities on the list on Appendix B, however, is not determinative of whether any circumstance would be prohibited under this Policy, and any determination of whether any actual circumstances raise a potential Conflict of Interest and all decisions regarding management of conflicts and restrictions of activities shall be made by the relevant person or committee pursuant to the procedures described in this Policy. As the examples in Appendix B are purely illustrative, the Conflict of Interest Committee may add, remove or amend any example listed in Appendix B as it deems appropriate without seeking additional approval from the University Senate or other University officials.

1. **Research Activities**

A Full Time faculty member is prohibited from having significant managerial or programmatic responsibilities (e.g., serving as an investigator) on a sponsored project that is submitted and managed solely through another institution or business. Such activities are considered part of the faculty member’s full-time workload and should be funded through a consortium relationship.
between institutions via the use of subawards.

The University promotes objectivity in University research by establishing processes that provide a reasonable expectation that the design, conduct, and reporting of sponsored research is free from bias resulting from financial conflicts of interest of the University Employee involved in the research. In addition to this Policy, University Employees who engage in research, instruction or service activities sponsored by an outside party must comply with the University’s Policy on Financial Disclosures in Sponsored Instruction, Research or Service Activities.

Section VII. Training

Each University Employee is responsible for understanding this Policy and all applicable laws and regulations relating to Conflicts of Commitment and Conflicts of Interest. At the onset of employment, each University Employee must undergo training on ethics and Conflict of Interest.

Section VIII. Conflict of Interest Disclosure Review and Management.

1. Review by Conflict of Interest Officer and Development of Management Plan

The Conflict of Interest Officer shall review each disclosure of activities set forth in Section VI to determine if a potential Conflict of Interest exists. The Conflict of Interest Officer may contact the University Employee to request additional information he or she deems necessary to evaluate the disclosure, and any failure by the University Employee to promptly comply with such requests will be considered a violation of this Policy.

If the Conflict of Interest Officer determines that no potential Conflict of Interest exists, the Conflict of Interest Officer shall inform the University Employee in writing of that determination.

If the Conflict of Interest Officer identifies a potential Conflict of Interest, he or she shall, in consultation with the University Employee, Responsible Representative and University Attorney (or his/her designee), develop a Management Plan. Examples of conditions or restrictions that might be imposed in a Management Plan include:

- divestiture of an individual’s significant Financial Interest;
- relinquishment or reassignment of duties that could exacerbate the conflict;
- severance of relationships or holdings that create conflicts; or
- placement of holdings in a blind trust for a specific period of time.

1. Review by Conflict of Interest Committee and Approval of Management Plan
The Conflict of Interest Officer shall submit each proposed Management Plan to the Conflict of Interest Committee for its review and approval in a timely manner. The Conflict of Interest Committee may contact the University Employee to request additional information it deems necessary to evaluate the Management Plan, and any failure by the University Employee to promptly comply with such requests will be considered a violation of this Policy.

In certain cases, a potential Conflict of Interest may require correction or management before the Conflict of Interest Committee will have an opportunity to convene and evaluate the Management Plan. In those cases, the Conflict of Interest Officer may provide provisional approval of a Management Plan until such time as the Conflict of Interest Committee can complete its review. Any Management plan approved by the Conflict of Interest Committee or provisionally approved by the Conflict of Interest Officer will be considered an “approved” Management Plan for the purposes of this Policy.

While the Conflict of Interest Officer and Conflict of Interest Committee will seek comments to a proposed Management Plan from the University Employee and will strive to create Management Plans that are acceptable to all interested parties, the Conflict of Interest Officer and Conflict of Interest Committee will have final discretion to determine the restrictions and conditions required to ensure the University’s compliance with this Policy. After a Management Plan has been approved, the Conflict of Interest Officer shall provide a copy of the Management Plan to the University employee, the Responsible Representative, and the University Employee’s Dean. Each University Employee is required to comply with any approved Management Plan relating to his or her activities, and a Management Plan may provide that the relevant University Employees must agree in writing to abide by the Management Plan before the University activity may proceed.

Section IX. State of Georgia Disclosure Requirements.

The conflict of interest laws of the State of Georgia (O.C.G.A. § 45-10-20, et seq.) (see Appendix A) require State employees, including State university employees, to report each year any business transactions they have with the State or any of its agencies. University Employees must file a disclosure report with the state of Georgia if he or she meets both of the following criteria:

1. The employee is a full-time or part-time employee of the University; and

2. The University employee transacted business during the preceding calendar year with the State of Georgia or any of its agencies on behalf of such employee or through a business in which the employee or a member of the employee’s family has a substantial interest.

Disclosure reports must be filed with the State no later than January 31 of each year. No report is required if each business transaction for the year is less than $250.00 and the total of all transactions for the calendar year does not exceed $9,000.00. The disclosure report must be notarized and can be
Certain business transactions between a University Employee and the State of Georgia or with other units of the University System may be unlawful. Each University Employee is solely responsible for understanding his or her obligations as a State employee under Georgia law. Approval of any activity or external interest under this Policy does not guarantee compliance with Georgia law.

Section X. Monitoring of Management Plans.

The Conflict of Interest Officer will have primary responsibility for monitoring the implementation and effectiveness of a Management Plan. A Management Plan may provide for the appointment of an individual or a special monitoring committee to provide direct oversight of the implementation of a Monitoring Plan, and the Conflict of Interest Officer, at his or her discretion, may appoint such additional monitors to assist with monitoring. Appointed monitors should be disinterested, free of financial or supervisory ties to the University Employee whose conflict is being monitored, and should have or have access to expertise sufficient to allow meaningful review of the conflict being monitored.

At least once a year, the Conflict of Interest Officer should complete a review of all outstanding Management Plans and provide a summary of the review to the Conflict of Interest Committee. To assist in these evaluations, University Employees may be required under their Management Plans to provide annual or other periodic reports on their compliance with the plan.

Section XI. Audit.

The Conflict of Interest Officer may conduct random audits of any University activities relating to past disclosures under the Policy or any Management Plans in order to assure (1) that all relevant Conflicts of Interest have been identified and are being managed appropriately and (2) that any systemic weaknesses in the process of Conflict of Interest disclosure, review, approval and management at the University are identified and resolved. All University Employees shall cooperate with such audits, including requests for documentation, and failure to do so will be deemed a violation of the Policy.

Section XII. Investigation and Resolution of Policy Violations.

Any person that becomes aware of a potential violation of this Policy should notify the Conflict of Interest Officer.

Any time the Conflict of Interest Officer becomes aware of a potential violation of this Policy or of
any other situation that could indicate that University activities may have been affected inappropriately by a Conflict of Interest, the Conflict of Interest Officer shall conduct a preliminary investigation to determine whether the concerns appear to be warranted.

In consultation with the Office of Legal Affairs and the Vice President for Research, the Conflict of Interest Officer may investigate the matter and make a written memorandum of his or her conclusions or appoint a faculty member or a committee of faculty members to conduct an investigation and file a written report of the results of that investigation. Any such investigation should, at a minimum, include a personal interview with the person bringing the allegations or concerns and a personal interview with the University Employee, who should be informed with specificity of the allegations or concerns that have arisen.

Upon determination that a violation of this Policy has occurred or of the existence of a situation that could indicate that University research, education, training, business administration or other performance may have been affected inappropriately by a Conflict of Interest, the Conflict of Interest Officer shall notify the Vice President for Research and recommend measures to ameliorate the effects of the violations. The Vice President for Research shall take any steps necessary to correct the situation, including and up to disallowance of an activity previously allowed to continue under a Management Plan. In addition, when appropriate, the Vice President for Research shall recommend to the relevant officials the imposition of disciplinary or other action under appropriate University policies.

Section XIII. Appeals of Decisions Under this Policy.

Any University Employee affected by a decision of the Conflict of Interest Officer, Vice President for Research or Conflict Interest Committee under this Policy concerning the management or resolution of a Conflict of Interest may appeal such decision to the Provost. Except where the Conflict of Interest in question involves his or her actions, the Provost, either directly or through his or her designee, may review any such decision, and if the Provost determines that the decision is incorrect, inappropriate or inconsistent with this Policy or applicable law, the Provost may rescind, modify or reverse such decision or submit the decision for reconsideration by the Conflict of Interest Officer, Vice President for Research or Conflict Interest Committee. The Provost shall provide a written explanation of his or her decision. Any decisions by the Provost concerning such appeals shall be final, and there shall be no further right of appeal under this Policy. If the Conflict of Interest in question involves the Provost’s actions, the President, either directly or through his or her designee, may review any such decision under the same conditions that the Provost would review other such decisions.

Section XIV. Sanctions for Policy Violations.

Possible sanctions for violation of this Policy by a University Employee may range from administrative intervention to termination of employment or enrollment, all in accordance with applicable University policies. Violations may include but are not limited to: (a) failure to comply with the disclosure and evaluation process provided under this policy (by failing to report timely a
potential conflict as required, by failing or refusing to respond to requests for additional information, by providing incomplete or knowingly inaccurate information, or otherwise) and (b) failure to comply with a Management Plan.

Section XV. Records Management.

The Conflict of Interest Officer shall maintain all records relating to Conflicts of Interest. Each Responsible Representative shall maintain a copy of all disclosure statements received from University Employees and the Conflict of Interest Officer shall maintain copies of all disclosure statements he or she receives along with any Management Plans, investigation documents and other records regarding management or mitigation of Conflicts of Interest. All such documents will be retained for period of at least five (5) years beyond the termination or completion of the transaction to which they relate or until the resolution of any action involving such records, whichever is longer.

Section XVI. Publication of Policy.

The Conflict of Interest Officer shall ensure that the most recent version of this Policy is at all times accessible to the public on the University’s website.

Appendix A

State of Georgia Laws and Board of Regents Policies

State Laws:

Sales to Political Subdivision by Officers/Employees

O.C.G.A. 16-10-6 provides that it is a crime, punishable by imprisonment for one to five years for an employee or officer of a political subdivision or agency thereof (e.g., Board of Regents or University) to sell real or personal property (including personal services) to certain political subdivisions of the state, including the employing political subdivision or an agency therefore. Certain exceptions are provided.

Transacting Business with the State

O.C.G.A. 45-10-20 through 45-10-28 provide that it is unlawful for a state employee to transact business with an agency by which that person is employed for himself, on behalf of a business in which the employee or his spouse or dependents has a substantial interest, or on behalf of anyone as agent, broker, dealer or representative. Transacting business is defined as selling real property, personal property, or services, or purchasing surplus real estate or personal property. Certain exceptions are provided. The statute further requires State employees to file annual disclosure statements of business transactions with the State.
8.2.15 Outside Activities

A USG employee should avoid actual or apparent conflict of interests between his or her college or university obligations and his or her outside activities.

8.2.15.1 Occupational

A USG employee shall not engage in any occupation, pursuit, or endeavor which will interfere with the regular and punctual discharge of official duties.

All full-time faculty, administrators, and other professional staff members employed by a USG institution are expected to give full professional effort to their assignments of teaching, research, and service.

Professional employees are encouraged to participate in professional activity that does not interfere with the regular and punctual discharge of official duties provided the activity meets one of the following criteria:

1. It is a means of personal professional development;
2. It serves the community, state or nation; or,
3. It is consistent with the objectives of the institution.

For all activities, except single-occasion activities, the employee shall report in writing through official channels the proposed arrangements and secure the approval of the president or his/her designee prior to engaging in the activities. Such activities include consulting, teaching, speaking, and participating in business or service enterprises.

8.2.15.2 Consulting
Recognizing that teaching, research, and public service are the primary responsibilities of USG faculty members, it shall be considered reasonable and desirable for faculty members to engage in consulting activities, which are defined for purposes of this policy as any additional activity beyond duties assigned by the institution, professional in nature and based in the appropriate discipline for which the individual receives additional compensation during the contract year.

Each USG institution shall adopt guidelines governing consulting activities of faculty members which shall include the following:

1. A plan for reimbursing the institution for use of the institution’s personnel, facilities, equipment and/or materials consistent with rates charged outside groups or persons.
2. A procedure for obtaining prior approval of the president or his/her designee.
3. A procedure for defining and prohibiting conflicts of interest.

8.2.15.3 Political

As responsible and interested citizens in a democratic society, USG employees are encouraged to fulfill their civic obligations and otherwise engage in the normal political processes of society. Nevertheless, it is inappropriate for USG personnel to manage or enter political campaigns while on duty to perform services for the USG or to hold elective political office at the state or federal level while employed by the USG.

Therefore, the following policies governing political activities are hereby adopted:

1. Employees may not manage or take an active part in a political campaign which interferes with the performance of duties or services for which he or she receives compensation from the USG.
2. Employees may not hold elective political office at the state or federal level.
3. Employees seeking elective political office at the state or federal level must first request a leave of absence without pay beginning prior to qualification as a candidate in a primary or general election and ending after the general or final election. If elected to state or federal office such person must resign prior to assuming office.
4. Employees may seek and hold elective office at other than the state or federal level, or appointive office, when such candidacy for or holding of the office does not conflict or interfere with the employee’s duties and responsibilities to the institution or the USG.

Appendix B

Examples

Examples of Circumstances Presenting a Potential Conflict of Interest

The following examples of activities by a University Employee present potential Conflicts of Interest. The circumstances described in the following examples would in most cases require disclosure and management under this Policy, and in some cases, the conflicting activities described
in such examples would be completely prohibited. Inclusion or exclusion of any activity on the following list, however, is not determinative, and the determination of whether any actual circumstances raise a potential Conflict of Interest and all decisions regarding management of conflicts and restrictions of activities shall be made by the relevant person or committee pursuant to the procedures described in this Policy.

1. Participating in University research involving a technology owned by or contractually obligated (by license, option, or otherwise) to a business in which the employee has a Financial Interest. See University’s Policy on Financial Disclosures in Sponsored Instruction, Research or Service Activities.
2. Participating in University research that would validate or promote a product of a business in which the University employee has a Financial Interest. See University’s Policy on Financial Disclosures in Sponsored Instruction, Research or Service Activities.
3. Disclosing, outside of normal academic publication and teaching, privileged or confidential information to a business in which the University Employee has a Financial Interest.
4. Providing consulting or testing services as a private venture of the University Employee using University facilities, equipment, personnel or other University resources.
5. Use by a University Employee of University students or staff to perform administrative duties in support of the University Employee’s external activities.
6. Using University purchasing contracts or service relationships to purchase goods or services for an external business, private consulting project or other external activity.
7. Receiving, through contract or grant, research support under University auspices (whether in dollars or in kind) for research from a business in which the University employee has a Financial Interest. See University’s Policy on Financial Disclosures in Sponsored Instruction, Research or Service Activities.
8. Purchasing goods or services for the University from businesses in which the University employee has a Financial Interest.

Engaging in any paid consulting work with any University donor or sponsor.

Administration of Policy

Responsible Office(s):
Legal Affairs, 100 Auburn Avenue Suite 315, 3-0500

Responsible Executive(s): Kelly Stout

Policy History

Approving Body: Administrative Council

Additional Information

All full time University employees are expected to devote their primary professional loyalty, time, and energy to the educational, research, and scholarship programs of the University. Employees are encouraged to participate in professional activities (e.g. consulting, teaching, speaking, participating in business or service enterprise) that do not interfere with the regular and punctual discharge of official duties.
The specific responsibilities and professional activities that constitute an appropriate commitment will differ across Colleges/Schools and departments, but they should be based on a general understanding between the employee and his or her supervisor. Pursuant to University and Board of Regents policies, a full time University employee must submit this completed form to his or her supervisor and receive advance written approval (as evidenced by the supervisor’s signature on this form) before engaging in external activities.

Form Guidelines:

1. A form must be completed for each separate activity.

2. Where approval relates to an activity that spans more than twelve months, the employee must again request approval at the beginning of each succeeding academic year applicable to the time period of the outside activity.

3. When the nature of an approved outside activity or the time committed to it changes significantly, subsequent to approval, an amended outside activity form must be filed.

4. A form is not required to be filed for activities undertaken by a faculty member employed on an academic year contract for activities which begin after the end of spring semester and are completed before the beginning of the succeeding fall semester, unless that faculty member is employed to teach one or more courses at the University during that summer semester.

5. When an employee undertakes appropriate outside activity, the following conditions are expected to be observed as part of the employee’s University obligations:

   1. Follow established policies and process to identify and gain prior approval to undertake any outside activity.

   2. Engage only in outside activities that are in keeping with the employee’s position, that reflect positively on the department or academic unit and the University, and that do not
compete directly with previously established activities associated with the University.

3. Do not use the University position to actively promote consulting or other outside activities for compensation.

4. Do not use University resources (space, equipment, personnel, or other University property) for outside activities, except where explicit permission has been obtained and appropriate arrangements for reimbursement have been established.

5. Be prepared to account for the actual amount of time devoted to approved outside activities and their appropriateness.

Employee Name:

Employee Title:

Department/School:
1. Description of Activity (be specific and include the name and address of the external organization):

1. Will this outside activity involve compensation in addition to reimbursement of out of pocket expenses?

____ YES          ____ NO
If yes, provide additional detail:

1. Classroom substitution:

_____ No classes would require substitute instruction

_____ Substitute instruction would be required in the following classes:

(List course number, hour and location, along with substitute instructor's last name)

1. Please provide the dates or date range for the proposed activity and a description of the amount of time required.
The above activity is ____ approved / ____ not approved.

Department Head: ____________________________________________

Date: _______________________________________________________

A copy of this form should be returned to the employee; and a copy should be retained by the College/School in accordance with its procedures.

Additional Helpful Resources

Approved September 7, 2016