



31.05.01.D1 Faculty Consulting, External Professional Employment, and Conflicts of Interest

Approved: August 28, 2013

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Rule Statement

The mission of Texas A&M University-Central Texas (A&M-Central Texas) is to prepare students for lifelong learning through teaching, service, and research. The priority of full-time faculty is the accomplishment of the duties and responsibilities assigned to their position of employment within the university.

This rule applies to consulting and outside employment of faculty members that is directly related to their academic field or discipline.

Reason for Rule

The rule establishes guidelines for faculty consulting, external professional employment, and other outside activities that may constitute a conflict of interest.

Procedures and Responsibilities

1. ETHICAL CONSIDERATIONS AND CONFLICT OF INTEREST:

- 1.1 Faculty members engaged in external employment shall be guided by the principles of ethical conduct in System Policy 07.01, *Ethics*.
- 1.2 Faculty members are responsible for the disclosure of any external employment that may constitute a potential conflict of interest. System Regulation 31.05.01, *Faculty Consulting, External Employment, and Conflicts of Interest*, provides guidelines for assessing whether external employment activities constitute a potential conflict of interest. Faculty members should disclose the degree of the potential conflict in terms of potential risk to the university.
- 1.3 If a conflict of interest or a conflict due to equity ownership or business participation of a faculty member is found, the University may require that the faculty member take steps to minimize and/or eliminate such conflict. Any employee who violates standards of conduct for System employees may be subject to appropriate

disciplinary action, regardless of whether an application for external employment has been approved.

2. USE OF UNIVERSITY RESOURCES

No use of University property is allowed for external consulting or professional employment activities except as permitted by System Policy 33.04, *Use of System Property*, and System Regulation 33.04.01, *Use of System Resources for External Employment*.

3. REQUEST FOR PERMISSION FOR CONSULTING AND OUTSIDE PROFESSIONAL EMPLOYMENT

- 3.1 Faculty members must complete the System External Employment and Consulting Application and Approval form and obtain the appropriate approvals prior to initiation of the external activity. Required signatures include those of the Department Chair, Dean of the applicable school, the Provost and Vice President for Academic and Student Affairs, and the President. It is the faculty member's responsibility to submit their requests in a routine manner and to ensure it has been approved before actually consulting or leaving the workplace to consult. Faculty members who consult and/or participate in outside employment activities prior to approval by all applicable parties are subject to disciplinary action according to System Regulations. The form is available at <http://www.tamuct.edu/departments/humanresources/extras/tamuctoutsideemployment09ment.pdf>
- 3.2 The employee shall furnish, upon request, additional details regarding the employment arrangement, including copies of any written agreements or contracts in which the employment/consulting offer is made.
- 3.3 No release time is granted for external consulting or external professional employment activities unless prior approval is obtained. If participation in the activity is approved but release time is not granted, annual leave must be taken if the faculty member accrues annual leave and the activity occurs during normal business hours. Activity outside normal business hours may be limited by appropriate supervisors if these activities are limiting performance of primary duties.
- 3.4 A&M-Central Texas presumes faculty members engaging in consulting and outside employment for twenty (20) percent of their time or less will not normally conflict with their primary loyalty full-time faculty members at the university.
- 3.5 Approval of external employment on an ongoing basis will not exceed one year in duration. Consecutive approvals must be documented on an annual basis.
- 3.6 Per System Regulation 31.05.01, section 3.1, book reviews and journal articles are not to be included as external professional employment.
- 3.7 In addition, for purposes of this rule, the following categories of contracts are not to be included as external professional employment: books, textbooks, textbook instructor's

manuals, study guides, and other textbook peripherals, edited volume royalties, occasional honoraria for professional lectures, presentations at conferences and other related meetings, and awards, stipends for journal editorship, external program reviews at other universities/colleges, external peer reviews of faculty tenure and promotion, community service on boards and organizations that are not reimbursed, appointed positions in government agencies that are not reimbursed, and occasional payments for review and assessment of proposals for awards or fellowships and stipends granted to scholars by non-governmental organizations (NGOs), governmental organizations, and Community Outreach. If in doubt, faculty are encouraged to gain approval before signing any contract. These activities are still subject to all other applicable policies, regulations, and rules, including but not limited to System Policy 07.04, *Benefits, Gifts and Honoraria*.

- 3.8 External professional employment includes outside teaching at other universities and colleges. No regular teaching responsibilities with another institution of higher education may be accepted without prior approval from the Provost and Vice President for Academic and Student Affairs and/or President.
- 3.9 The Department Chair will keep a record of individual absences from the employee's official place of duty for outside employment or consulting activities. Approval for such absences must be requesting in advance in writing with the approved External Employment and Consulting Application and Approval form.

Related Statutes, Policies, or Requirements

System Policy [31.05 External Employment and Expert Witness](#)

System Policy [33.04 Use of System Resources](#)

System Regulation [31.05.01 Faculty Consulting, External Employment, and Conflicts of Interest](#)

System Regulation [31.05.02 External Employment](#)

System Regulation [33.04.01 Use of System Resources for External Employment](#)

Definitions

In System Regulation 31.05.01, the term “faculty” or “faculty member” is defined as individuals who serve in a full or part-time teaching, research, or extension position, the qualifications of which require doctoral degrees and/or credentials strictly equivalent to those held by tenured and tenure-track faculty within the same discipline.

“Consulting and/or external professional employment” (external employment) is defined in System Regulation 31.05.01 as professional activity related to one’s field or discipline, where a fee-for-service or equivalent relationship with a third party exists.

Consistent with System Regulation 31.05.01, the term “release time” refers to administratively approved time a faculty member may spend away from his or her normal work duties for the purpose of engaging in consulting or other forms of external professional employment described in the regulation and the university rule.

Contact Office

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