



ADMINISTRATIVE POLICY STATEMENT

Policy Title: Faculty Consulting and External Professional Activities

APS Number: 1044

APS Functional Area: **ACADEMIC/RESEARCH**

Brief Description:	This administrative policy statement provides procedures for the approval and reporting of outside consultation, research, clinical, and other external professional activities by full-time tenured and tenure-track faculty members.
Effective:	July 1, 2019
Approved by:	President Bruce D. Benson
Responsible University Officer:	Vice President for Academic Affairs
Responsible Office:	Office of the Vice President for Academic Affairs
Policy Contact:	Office of the Vice President for Academic Affairs, 303-860-5623
Supersedes:	N/A
Last Reviewed/Updated:	July 1, 2019
Applies to:	Full-time Tenured and Tenure-Track Faculty on all campuses

Reason for Policy: This administrative policy statement provides procedures for the approval and reporting of outside consultation, research, clinical, and other external professional activities by full-time tenured and tenure-track faculty members, including appointments at other institutions by full-time tenured and tenure-track faculty members.

I. INTRODUCTION

Regent policy 5.C.4(D) states:

The Board of Regents recognizes that full-time tenured and tenure-track faculty members are expected to dedicate their professional time and effort to the university. However, outside consultation, research, clinical, and other work can serve to keep faculty in contact with real problems in their profession and expand their expertise and thus, to the extent authorized by regent laws and policies, are desirable and legitimate functions.

This administrative policy statement provides procedures for the approval and reporting of outside consultation, research, clinical, and other external professional activities by full-time tenured and tenure-track faculty members (on both 9-month and 12-month appointments) that is related to their professional expertise in their university position. Other activities are not subject to this APS; however, all outside activities are subject to the provisions of [APS 5012 - Conflicts of Interest and Commitment in Research and Teaching](#).

II. POLICY STATEMENT

A. Consistent with Regent Law and Policy:

1. A faculty member’s outside consultation, research, clinical, and other work shall not interfere with the faculty member’s performance of assigned university responsibilities and shall not involve more than one-sixth of their time (commonly referred to as the “one-sixth rule”).
2. The policy applies to faculty with both 9-month and 12-month appointments.

3. Faculty members receiving approval for outside work are permitted to receive outside remuneration for this work and shall not suffer a reduction in their regular university salaries.
 4. Outside work by faculty members in schools or colleges that have alternative compensation plans approved by the Board of Regents or other contractual requirements limiting their ability to perform services for compensation shall be governed by those plans or contracts.
 5. Normally, university facilities, equipment, and resources shall not be used for faculty members' outside work. However, faculty members may, with appropriate approvals from their dean and campus officials, make contractual arrangements to rent university facilities at fair market rates using campus approved procedures. Faculty members shall not use university resources to advertise their availability for private consultation.
- B. Full-time tenured and tenure-track faculty members' professional responsibilities are not limited by a defined work week; therefore, the one-sixth rule should be used to make a reasonableness determination regarding the outside work request and not to be construed as the basis for a formulaic calculation.
 - C. Provided a faculty member complies with university policies on the reporting and management of conflicts of interest and commitment, the administration shall recognize the right of a faculty member to engage in outside consulting.
 - D. Although this policy specifically applies to tenured and tenure-track faculty only, campuses may implement procedures for the approval of outside work by instructional, research, and clinical track faculty members, consistent with the procedures outlined below.

III. PROCEDURES

- A. Consistent with Subsection (D) of [Regent Policy 5.C.4 – Other Terms and Conditions of Faculty Appointments](#), outside consultation, research, clinical, and other work for which a tenured or tenure-track faculty member receives remuneration is subject to approval by the Dean or Dean's designee ("Approver"). Campus procedures may also require approval by the faculty member's direct supervisor.
- B. Prior to engaging in outside work, a faculty member shall provide to the Approvers:
 1. The name of the employer or sponsor of the work, a description of the work to be conducted, and the dates and frequency of the work.
 2. Information on the involvement of other university employees and students, if any.
 - (a) Any involvement of university employees or students shall be disclosed and protocols for complying with [APS 1013 - Intellectual Property Policy on Discoveries and Patents for Their Protection and Commercialization](#) and/or [APS 1014 - Intellectual Property That is Educational Materials](#) shall be described.
 3. A description of any proposed use of university facilities or other resources. Final agreements shall remain on file.
 4. A statement of the faculty member's current research/clinical funding.
- C. Following campus procedures, a review shall be conducted to determine if a conflict of interest or commitment exists. At the conclusion of this review, the dean shall issue a decision.
 1. If there is no conflict, the faculty member shall be approved to engage in the outside activity.
 2. If a conflict of interest and/or commitment is found to exist but can be appropriately managed, the faculty member shall agree to a conflict management plan before approval is granted.
 3. If the conflict of interest and/or commitment cannot be eliminated or satisfactorily managed, approval to engage in the outside activity shall not be granted.

IV. RELATED POLICIES

- [Subsection \(D\) of Regent Policy 5.C.4 – Other Terms and Conditions of Faculty Appointments](#)

V. HISTORY

- Adopted: July 1, 2019.
- Revised: Non-substantive cleanups made on July 1, 2020, to make consistent with the new regent article and policy 5 regarding faculty.
- Last Reviewed: July 1, 2019.