

UR 31.05.01.H1 Faculty Consulting and/or External Professional Employment



Approved: August 2015
Revised: March 2016
Reviewed: March 2019
Revised: January 2021
Next Scheduled Review: January 2026

Rule Statement

Faculty members are encouraged to make their expertise available to business, industry, government, professional societies, and other appropriate entities. Such professional engagements serve the public, strengthen the individual professionally, improve the educational status of the department, and enhance the image of the University.

This rule applies to consulting and outside employment of full-time faculty members that is directly related to their academic field or discipline. For external faculty employment that is not directly related to the faculty member's professional discipline, see [System Regulation 31.05.02, External Employment](#). Part-time and adjunct faculty members are excluded from the requirements of this rule.

Reason for Rule

This rule establishes guidelines for faculty consulting, external professional employment, and other outside activities that may constitute a conflict of interest. The rule complies with requirements outlined in [System Regulation 31.05.01, Faculty Consulting and/or External Professional Employment](#).

Procedures and Responsibilities

1. ETHICAL CONSIDERATIONS AND CONFLICT OF INTEREST

- 1.1 Faculty assume responsibility for disclosing any external employment that may constitute a potential conflict of interest, as outlined in [System Regulation 31.05.01, Faculty Consulting and/or External Professional Employment](#) and [System Policy 07.03, Conflicts of Interest, Dual Office Holding and Political Activities](#).
- 1.2 The University may require a faculty member to minimize and/or eliminate a conflict of interest should one be found. Conflicts of interest include situations pertaining to equity ownership or participation in business as well as ethical situations.

1.3 Teaching at other institutions of higher education will be approved only under extraordinary or emergency circumstances.

2. CONSULTING AND/OR EXTERNAL PROFESSIONAL EMPLOYMENT

Consulting or external professional employment may be authorized provided that:

- 2.1 It does not interfere with the proper performance of the regular duties of the faculty member and does not create a conflict of interest or a conflict of commitment.
- 2.2 The faculty member is acting as an individual and not as an agent of the university.
- 2.3 The duration of any single consulting or external professional employment engagement must not exceed one year.
- 2.4 No materials, supplies or equipment belonging to the university are to be used for external consulting or professional employment activities except as permitted by [System Policy 33.04, Use of System Resources](#) and [System Regulation 33.04.01, Use of System Resources for External Employment](#).

3. REQUEST FOR APPROVAL OF CONSULTING AND/OR EXTERNAL PROFESSIONAL EMPLOYMENT

- 3.1 Requests for approval of consulting and/or external professional employment must be submitted using the [System Faculty Consulting and/or External Professional Employment Application and Approval Form](#). It is the faculty member's responsibility to submit the request in a timely manner and to ensure it has been approved before consulting or leaving the workplace to consult.
- 3.2 Required signatures include those of the faculty employee, Department Head/Chair, Dean of the College, the Provost and Vice President for Academic Affairs, and the President/CEO.
- 3.3 If the faculty member proposes to engage in faculty consulting and/or external professional employment with a foreign entity, the export controls empowered official will review prior to submission to the President/CEO or designee. When the faculty member submits the proposed engagement to the export controls empowered official, a copy of the faculty member's application and supporting documentation will also be provided to the System Research and Security Office.
- 3.4 Approval of each faculty consulting and/or external professional employment engagement will be for no more than one year in duration; approvals expire at the end of August each year. An approval form must be submitted and approved on a yearly basis, even if the external employment received prior approval.
- 3.5 The request for approval applies only to that portion of a faculty member's time for which he/she is employed by the university, and is therefore not required for faculty members when not on the payroll, such as external summer employment for 9-month faculty members.
- 3.6 Faculty shall furnish, upon request, additional details regarding employment, including copies of any written agreements or contracts.

- 3.7 No release time is granted for external consulting or external professional employment activities unless prior approval is obtained.
- 3.8 For the purposes of this rule, the following activities are not considered as external professional employment: book reviews, journal articles, books, textbooks, textbook instructor's manuals, study guides and other textbook materials, edited volume royalties, occasional honoraria for professional lectures, presentations at conferences and other related meetings, 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, occasional payments for review and assessment of proposals for awards or fellowships and stipends granted to scholar by non-governmental organizations (NGOs), governmental organizations, and community outreach. If in doubt, faculty are encouraged to gain approval before signing any contract. Such activities are subject to all applicable policies, regulations, and rules, including but not limited to [System Policy 07.04, *Benefits, Gifts and Honoraria*](#).
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Definitions

Faculty consulting and/or external professional employment – any work, advice or service related to a faculty’s field of discipline for which a system faculty member receives compensation, services, goods, or any other item of value. The term includes, but is not limited to, any fee-for-service or equivalent relationship with a third party, employment by an individual, self-employment, or employment by an entity in which the faculty member is a principal owner. In addition, the provision of certain types of scholarly or research expertise to foreign entities without compensation constitutes “faculty consulting and/or external professional employment” for purposes of this regulation. These types include, but are not limited to, participation in scholarly or scientific research projects or publications required to be disclosed to any agency of the U.S. government, as well as communication of any information subject to export control, publication restriction or confidentiality agreement.

Release time – administratively approved time that a faculty member may spend away from the faculty member’s normal work duties for the purpose of engaging in faculty consulting and/or external professional employment.

Related Statutes, Policies, or Requirements

[Texas Government Code §572.051](#)

[System Policy 07.01, *Ethics*](#)

[System Policy 07.03, *Conflicts of Interest, Dual Office Holding and Political Activities*](#)

[System Policy 07.04, *Benefits, Gifts and Honoraria*](#)

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

[System Regulation 31.05.01, *Faculty Consulting and/or External Professional Employment*](#)

[System Regulation 31.05.02, *External Employment*](#)

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

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

Appendix

[System Faculty Consulting and/or External Professional Employment Application and Approval Form](#)

Contact Office

Provost and Vice President for Academic Affairs
(903) 223-3004

System Approvals

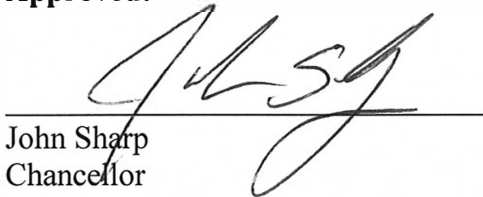
Approved for Legal Sufficiency:



Ray Bonilla
General Counsel

1/27/21
Date

Approved:



John Sharp
Chancellor

1/27/21
Date