

31.05.01.H1

Faculty Consulting and/or External Professional Employment



Approved:	August 2015
Revised:	March 2016
Reviewed:	March 2019
Revised:	January 2021
Revised:	March 6, 2024
Next Scheduled Review:	March 6, 2029

Rule Summary

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.

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](#), [System Policy 15.02, Export Control Program Management](#), and [System Regulation 15.05.04, High Risk Global Engagements and High Risk International Collaborations](#).

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.
- 1.4 No use of university resources is allowed for external consulting, professional employment activities, or outside teaching except as permitted by [System Policy 33.04, Use of System Resources](#), [System Regulation 33.04.01, Use of System Resources for External Employment](#), [University Rule 29.01.03.H0.02, Acceptable Use](#), and [University Procedure 29.01.03.H0.04, Email Use](#) .

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 to ensure compliance with [System Regulation 15.05.04 High Risk Global Engagements and High Risk International Collaborations](#). 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 the faculty member 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. However, any request for employment with a foreign entity is subject to export controls review as outlined in Section 3.3, regardless of the timing within a faculty member's status as a 9-month faculty member.
- 3.6 Faculty must 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](#).

4. REQUEST FOR OUTSIDE TEACHING

- 4.1 Full-time faculty may be approved to engage in outside teaching during an appointment period. Approval must be for no more than one course per semester at another institution with advance written permission.
- 4.2 Requests for approval of outside teaching must be submitted using the System Faculty Consulting and/or External Professional Employment Application and Approval Form, following the process outlined in sections 3.1-3.6 above.
- 4.3 Such outside teaching must not interfere with the faculty member's responsibilities on campus as determined by the faculty member's chair and college dean and must not be used as an excuse to reject an assigned course schedule, absence from individual class sessions, or lack of attention to departmental and institutional responsibilities for shared governance and service.
- 4.4 The faculty member bears responsibility for avoiding potential conflicts and discussing appropriate resolutions with the department chairperson and college dean.
- 4.5 All faculty must request approval for outside teaching assignments annually.

Definitions

Click to view [Definitions](#)

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 15.02, Export Control Program Management](#)

[System Policy 15.05.04, High Risk Global Engagements and High Risk International Collaborations](#)

[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](#)

[University Rule 15.05.04.H1, High Risk Global Engagements and International Collaborations](#)

[University Rule 29.01.03.H0.02, Acceptable Use](#)

[University Procedure 29.01.03.H0.04, Email Use](#)

Appendix


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

Contact Office

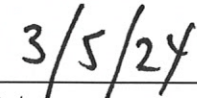
Provost and Vice President for Academic Affairs
(903) 223-3004

System Approvals*

Approved for Legal Sufficiency:

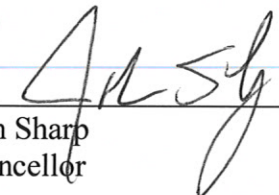


Ray Bonilla
General Counsel

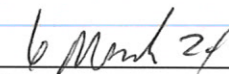


Date

Approved:



John Sharp
Chancellor



Date

***System approvals are contingent upon incorporation of any and all System-required changes in the rule's final posting.**