

Academic Affairs Manual (ACD)

ACD 510-01: Notification of Consulting or Other Outside Business Activities or Arrangements for Faculty and Academic Professionals

Effective: 11/1/1977

Revised: 7/1/2011

Purpose

To describe the policies and procedures applicable to faculty and academic professionals who engage in outside consulting or other business activities or arrangements

Sources

Arizona Board of Regents Policy Manual - 6-705

Office of the Provost of the University

Applicability

Faculty members

Academic professionals

Faculty members and academic professionals with administrative appointments

Policy

The Board of Regents recognizes the value to its personnel, to the university, and to the community of many types of outside consulting and other external business arrangements or activities in which members of the faculty, academic professionals, and administrative personnel may engage. Such activities enhance the professional competency of the individual and bring credit, not only to the employee, but to the university as well. Therefore, these activities, which may render valuable service to business, industry, professional groups, and local, state, and federal government, as well as providing an important ongoing link between the university and the surrounding community, are permitted in accordance with certain conditions.

Definition of Outside Consulting or other Business Arrangements or Activities

Services or work that a faculty member or academic professional (employee) agrees to provide to individuals, companies or entities that are not affiliated with the university. Compensation or funding for the services or work provided is not paid by ASU or with any ASU funds, including local, state, federal, or sponsored (federal and nonfederal) funding. The compensation, if any, is provided by the entity that negotiates with the employee for the services or work to be provided.

Distinction from Supplemental Pay

Supplemental pay is paid with university funds, including local, state, or sponsored funds. For the policy and rules on supplemental pay for faculty and academic professionals from state, local, or sponsored funds, see [ACD 510-02](#), “Supplemental Pay” and [ACD 510-04](#), “Intra-University Consulting.”

Conditions

1. Outside or dual employment or other forms of employee community interaction that, by the nature or degree of involvement required, in any substantial way interferes with the regular work of the employee will not be permitted.
2. Consulting or other outside business activity or arrangement must be directly related to the faculty member’s or academic professional’s competence in his or her area of expertise.
3. Prior written notification must be given by the faculty or academic professional to his or her department chair and dean on the [Notification of Consulting or other Remunerative Arrangement](#) form.
4. The activity must be fully consistent with all rules promulgated by the university and the Board of Regents.
5. Consulting or other types of agreements under which the faculty member assigns his or her rights to intellectual property created as a result of the consulting or outside business activity or arrangements may be opposed to ABOR Patent Policy No. 6-908 and will not be permitted without appropriate review by the Intellectual Property Committee with recommendations to the vice president for Knowledge Enterprise Development.

Notification of Consulting or Other Outside Business Activities or Arrangements

Each unit head is responsible for notifying his/her faculty of the consultation policy at the beginning of each semester. Faculty members and academic professionals must submit a [Notification of Consulting or other Remunerative Arrangement](#) form or other similar form approved by the dean of their college to their unit chair or director prior to beginning the activity. The unit chair or director will review all forms to assure that the work does not interfere with the university workload and for real, apparent, or potential conflicts of interest or commitment. The chair or director will either recommend approval or not and will forward notification forms to the dean for a final decision; a copy will be sent to the Office of the Provost of the University for the file of the faculty member or academic professional. A faculty member or academic professional must submit a new form for each consultation or business opportunity or as new facts create a potential or actual [conflict of interest or commitment](#). If a conflict of interest or commitment is perceived to exist, the individual will be notified.

Failure on the part of a faculty member or academic professional to submit this form prior to the beginning of each activity, or when subsequent events require a new submission, may result in disciplinary action.

Deans are authorized to establish more stringent policies concerning notification.

Limitations

Consulting or other outside business activities or arrangements shall not exceed 312 hours per academic year for those on academic year contracts or 384 hours per fiscal year for those on fiscal-year contracts. The number of hours counted for the consulting or other outside business activities or arrangements will be determined by agreement with the dean without reference to whether the faculty member or academic professional is to receive any compensation.

Tenured and tenure-eligible faculty or continuing status and probationary academic professionals employed in institutions in the Arizona University System may not be simultaneously employed in similar capacities in any other postsecondary institutions. This restriction does not preclude brief consulting or research efforts that are conducted in accord with the provisions above.

Exception

Any activity in which a faculty member or academic professional engages associated with his or her service responsibilities, such as reviewing grants, manuscripts, or academic programs, is not required to be submitted on the form associated with this policy.

Cross-References

See also:

1. [ACD 204-08](#), "Conflict of Interest"
 2. [ACD 510-02](#), "Supplemental Pay"
- and
3. [ACD 510-04](#), "Intra-University Consulting."