31.05.01.C1 Faculty Consulting, External Professional Employment, and Conflicts of Interest

Revised: October 3, 2023
Next Scheduled Review: October 3, 2028
Revision History

Rule Summary

Texas A&M University-Corpus Christi (TAMU-CC) encourages its faculty members to make their expertise available to business, industry, government, professional societies, and other appropriate entities. Such professional engagements serve to strengthen the individual employee, serve the public, and contribute to the improvement of education, leadership development, research, and service. This rule provides guidelines for full-time faculty members interested in consulting and external professional employment that is directly related to their academic and professional discipline. Outside employment that is not related to the faculty member's discipline is covered in university procedure *31.05.02.C0.01, External Employment*. TAMU-CC may authorize faculty consulting and/or external professional employment in accordance with this rule.

Rule

1. ETHICAL CONSIDERATIONS AND CONFLICTS OF INTEREST

   1.1. Faculty members engaged in external employment should be guided by the principles of ethical conduct described in system policy *07.01, Ethics*.

   1.2. Faculty members are responsible for the disclosure of any external employment, including external employment with another Texas A&M University System (system) entity.

   1.3. The Provost and Vice President for Academic Affairs (Provost), as a designee of the President, will ensure the external employment is not reasonably expected to create a potential conflict of interest or an interference with the faculty member's regular duties prior to approving the application.

   1.4. If a principle of ethical conduct, conflict of interest, or a conflict due to equity ownership and business participation of a faculty member is found, TAMU-CC may require that the faculty member take steps to minimize and/or eliminate

such conflict. Any employee who violates standards of conduct for state employees may be subject to appropriate disciplinary action, regardless of whether an application for external employment has been approved or not.

1.5. The faculty member is responsible for ensuring that the external entity is aware that the faculty member is serving in their private capacity and not as a representative of TAMU-CC.

2. USE OF UNIVERSITY RESOURCES

No use of university resources is allowed for external consulting or professional employment activities except as permitted by system policy *33.04, Use of System Resources*, system regulation *33.04.01, Use of System Resources for External Employment*, and university rule *29.01.99.C1, Security of Electronic Information Resources*.

3. REQUEST FOR PERMISSION FOR CONSULTING AND EXTERNAL PROFESSIONAL EMPLOYMENT

3.1. Full-time faculty members interested in consulting or external professional employment must complete the Faculty Consulting and External Professional Employment Application and Approval form and obtain the appropriate approvals prior to initiation of the external activity. Before completing the form, faculty members must complete the online TrainTraq course on external employment and faculty consulting/external professional employment, which will be assigned annually in August. Faculty members must have the form approved before beginning any external employment. The President has delegated final approval of external employment to the Provost. The Faculty Consulting and External Professional Employment Application and Approval form is available in the Appendix section of this rule and on the system's website.

3.2. For faculty members with joint appointments at TAMU-CC and one or more other system member agency or university, the Provost must approve or disapprove such requests in consultation with the CEO or designee of the other member agencies/universities.

3.3. No release time is granted for external consulting or external professional employment activities unless prior approval is obtained. Leave should 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 the appropriate supervisor(s) if these activities limit the performance of primary duties.

3.4. Approval of external employment on an ongoing basis will be for no more than

one (1) year in duration. Approvals expire at the end of August each fiscal year. External employment applications must be submitted and approved on an annual basis, even if the external employment received prior approval.

3.5. If the faculty member plans to engage with a foreign entity as part of the external employment, they must have their application reviewed by the Department of Risk and Compliance with a copy of the application and all supporting documentation going to the system Research Security Office in accordance with system regulation *31.05.01, Faculty Consulting and/or External Professional Employment*, system regulation *15.05.04, High Risk Global Engagements and High Risk International Collaborations*, and university rule *15.05.04.C1, High-Risk Global Engagements and International Collaborations*.

3.6. If approved, faculty members will receive a copy of the final approved external employment application.

3.7. As per system regulation *31.05.01, Faculty Consulting and/or External Professional Employment*, book reviews and journal articles are not considered to be external professional employment. In addition, for purpose of this rule, the following additional activities are not to be considered external professional employment: authoring books, textbooks, textbook instructor's manuals, study guides and other textbook peripherals; edited volume royalties; occasional honoraria for professional lectures and awards; stipends for journal editorship; occasional payments for review and assessment of proposals for awards or fellowships; payments from UIL contracts or fine arts performances; and stipends granted to scholars by domestic non-governmental organizations (NGOs), domestic governmental organizations, and/or Research Engagement. If in doubt, faculty members are encouraged to gain approval before signing any contract.

3.8. Faculty members who are required by professional associations or state licensure agencies to maintain a current practice in order to maintain their license and/or certification(s) will receive approval from TAMU-CC to maintain said practice(s). Such requirements are not deemed to be conflicts of interest.

Related Statutes, Policies, or Requirements

System Policy *07.01, Ethics*
System Policy *31.05, External Employment and Expert Witness*
System Policy *33.04, Use of System Resources*
System Regulation *15.05.04, High Risk Global Engagements and High Risk International*

Collaborations

System Regulation *31.05.01, Faculty Consulting and/or External Professional Employment*
System Regulation *31.05.02, External Employment*
System Regulation *33.04.01, Use of System Resources for External Employment*
System Regulation *33.99.07, Internal Faculty Consulting and Professional Services*
University Rule *15.05.04.C1, High-Risk Global Engagements and International Collaborations*
University Rule *29.01.99.C1, Security of Electronic Information Resources*
University Procedure *12.01.99.C0.03, Responsibilities of Faculty Members*
University Procedure *31.05.02.C0.01, External Employment*
University Procedure *32.01.01.C0.01, Complaint and Appeal Process for Faculty Members*

Appendix

System Faculty Consulting and External Professional Employment Application and Approval

Contact Office

Contact for interpretation and clarification:	Provost and Vice President for Academic Affairs 361.825.2722