

Eastern Connecticut State University

Procedures for Faculty Consulting & Research with Public or Private Entities

Permission

Prior to engaging in consulting or research activities, full-time and part-time AAUP faculty must complete and submit the "[Report of Research or Consulting with Outside Public or Private Entity Compliance Form](#)" posted at the Office of Human Resources web page. Submission of the form is required for compliance with Public Act 07-166 Section 1-84(r)(2) of the General Statutes & Board of Regents [Policy on Faculty Consulting and Research with Public or Private Entities](#). A FAQ sheet is attached to the Compliance Form. Forms must be submitted sufficiently in advance of the start of the consulting activity to allow for appropriate review. New forms must be completed and approved prior to making substantial changes to a previously approved activity.

Consulting or engaging in research for a public or private entity is defined as any additional professional activity performed by a faculty member that is:

- a. Beyond the assigned duties of the faculty member.
- b. Professional in nature,
- c. Based in the faculty member's discipline, and
- d. One for which the faculty member receives compensation

All consulting and research conducted for a public or private entity by faculty members must conform to the following conditions:

- a. Consulting and research activities must not interfere with the regular and punctual execution of the faculty member's normal duties;
- b. The University must be reimbursed at market rates for University owned facilities, equipment or materials used in the faculty member's consulting activities;
- c. Consulting and research activities must not create any conflict of interest with the University or violate State statutes related to conflicts of interest.

Information

Information provided on this form must include the following: The AAUP member's name, academic rank/title, department, description of consulting or research activity with enough detail so that the approver may determine whether such activities conflict with one's state responsibilities; dates of engagement to determine the total number of days expected to complete the consulting activity and to determine maximum total number of days during normal work time and disclosure of material use of state resources. Additional information regarding remuneration or other matters must be provided, if requested.

Signatories

The Compliance Form must be signed by the member's Academic Dean and reviewed and signed by the Provost. The Dean and Provost indicate whether or not the activity is "in compliance" or "not in compliance." For members employed by the Division of Athletics, the Athletic Director must sign in place of a Dean and forward to the Provost for review. For members employed by the Library, the Director of the Library must sign in place of a Dean and forward to the Provost for review. For members employed by the Counseling and Psychological Services Center, the Director of the Counseling and Psychological Services Center must sign in place of a Dean and forward to the Provost for review. The original of all signed forms are submitted to the Human Resources Department. Copies of the reviewed and approved forms will be sent to the faculty member, the academic dean, and placed in the faculty member's personnel file.

Reporting

Eastern shall provide biennial reports to the Office of the BOR President and the Director of Internal Audit on or before May 1 and November 1 of each year. In addition, the Director of Internal Audit for the Connecticut State Colleges and Universities shall audit each institution's compliance with the established internal procedures and this policy annually. Note that biennial reports will be sent even if no activity has been reported. At the start of each semester (Fall and Spring) the Provost shall distribute to all full and part-time faculty information as promulgated by the BOR's Policy on Faculty Consulting and Research with Public or Private Entities. Included in this communication will be reference to the BOR policy, the "Compliance Form for Reporting of Research or Consulting with Outside Public or Private Entity" and a list of Frequently Asked Questions – FAQs to assist faculty members in: understanding their responsibility under Connecticut General Statutes Section I-84(r)(2) and Board of Regents Policy; and providing faculty with requirements of the policy and when consulting and research activity should be reported.

In general, all full and part-time faculty members who are hired/contracted by a public or private entity to perform consulting or research activities during the Fall and Spring semesters must complete and submit the Compliance Form. Faculty must also submit a Compliance Form when consulting or research activity occurs mid-semester or changes from when submitted and approved at the start of the semester. Faculty are informed that pursuant to the 2011 Guide to the Code of Ethics for Public Officials and State Employees, state employees "may not utilize state time, materials or personnel in completing tasks for outside employment" and, as required by policy, Eastern must report faculty consulting and research activity to Office of the BOR President and the Director of Internal Audit. Submitted Compliance Forms are reviewed by the member's Academic Dean and the Provost for review, approval or disapproval. This internal review ensures the: 1. Disclosure, review, and management of conflicts of interest relating to any such agreement or project 2. Approval or disapproval of the Academic Dean and the Provost prior to any member entering into any such agreement or engaging in any such project

3. Referral of any failure to comply with the provisions of this policy or institution procedure to the applicable disciplinary process outlined in the Collective Bargaining Agreement.

Sanctions

Any member who intentionally provides misleading or false information during the course of the approval process will be subject to disciplinary process in accordance with such member's collective bargaining agreement or employment agreement. Such disciplinary action may include, but is not limited to: letter of reprimand; loss of the privilege to continue to engage in consulting activities; suspension; or, dismissal.

Compliance Review

The Provost follows the following steps to determine compliance:

- a. Reviews the Collective Bargaining Agreement between the Connecticut State University American Association of University Professors (CSU-AAUP) and the Board of Trustees (BOT) for Connecticut State University System (8/25/2007 – 8/25/2016), Article 10.12 and Article 10.14 for the assigned duties of the faculty member.
- b. Determines if request is professional in nature and does not interfere with the proper discharge of his or her employment with the university (scheduled classes, advising duties, office hours, and other institutional responsibilities);
- c. Verifies activity is based in the faculty member's discipline and faculty does not inappropriately use the institution's proprietary information in connection with said agreement;
- d. Determines if the faculty member receives compensation and there is no conflict of interest; and
- e. That the name of the entity, description of work and dates of engagement are clearly specified.

Record Retention: All information obtained as part of this policy and protocol shall be held in strictest confidence in the Office of Human Resources and at the System Office review level. Documentation shall be retained for the appropriate retention period for employment records promulgated by the State of Connecticut and by institution or System Office policies and procedures. Unauthorized disclosure of information or use for any party outside of stated reviewers or other approved and necessary reviewers will not be tolerated and may subject the discloser to disciplinary action.

Revisions

These procedures may be revised by mutual consent of the Provost & Vice President for Academic Affairs with notification to the Board of Regents.

Revised: 6/19/2015