

1-2013

## Faculty Consulting Policy

USM Faculty Senate

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**Responsible University Administrator:** Provost  
**Responsible Office:** Office of the Provost  
**Origination Date:** 1/8/13  
**Current Revision Date:** 1/8/13  
**Next Review Date:** 1/31/17  
**End of Policy Date:** N/A  
**Policy Number:** ACF-PRO-011-000  
**Status:** Pending

## **FACULTY CONSULTING POLICY**

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### **Policy Statement**

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Faculty members, including tenured, tenure track, clinical and visiting faculty, at the University of Southern Mississippi (USM) participate in a wide range of outside activities related to their scholarly interests. Such activities are beneficial in bringing new ideas into our classrooms and can further the University's mission of providing societal benefits at local, state, and national levels. At the same time, the University and its faculty have long recognized that persons holding academic appointments at USM should conduct outside professional pursuits in ways that respect their responsibilities to the University. Full-time faculty members are expected to recognize that their primary duties are to the University.

Both conflicts of interest and conflicts of commitment may arise out of consulting where a faculty member compromises his/her professional standards or allows an outside activity to interfere with his/her obligations to students, colleagues or the primary missions of the University. The limits set forth below are intended to strike a fair balance between consulting and the obligations of the faculty within the University and serve to safeguard the interests of both parties.

Though comprehensive, the policy cannot deal unambiguously with every instance of consulting. In cases of doubt, the primary guide should be the intention to promote the interests of the University as a place of teaching, research, and service.

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### **Reason for Policy/Purpose**

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The purpose of the policy on consulting is to define consulting and to state with both clarity and generality the limits on consulting and the reasons for those limits. Consulting can provide an important means of continuing professional development for the faculty and can provide them with currency and experience in aspects of their professional fields outside the context of the University itself. Consulting opportunities also make available to the state of Mississippi the expertise of University faculty members. Though such attributes of consulting may make faculty

better scholars and teachers and provide a service to the state, the nature of the consulting process has in it the potential for diversion of faculty from their primary activities and responsibilities. Therefore, the basic principle of this policy statement is that there needs to be a limit on the time that a faculty employee who is covered by this policy spends consulting.

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## **Who Needs to Know This Policy**

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All tenured, tenure-track, clinical, and visiting faculty of The University of Southern Mississippi.

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## **Website Address for this Policy**

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[www.usm.edu/institutional-policies/policy-\[TO BE ASSIGNED\]](http://www.usm.edu/institutional-policies/policy-[TO BE ASSIGNED])

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## **Definitions**

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faculty	all employees whose assignments are made for the purpose of conducting instruction, research, or public service as a principal activity (or activities), and any other tenured, tenure-track, clinical or visiting faculty.
University	The University of Southern Mississippi as an entity and acting through its authorized agents
consulting	professional activity related to the person's field or discipline, where a fee-for-service or equivalent relationship with a third party exists

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## **Policy/Procedures**

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### 1.0 CONSULTING ACTIVITIES

1.1 There are many types of consulting relations and fee arrangements, and the precise form entered into is not determinative. The principle is that, in consulting, a person agrees to use his or her professional capabilities to further the agenda of a third party in return for a significant immediate or prospective gain. Thus it does not matter whether the person is on the client's payroll, works as an independent contractor, or acts as a director or as a manager of a company engaged in activities related to the consultant's field or discipline.

1.2 Included under this definition are situations in which a faculty member is chosen to serve on a Board of Directors of a company, or in some equivalent position, because of that faculty member's affiliation with The University of Southern Mississippi and with a discipline that serves to enrich the company's advisory councils (example: a physicist serving on the board of a drug company in order to provide the perspectives of a physical scientist). All of these examples are considered to be consulting.

1.3 A faculty member holding a full-time academic appointment should not teach a course, or a substantial portion of a course, during the academic year at or for another institution or organization without the advance permission of the President. This policy should be followed regardless of whether the activity is conducted in person or through some form of electronic communication.

1.3 A faculty member holding a full-time academic appointment at the University should not, without permission of the President, engage in research or consulting at another institution or organization during the academic year.

## 2.0 NON-CONSULTING ACTIVITIES

Several types of faculty activity, other than regular University duty, are not "consulting." These are:

### **2.1 Publications**

Scholarly communications in the form of books, movies, television productions, art works, etc., though frequently earning financial profit for a faculty member and for another party (e.g., publisher), are not viewed as consultation. To attempt to distinguish between types of books, to assess the roles of book publication in different disciplines, or to challenge the historical relation between authorship and manuscript ownership, would be fraught with danger and confusion. These reservations apply equally to the other types of scholarly communication cited above.

### **2.2 Professional Service (professional affiliation)**

Under this rubric falls service on international or national commissions, on governmental agencies and boards, on granting agency peer-group review panels, on visiting committees or advisory groups to other universities, and on analogous bodies. The fundamental distinction between these activities and consulting is that they are public or University service. Although an honorarium or equivalent sometimes is forthcoming, these professional service activities are not undertaken for personal financial gain. Therefore, such service does not fall within the consulting category.

### **2.3 Other Activities**

Those periods not covered as consulting include holidays, annual leave, and periods of time when faculty are not under contract.

## 3.0 PERMISSIBLE CONSULTING DAYS

3.1 Consulting is permitted provided the faculty member's full-time obligation to the University is met. The maximum number of consulting days permissible for a faculty member is 39 days per academic year or 52 days per calendar year for 12-month appointees. This limit is based on a judgment about incentives and is aimed at furthering The University of Southern Mississippi's teaching, research, and service objectives.

3.2 A limited amount of "averaging" of consulting time is permissible if, on occasion, a faculty member plans to consult for more than one day per week but no more than 39 days in two academic semesters or 52 days per calendar year for twelve-month appointees. Thirty-nine days of consulting per academic year or 52 days for one calendar year of active duty is intended to be a liberal allocation, yet one that is fair to the University.

3.3 The responsibility for adhering to the limit on consulting days, and other aspects of the University's consulting policy, lies first with the individual faculty member. Faculty members should resolve any questions and/or ambiguities with their department chair or dean before the fact, so that the University community is not injured by their actions.

3.4 Faculty members have an obligation to report fully the level (i.e., number of days) of their consulting activities when asked to do so by the University so that it may be determined whether the principles set forth herein are being adhered to.

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## **Review**

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The Provost is responsible for the review of this policy every four years (or whenever circumstances require immediate review).

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## **Forms/Instructions**

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Faculty members who conduct consulting under this policy must receive approval from the University President using the form available on the Provost's web site.

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## **Appendices**

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N/A

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## **Related Information**

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Section 3.14 of the USM Faculty Handbook describes the authority for this policy as vested in the University President by the Board of Trustees and dictates that for internal employment, "In all cases, permission first must be obtained from the University President." and that, "The President may grant permission for external employment only after ascertaining that the employment will not interfere with the University duties of the person requesting permission."

Section 7.5 of the USM Faculty Handbook provides the guidelines on Ethics in External Consulting and should be reviewed before any request for permission to engage in external consulting is submitted.

Much of the material in this policy was taken directly from the Faculty Consulting Policy of the University of Mississippi with permission of their Provost. Some material follows the guidelines on faculty consulting of Harvard University.

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## **History**

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**Amendments:** Month, Day, Year – summary of changes

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## Authorization

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FACULTY CONSULTING POLICY  
ACF-PRO-011-000

RECOMMENDED BY:

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Provost

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Date

REVIEWED BY:

\_\_\_\_\_  
Director of Compliance

\_\_\_\_\_  
Date

\_\_\_\_\_  
Office of General Counsel

\_\_\_\_\_  
Date

APPROVED:

\_\_\_\_\_  
President

\_\_\_\_\_  
Date