

## Policy and Procedures for Extramural Activities

### Policy:

A central part of Auburn Montgomery's mission is to foster and support an environment conducive to teaching, research, scholarship, and collaboration with government agencies, our community, and other educational institutions. Accordingly, Auburn Montgomery recognizes its obligation to make available the services of the many highly trained specialists from within the University to business, industries, governments, professional societies, or other appropriate groups. Therefore, AUM encourages the involvement of its University members (faculty and professional staff) to engage in extramural activities.

The term "extramural activities" should be construed broadly to include activities whereby faculty and staff members are invited to use their specialized knowledge to provide advice or judgment about a problem, situation, or area of scholarship in an academic discipline. These activities are inclusive of professional practice outside of one's University obligations, teaching at an institution other than AUM, or activity that has the potential to conflict with University obligations. It may include the individual's commercial activities or the use of one's professional capabilities to benefit the individual or third party for a personal financial gain, whether one is on the payroll of the organization, working as an independent contractor, or serving as a director or manager. It may also include non-compensated extramural activities that extend and enhance a University member's teaching, research, and/or service obligations by serving public institutions, educational organizations, and professional societies.

Full time University members may be allowed to consult and/or be involved in appropriate continuing education and public service activities for extra compensation at a maximum of **one work day per week and cannot exceed 30 hours per month**. Extramural activity shall be encouraged or permitted providing:

- a) The required activity is not in direct competition with the individual or University, either personally or through a firm in which he/she has substantial interest.
- b) The activity complements the University's programs.
- c) The activity is approved in advance.
- d) The activity does not interfere with the effective discharge of the University members' responsibilities to the University.
  - These responsibilities for faculty include not only formal classroom and laboratory activities, but also such other duties as student counseling, committee work, preparation of scholarly publications, and continued professional development.

### Considerations:

The following joint American Association of University Professors and the American Council on Education policy statement "On Preventing Conflicts of Interest in Government-Sponsored Research at Universities" has been adopted as Auburn Montgomery's basic policy on conflicts of interest (AAUP Redbook, 1990, pp 83-85):

*The increasingly necessary and complex relationships among universities, government, and industry call for more intensive attention to standards of procedure and conduct in government-*

*sponsored research. The clarification and application of such standards must be designed to serve the purposes and needs of the projects and the public interest involved in them and to protect the integrity of the cooperating institutions as agencies of higher education.*

*The government and institutions of higher education, as the contracting parties, have an obligation to see that adequate standards and procedures are developed and applied; to inform one another of their respective requirements; and to ensure that all individuals participating in their respective behalves are informed of and apply the standards and procedures that are so developed.*

*Consulting relationships between university staff members and industry serve the interests of research and education in the university. Likewise, the transfer of technical knowledge and skill from the university to industry contributes to technological advance. Such relationships are desirable, but certain potential hazards should be recognized.*

Accordingly, the following guiding principles and procedures have been established to prevent conflicts of interests, conflicts of commitment, or unethical practices:

1. Conflict of Interest: A conflict of interest occurs when the University members are in a position to influence a decision on policy or purchases where they might directly or indirectly receive a financial benefit or give improper advantage to associates.
  - a. When a University member undertaking or engaging in government- sponsored work has a significant financial interest in, or a consulting arrangement with, a private business concern, it is important to avoid actual or apparent conflicts of interest between government-sponsored university research obligations and outside interests and other obligations. Situations in or from which conflicts of interest may arise are the:
    - i. Undertaking or orientation of the staff member's university research to serve the research or other needs of the private firm without disclosure of such undertaking or orientation to the University and to the sponsoring agency;
    - ii. Purchase of major equipment, instruments, materials, or other items for University research from the private firm in which the staff member has the interest without disclosure of such interest;
    - iii. Transmission to the private firm or other use for personal gain of government-sponsored work products, results, materials, records, or information that are not made generally available (this would not necessarily preclude appropriate licensing arrangements for inventions, or consulting on the basis of government-sponsored research results where there is significant additional work by the staff member independent of the government-sponsored research);
    - iv. Use for personal gain or other unauthorized use of privileged information acquired in connection with the staff member's government-sponsored activities (the term "privileged information" includes, but is not limited to, medical, personnel, or security records of individuals; anticipated material requirements or price actions; possible new sites for government operations; and knowledge of forthcoming

programs or of selection of contractors or subcontractors in advance of official announcements);

- v. Negotiation or influence upon the negotiation of contracts relating to the staff member's government-sponsored research between the University and private organizations with which the staff member has consulting or other significant relationships;
- vi. Acceptance of gratuities or special favors from private organizations with which the University does, or may conduct, business in connection with a government-sponsored research project, or extension of gratuities or special favors to employees of the sponsoring government agency, under circumstances which might reasonably be interpreted as an attempt to influence the recipients in the conduct of their duties.

2. Conflict of Commitment: A conflict of commitment occurs when the time devoted to extramural activities interferes with a faculty or staff's responsibilities to perform assigned duties, teach, conduct research, and to meet obligations to students, colleagues, and the University.
  - a. Extramural activities should not compromise an individual's ability to perform all the activities expected of him/her as the University employee.
  - b. Unless approved by the appropriate Dean or Director, a faculty member may not accept salaried employment at another educational or service providing institution while serving as a full time employee for Auburn Montgomery.
  - c. It is the responsibility of the Department Head and Dean or Director to exercise judicious control of consulting activities so that no University functions are neglected. It is the faculty or staff member's responsibility to ensure that work is performed or teaching is covered during the approved consulting period.
  - d. Faculty obligations move beyond simply meeting classes and include availability to students outside the classroom, carrying a reasonable share of committee responsibilities and remaining engaged in research and other scholarly pursuits.
  - e. University members must ensure complete accuracy when calculating the amount of intellectual effort that has actually been devoted to the research in question.
    - i. A system of precise time accounting is incompatible with the inherent character of the work of faculty members, since the various functions they perform are closely interrelated and do not conform to any meaningful division of a standard work week.
    - ii. If the research agreement contemplates that a University members will devote a certain fraction of effort to the government-sponsored research, or the University members agrees to assume responsibility in relation to such research, a demonstrable relationship between the indicated effort or responsibility and the actual extent of the University member's involvement is to be expected.

**Procedures:**

- A formal application, Form UPO-10 should be used for both faculty and professional staff and must be filed at least five working days in advance for permission to engage in extramural private consulting activities other than the traditional functions in professional, scholarly, or honor societies. The UPO-10 must be approved by the University member's Department Head and Dean or Director and the appropriate Vice Chancellor and Human Resources. Copies of approved applications shall be maintained in the department and in the individual's personnel file.
- Exceptions to this policy must be approved by the Provost/VC upon recommendation of the Department Head, Dean or Director. Consulting and internal activities for extra compensation will be counted against this maximum of one day per week; travel days must be counted as consulting time.
- This policy is not intended to limit consulting activities of faculty outside the normal work day, during vacation leave, or during the summer for nine-month employees not employed by the University for the summer semester.
- This policy is not intended to require professional staff to obtain permission for non-consulting jobs used for extra employment opportunities where their primary skills and responsibilities as utilized by Auburn Montgomery are not required and when the work is outside the normal work day.
- Auburn Montgomery will assume no responsibility for the competence of its faculty members with respect to the performance of extramural professional activities, except those carried out under the auspices of established programs operated by the University.
- In connection with extramural professional activities arranged outside established University programs, the name of Auburn Montgomery shall not be used for advertising or promotional purposes or in any report or statement that implies approval or endorsement by Auburn Montgomery.
- University members should not commit specialized University facilities and equipment or other resources to external consulting projects unless such use is specifically approved in writing in advance by the Department Head or other appropriate administrator. University members will be expected to reimburse the University for the use of specialized equipment and facilities as well as materials. Use of University computer facilities for consulting will also require prior written approval and will be reimbursed at the external user rate. Approval or reimbursement will not be required for the use of the library or office space for consulting activities.