



SOUTHERN UTAH UNIVERSITY
Policies and Procedures

Policy # 6.9.1
Date Approved: 06/03/94
Date Amended: 03/20/15
Reviewed w/no Changes:
Office of Responsibility: Prov
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**SUBJECT: FACULTY AND ACADEMIC ADMINISTRATOR CONSULTATION
AND EXTERNAL EMPLOYMENT**

I. PURPOSE:

To outline the University's policy on employment responsibilities and restrictions on outside remunerative employment activities (consultation)

II. REFERENCE:

Utah Public Officers' and Employees Ethics Act, Title 67 Chapter 16

Southern Utah Policy

- 6.27: Faculty Workload
- 6.28: Faculty Professional Responsibilities
- 6.9: Supplemental and Overload Compensation
- 5.7: Conflict of Interest

III. DEFINITIONS:

- A. Full time - An employment relationship, applicable to faculty and academic administrators with faculty rank, which requires a commitment of 100% of the individual's normal and expected working time and effort while under appointment. Full-time employment at SUU is generally inconsistent with the acceptance of any other regular employment that interferes with the discharge of the person's full time service obligations to the University.
- B. Funds administered by the University: Funds administered by the University include general funds, uniform school funds, mineral lease funds, grant and contract funds (SPARC), restricted and unrestricted funds, auxiliary funds, plant funds, SUUSA funds, development funds, and any other funds under the control of the University that are available for payment of compensation.
- C. Consultation agreement - An independent contractual agreement entered into by a University employee, acting outside the course and scope of employment and solely in a personal capacity, for the performance of consulting services.

IV. POLICY

- 1. All personnel of the University holding full-time positions shall give full service to the work of the University during scheduled work periods. Any non-university consultation or employment must not interfere with the discharge of the person's full time service obligations to the University or



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must not involve a conflict of interest prohibited by the Utah Public Officers' and Employees' Ethics Act, Utah Code 67-16-1 through 67-16-14. .

- a. Faculty members are encouraged to be professionally engaged with their respective areas of expertise.
 - b. In any case in which present or contemplated outside consulting or employment is believed to involve a question as to a potential conflict of interest, the concerned individual should seek advice from the administration and, where appropriate, from University counsel's office, by requesting an opinion through the Provost.
2. The University approves of public service activities that are compatible with full performance of University duties and consistent with University policies and procedures.
 3. Full time faculty members may accept employment for, and may perform, any teaching, instructional, or research services for other academic institutions during teaching semesters with the knowledge and written approval of the cognizant department chair, dean and provost. Compensated or uncompensated participation in an occasional short-term conference, seminar, or symposium or the delivery of a scholarly paper or public address at a professional meeting or academic gathering under the auspices of an academic institution, does not violate this policy.
 4. Full-time faculty members may maintain off-campus business or professional telephone listings in their own name, or establish off-campus offices for non-university related professional or business activities, after informing, in writing, department chair and dean or appropriate supervisor.
 5. Consultation and other services to persons, firms, institutions, and agencies outside the University may be carried on by faculty members as long as the performance of such service obligations do not interfere with the discharge of the person's full time service obligations to the University.
 - a. The individual engaged in consultation activities must arrange in advance, with the approval of the responsible department chair, director, or other line officer, for scheduling of classes or other work assignments missed as the result of consultation activities.



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- b. If approval has been given allowing a faculty member's office or laboratory to be used for consultation services, the faculty member shall not use University staff members, i.e., secretaries or student aids, as support personnel for his or her consultation activities.
6. University employees engaged in consultation services authorized by this policy must assume the following responsibilities to assure compliance with this policy and with applicable legal requirements.
 - a. The University employee must advise the person, firm, or agency for whom such consultation services are to be performed that (1) the employee, in his/her role as a consultant, is acting solely as an independent contractor, and not as an agent or employee, or under the sponsorship, auspices, or control of SUU, and (2) the University assumes no responsibility whatever, express or implied, for the actions or omissions of the employee in his/her role as a consultant.
 - b. The University employee must personally assure that the conditions and limitations upon external consulting activities, as specified in this policy, are fully satisfied, and must be prepared to document that fact if called upon to do so by a responsible University officer.
 - c. Before entering into a consultation contract, the University employee must personally determine that the contemplated consultation activities and arrangements will not involve a conflict of interest with the individual's duties to the University that may be in violation of the Public Officers' and Employees' Ethics Act, Utah Code 67-16-1 et. seq.
7. Teaching and other activities coordinated within the auspices of the University, including the School of Continuing Education and Professional Studies and other University approved programs and activities, are not considered outside activities. Members of the faculty who are able to render full employment services to the University, and at the same time serve the interests of the people of the state by service coordinated by e continuing education and other special programs and activities, are encouraged to do so, within the limits of SUU Policy 6.27 Faculty Workload.