

Policy Title:	Outside Activities and Related Compensation
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Policy Number:	IMP 4.000	Date Approved:	July 2016
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A. Description

The purpose of this policy is to defines employs rights and responsibilities to engage in outside activities in which they receive compensation

B. Definition(s)

None.

C. Policy Statement

A. State Board of Higher Education Policy on Outside Activities and Related Compensation

1. Employees may engage in outside consulting or other work so long as it does not substantially interfere with institutional obligations.
2. “Employees,” as used in this policy, means an employee hired under the authority of the Board.
3. Laboratory and other institutional facilities and resources, including support staff and stationery, shall not be used in outside work for which the employee received remuneration unless expressly authorized by the institution. Such authorization may be included in the institution policy or as part of the approval of an employee’s specific request.
4. Remuneration received in accordance with sections 4.011 and 4.015 from sources outside the university shall be considered official salary, honorarium or reimbursement of expenses for purposes of ORS 244.040. Receipt of such compensation does not have to be reported under subsections 4.015 B4 or B5 unless the outside work creates a potential conflict of interest as defined in ORS 244.020(8).

B. Institution Policy on Outside Activities and Related Compensation

The institution shall adopt policies and procedures to implement sections A and B. Such policies and procedures shall:

1. Include appropriate measures, such as one day per week, which define faculty time available for outside activities related to the faculty member's institutional responsibilities. Outside activities unrelated to institutional responsibilities and undertaken by faculty on personal time, regardless of whether compensated, are not subject to these institution policies. However, if the faculty member, while on personal time, engages in outside activities that create a potential conflict of interest, the faculty member must provide written disclosure thereof in accordance with subsections 4 and 5 below.
2. Identify the name(s) or title(s) of institutional administrator(s) assigned responsibility for reviewing and acting on requests to engage in outside activities related to the faculty member's institutional responsibilities as referenced in

subsection 1 above.

3. Identify and describe types of outside faculty activity related to faculty institutional responsibilities and associated funding sources which the institution approves as a class(es) and which will not require review and prior approval, such as health care faculty clinical activities, services as an expert witness and services other than those identified in subsections 4 through 6 below. If, however, the particular activity under the class creates a potential conflict of interest, the faculty member shall provide a written disclosure thereof to a designated supervisor in accordance with subsections 4 and 5 herein.

4. Require faculty to disclose to the named institutional administrator(s) in writing, and to receive prior approval on a case-by-case basis, to engage in outside activities involving any or all of the following:

- (a) Acceptance of compensation, or ownership of equity in the case of a private entity.
- (b) Service in a line management position or participation in day-to-day operations of a private or public entity.
- (c) Service in a key, continuing role in the scientific and technical activity of a private or public entity. Institutional case-by-case approval will not be required if the activity is included within the scope of an institution-defined class as established under subsection 3 above.

5. Require that the faculty member's written disclosure, as referenced in subsection 4 above, fully describe the:

- (a) Type of work or consulting to be provided to the named entity;
- (b) Nature of the relationship (e.g., employer/employee, entity/contractor or consultant);
- (c) Anticipated time commitment;
- (d) Expected benefits to the entity, faculty member and institution;
- (e) Use of institutional facilities and support personnel, if any, and method of reimbursing institution for both direct and indirect costs, if institution approves such use; and
- (f) Financial arrangements pertaining to funding sources of compensation, including equity ownership and other forms of economic value provided the faculty member or any immediate member of the faculty member's family.

6. Require the institutional administrator(s) to consider the following when reviewing written requests to engage in outside activities:

- (a) Written disclosures identified in subsection 5 above.
- (b) Contributions of the relationship to the faculty member's primary obligation to the institution and its support of the academic integrity of the institution as well as the faculty member's interdepartmental relationships.
- (c) Prospective non-financial benefits to the faculty member and institution.
- (d) Average time commitment over an academic term, such commitment not to exceed the limits established by the institution unless the institutional administrator(s) determines that the activity provides extraordinary benefit to both the institution and the participant as a faculty member. In cases where the time limits are to be exceeded, the faculty member shall disclose the amount of time in excess of the limits, and the institutional administrator(s) shall document in writing the rationale for approving the request to exceed the limits.
- (e) Assurances that the outside activity does not substantially interfere with the faculty member's instructional, research, and other related institutional responsibilities, including those to students. Special attention must be given to the intellectual property interests of students who may create and claim ownership to such property developed in the process of completing their academic programs.
- (f) Appropriateness of the use of institutional facilities and support personnel, if approved, including written documentation that the full cost thereof will be reimbursed to the institution.

7. Establish the type, nature and extent of the information required to be reported under subsections 2 through 6 above, which shall be made a part of a faculty member's confidential personnel record.

8. Provide a process whereby a faculty member dissatisfied with a decision of an authorized administrator may appeal that administrator's decision to another institutional authority. That authority shall be vested with power to make a final determination relative to authorization to engage in the outside activity.

9. Provide for the President to report to the Board by August 31 of each year any change in institutional policy on outside activities and evidence of procedures followed in monitoring faculty and family acceptance of compensation and equity for outside activities of the faculty member.

10. Specify appropriate sanctions against faculty who fail to comply with Board and institutional policies and procedures concerning outside activities and acceptance of related compensation and equity.

11. Be submitted to the Board for review and approval prior to adoption.

This policy may be revised at any time without notice. All revisions supersede prior policy and are effective immediately upon approval.

D. Relevant Authority

This policy was transferred to SOU by operation of law on July 1, 2015 from the State Board of Higher Education's set of policies known as the Internal Management Directives. Revisions to the text of the policy were posted for campus comment on June 21, 2016.

E. Other Information

None.

The Policy Contact, defined above, will write and maintain the procedures related to this policy and these procedures will be made available within the Custodial Office.