

31.05.01.K1 Faculty Consulting, External Professional Employment



Approved: September 27, 2016
Revised: September 20, 2019
Next Scheduled Review: September 20, 2024

Rule Statement

The primary responsibility of faculty members at Texas A&M University-Kingsville is the accomplishment of the duties and responsibilities assigned to their respective positions of appointment. Permission to engage in faculty consulting and external professional employment may be granted in accordance with the laws of the State of Texas, Texas A&M University System policies and regulations, and with this rule.

Reason for Rule

This rule is required by System Regulation *31.05.01, Faculty Consulting and External Professional Employment*. It establishes the parameters of the approval process for consulting and external professional employment activities for all faculty members employed by Texas A&M University-Kingsville.

Procedures and Responsibilities

1. GENERAL

- 1.1 This rule applies to consulting and external professional employment of faculty that is directly related to their academic and professional discipline and supplements System Regulation *31.05.01, Faculty Consulting and External Professional Employment*.
 - 1.1.1 Full-time faculty are required to obtain annual approval from the university president, or designee, of all new and continuing consulting and/or external professional employment prior to commencement of any consulting or external employment agreement, including those which may affect system and/or university intellectual property.
 - 1.1.2 Part-time faculty are required to obtain approval from the university president, or designee, of any consulting or external employment agreement that may affect system and/or university intellectual property.
- 1.2 Unrelated external employment is covered in System Regulation *31.05.02, External Employment*.

2. CONSULTING AND EXTERNAL PROFESSIONAL EMPLOYMENT

Consulting or external professional employment may be authorized provided that:

- 2.1 It does not interfere with proper performance of the regular duties of the faculty member. The duration of any single consulting or external professional employment engagement must be of a reasonable length of time, not to exceed one year.
- 2.2 No materials, supplies or equipment belonging to the university are to be used without compensation to the university as provided in System Regulation *33.04.01, Use of System Resources for External Employment*.
- 2.3 The faculty member is acting as an individual and not as an agent of the university.
- 2.4 The employment or consulting serves to strengthen the individual professionally and improve the educational status of the university.

3. APPROVAL OF CONSULTING AND EXTERNAL PROFESSIONAL EMPLOYMENT ACTIVITIES

- 3.1 It is the obligation of faculty to obtain annual approval from the CEO, or designee, of all new and continuing consulting and/or external professional employment prior to entering into any agreement including, specifically, engagements that may affect system or university intellectual property.
- 3.2 Approval of each faculty consulting and/or external professional employment engagement will be for no more than one year in duration; approvals expire at the end of August each year.
- 3.3 Request for approval of consulting or external professional employment must be submitted using the *System Faculty Consulting and External Professional Employment Application and Approval Form* 60 days in advance or, as soon as possible. The university president shall maintain a file for all approved faculty consulting and/or external professional employment requests for the fiscal year which shall be retained for the fiscal year plus three years.
- 3.4 Request for approval must certify the requested employment will not interfere with the performance of the faculty member's assigned duties and responsibilities and that the employment poses no conflict of interest with the system or the university.
- 3.5 Written approvals will be documented on the approval form by the department chair, college dean, provost and vice president for Academic Affairs (or designee), and the president (or designee). Release time, if any, can be granted on a semester-by-semester basis. Approval for consulting or external professional employment requiring no release time can be approved on an annual basis. Consulting or external professional employment exceeding 15 business days during any one fiscal year will require specific rationale and approval before the employment or consulting engagement begins.

3.6 The request for approval applies only to that portion of a faculty member's time for which he/she is employed by the university, and is therefore not required for faculty members when not on the payroll, such as external summer employment for 9-month faculty members.

3.7 Faculty members must furnish details on the outside employment as requested.

4. REPORTING OF CONSULTING AND EXTERNAL PROFESSIONAL EMPLOYMENT ACTIVITY

The Provost's Office will retain and prepare an annual report for review by the president on or before May 31 of each faculty members consulting and external professional employment activity.

Related Policies and Regulations

[System Policy 31.05, External Employment and Expert Witness](#)

[System Regulation 31.05.01, Faculty Consulting and External Professional Employment](#)

[System Regulation 31.05.02, External Employment](#)

[System Regulation 31.05.03, Witness in Judicial Actions or Legislative Proceedings](#)

[System Regulation 31.05.03, Witness in Judicial Actions or Legislative Proceedings](#)

[System Policy 33.04, Use of System Resources](#)

[System Regulation 33.04.01, Use of System Resources for External Employment](#)

[System Regulation 33.99.06, Administration of Multiple Employment](#)

Appendix

[System Faculty Consulting and External Professional Employment Application and Approval Form](#)

Contact Office

Office of Academic Affairs
(361) 593-3106