



**Connecticut State Colleges & Universities (CSCU)  
Western Connecticut State University (WCSU)  
Procedures for Faculty Consulting & Research with Public or Private Entities**

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## **Introduction**

The Board of Regents (BOR) revised the Faculty Consulting & Research w/ Public or Private Entities policy on 10/20/2016. This policy applies to full-time, as well as part-time AAUP members. Per the policy, WCSU shall establish operating procedures that shall ensure the following:

- The disclosure, review, and management of conflicts of interest relating to any such agreement or project;
- The approval of the chief academic office and dean of the institution prior to any such member entering into any such agreement or engaging in any such project; and
- The referral of any failure to comply with the provisions of this policy or institution procedures to the applicable disciplinary process outlined in the Collective Bargaining Agreement.

Faculty are expected to comply with the applicable provisions of the AAUP collective bargaining agreement, state statutes and regulations. Information provided will be reviewed to ensure that statutory ethical requirements are met and that no faculty member may engage in a consulting agreement or research project that:

- Inappropriately uses the institution's proprietary information in connection with such agreement or project.
- Interferes with the proper discharge of his or her employment with the university, including interfering with the regular and punctual execution of the faculty member's normal duties.
- Inappropriately uses such member's association with the institution in connection with such agreement or project.

With regard to the treatment of part-time faculty members, in accordance with the BOR policy, the Administrative Protocol Regarding Treatment of Part-Time Faculty Members was documented so part-time faculty members understand that they are not required to receive written permission to engage in consulting or research as required by the policy. However, if they prefer to obtain prior approval, they would follow the same process as full-time faculty.

All consulting and research done by faculty members must conform to the following conditions:

- a. Consulting activities must not interfere with the regular and punctual execution of the faculty member's normal duties;
- b. The University must be reimbursed at market rates for University owned facilities, equipment or materials used in the faculty member's consulting activities;
- c. Consulting activities must not create any conflict of interest with the University, or violate State statutes related to conflicts of interest.

## **1. Permission**

Prior to engaging in consulting activities, full-time AAUP members must complete and submit the "Faculty Consulting & Research with Public or Private Entities Compliance Form" as approved by the Provost and the Academic Dean at WCSU. For the purpose of this policy, faculty on a BOR approved sabbatical leave are considered to be full-time faculty. Such request must be submitted sufficiently in advance of the start of the consulting activity in order to allow for its appropriate review. Further, new forms must be completed and approved prior to making substantial changes to a previously



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approved activity. Consulting requests must be based on the faculty member's professional expertise or prominence in his/her field.

For the purposes of this policy, consulting shall be defined as the provision of services for compensation to a public or private entity by a member of the faculty or member of the faculty bargaining unit: (i) when the request to provide such service is based on such member's expertise in a field or prominence in such field, and (ii) while such member is not acting in the capacity of a state employee.

For the purposes of this policy, research shall be defined as a systematic investigation, including, but not limited to, research development, testing and evaluation, designed to develop or contribute to general knowledge in the applicable field of study.

WCSU recognizes that teaching, advising, scholarship and service are the primary responsibilities of all faculty; however, the University also recognizes that it is desirable for faculty to engage in outside activities that enhance the individual faculty member's professional skills and knowledge, and thus enhance his or her teaching efforts.

There is a set of purely academic activities that faculty members are normally expected and encouraged to undertake. Such activities would include, but are not limited to, reviewing books, articles and research proposals (i.e. federal grant study sections), presenting occasional lectures, speeches, and colloquia to non-profit entities, refereeing of manuscripts, creation of works of art, serving as a member of thesis committee, or case-review. The nature of such activities will vary from one discipline to another – but the underlying principle is that they are part of faculty member's expected academic professional development.

Prior to the beginning of the Fall & Spring semesters, the Human Resources department will distribute (via email) copies of this procedure, the applicable compliance form, policy, administrative protocol, as well as the frequently asked questions, to all full-time and part-time AAUP faculty members.

## **2. Information**

Information provided on this form must include the following: The AAUP member's name, academic rank/title, department, description of consulting or research activity with enough detail so that the approver may determine whether such activities conflict with one's state responsibilities; dates of engagement to determine the total number of days expected to complete the consulting activity and to determine maximum total number of days during normal work time and disclosure of material use of state resources. Additional information regarding remuneration or other matters must be provided, if requested.

It is understood at the time of a request form being considered for approval that all dates and times of the consulting activity might not be known. As these dates and times become known, the faculty member is expected to provide them to his/her Academic Dean. In all cases, these notifications should be at least one day in advance of any consulting work so that the Academic Dean can ensure that the faculty member's assigned job duties are fully addressed. Such notifications must be made in writing to the Academic Dean and emails are acceptable. The need for such prior notification of such dates and times only applies if such dates and times are during normal work time.



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### **3. Signatories**

The compliance form must be signed by the member's Academic Dean, who will determine whether or not to recommend the activity. If recommended, it will be forwarded to the Provost & Vice President for Academic Affairs (Provost). The Provost indicates whether or not the activity is "in compliance" or "not in compliance", as well as signing the form in order to grant the overall approval for the activity. For members employed by the Division of Athletics, the Athletic Director must sign in place of a Dean and forward to the Provost for review. For members employed by the Counseling Center, the Director of the Counseling Center must sign in place of a Dean and forward to the Provost for review. The original of all signed forms are submitted to the Human Resources department. Copies of the reviewed and approved forms will be sent to the faculty member, the academic dean, and placed in the faculty member's personnel file.

### **4. Winter Intersession & Summer Prior Approval Process**

Faculty members may participate in "academic related consulting activities" (as described below) during the winter intersession & summer without advance filing of a consulting request form. Eligible consulting activities are pre-approved.

Eligible full-time AAUP members are those who hold (10-month contracts). The consulting activity must occur in the winter intersession or summer and during this time, the faculty member must have no assigned, contractual or grant related job responsibilities for which they are paid by the University.

### **5. Reporting**

All institutions shall provide a report to the Office of the CSCU President of any such approved activities on or before May 1 and November 1 of each year. A report shall be submitted, even if no activity has been reported. The report will include the following information:

- Faculty Member's Name
- College Department/Discipline
- Name of Public/Private Entity
- Duration of Project (including begin & end dates)
- Brief Description of Consulting Duties or Research Project
- Decision regarding In Compliance/Not In Compliance

In addition, the Director of Internal Audit for the Connecticut State Colleges and Universities shall audit institution compliance with the established internal procedures and this policy annually.

### **6. Sanctions**

Any member who intentionally provides misleading or false information during the course of the approval process will be subject to disciplinary process in accordance with such member's collective bargaining agreement or employment



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agreement. Such disciplinary action may include, but is not limited to: letter of reprimand; loss of the privilege to continue to engage in consulting activities; suspension; or, dismissal.

## **7. Compliance Review**

The internal review of compliance forms ensures the following:

- The disclosure, review, and management of conflicts of interest relating to any such agreement or project.
- The approval of the chief academic office and dean of the institution prior to any such member entering into any such agreement or engaging in any such project.
- The referral of any failure to comply with the provisions of this policy or institution procedures to the applicable disciplinary process outlined in the Collective Bargaining Agreement.
- Reviews the current Collective Bargaining Agreement between the Connecticut State University American Association of University Professors (CSU-AAUP) and the Board of Regents (BOR), Article 10.12 and Article 10.14 for the assigned duties of the faculty member.
- Determines if request is professional in nature and does not interfere with the proper discharge of his or her employment with the university (scheduled classes, advising duties, office hours, and other instructional responsibilities).
- Verifies activity is based in the faculty member's discipline and faculty does not inappropriately use the institution's proprietary information in connection with said agreement.
- Determines if the faculty member receives compensation and there is no conflict of interest.
- That the name of the entity, description of work and dates of engagement are clearly specified.

## **8. Revisions**

These procedures may be revised by mutual consent of the Provost & Vice President for Academic Affairs with notification to the Board of Regents.

## **9. Record Retention**

All information obtained as part of this policy and protocol shall be held in the strictest of confidence in the Human Resources department and at the CSCU System Office review level. Documentation shall be retained for the appropriate retention period for employment records promulgated by the State of Connecticut, WCSU, or CSCU System Office policies and procedures. Unauthorized disclosure of information or use for any party outside of stated reviewers or other approved and necessary reviewers will not be tolerated and may subject the discloser to disciplinary action.

**Effective Date:** 8/25/2014

**Revision Date:** 8/28/2017