

Policy on Faculty Outside Employment and Additional University Services

This revision replaces the previous policy on P. 43-44 of the Faculty Handbook.

I. The University of Dayton recognizes that:

A. Full-time faculty members shall devote their full-time effort and attention to their teaching, advising, research/scholarship, service and related activities at the University of Dayton.

B. There is opportunity for significant professional and instructional enrichment flowing from the experience and contacts acquired through activities off campus. Furthermore, these off-campus experiences and contacts may draw to the University very capable students, substantial gifts and endowments, grants and research contracts, and special facilities necessary for University programs.

C. Outside employment and additional services may be necessary for some faculty to demonstrate proof of contemporary expertise, e.g., for the purposes of licensure, certification and/or program accreditation.

D. There is greater opportunity for recruiting and retaining more highly qualified faculty members because of the possibility of combining teaching with research, consultation, or other activities.

E. Even though the University may not be directly involved, the reputation of the University can be affected positively or negatively by a faculty member's involvement in outside employment.

F. Faculty are entitled to academic freedom as set forth in the "1940 Statement of Principles on Academic Freedom and Tenure formulated by the Association of American Colleges and the American Association of University Professors." (See Faculty Handbook, Section IV University Regulations on Academic Freedom)

G. Faculty members should be aware of the potential for a conflict of commitment and a conflict of interest when considering such activities.

1. A "conflict of commitment" exists when the external activities of a faculty member are so substantial or demanding of the faculty member's time and attention as to interfere with the individual's responsibilities to the unit to which the individual is assigned, to students, or to the University.

2. A "conflict of interest" exists where a faculty member's professional or personal interests may directly or indirectly affect, or have the appearance of affecting his or her professional judgment in exercising any University duty or responsibility. See University Human Resources Policies and Procedures Handbook for the Conflict of Interest Policy and the Conflict of Interest Policy for Sponsored Research.

II. The following provisions cover full-time tenured, tenure-track and non-tenure track faculty and instructional staff:

A. Outside employment should, when relevant, promote the professional growth of the faculty member, though a faculty member may also engage in outside employment for personal reasons.

B. A full time faculty member may not engage in any outside employment which creates a conflict of interest or conflict of commitment on the part of that faculty member.

C. Full-time faculty may not perform teaching, research, consulting and other activity on a regular basis for other institutions of higher education or other entities which compete with the University without prior written approval by the Chair, the Dean and the Provost. Traditional academic responsibilities such as preparing papers, speeches, evaluations, articles, scripts, musical scores, books and graphic works for publication, performance, oral presentation, peer review, or for display, for which royalties, honoraria, or the like are received, are not considered to be the performance of teaching, research, consulting or other services for institutions of higher education or other entities which compete with the University.

D. The University, through many of its units, has contractual relationships with outside organizations. Full-time faculty may not perform teaching, research, consulting or other services on a regular basis for organizations that compete with parties that have contractual relationships with the University, if such teaching, research, consulting or other services would cause the University to be in violation of contractual obligations or applicable statutes or regulations.

E. Time spent on such outside employment must be in addition to, rather than a part of, the normal full-time effort of faculty for the University. It should not take time necessary for the proper and efficient performance of the member's duties for the University, whether those duties are definite or implied, regularly scheduled, or performed when convenient. The faculty member's absence from the University should not cause the member's colleagues to carry some of the member's duties (e.g., teaching, research, committee work or student advising). In general, to avoid a conflict of commitment the time spent on these outside commitments should not exceed an average of eight hours per week during the faculty member's contractual period. Depending on the facts and circumstances of each individual case, a greater commitment of time may raise no concerns of a conflict of commitment while a lesser commitment of time may raise significant concerns.

F. Outside employment may not compromise the reputation of the University.

G. Under normal circumstances, outside activities for which a person receives compensation should not involve use of University facilities, clerical support, or other resources. In cases where a faculty would like to use university resources such as space or equipment, prior written approval must be granted by the appropriate Chair, Dean and the Provost. The Chair, Dean and Provost will consider all affected parties and evaluate any potential liability, and consult with appropriate university personnel before the use is authorized. In no cases should this activity limit access for UD students or operations, and in most cases, adequate compensation should be paid for their use. The university reserves the right to deny this use at any point without regard to any prior approvals.

H. Outside employment is a private endeavor and the distinction from the University must be clear. For example, University letterhead, computer resources, or other University identification are not to be used by a faculty member in outside employment.

I. The name of the University is not to be used in publicity or promotion of a product without the expressed written authorization of the Provost.

J. Notwithstanding II (H) and (I), a faculty member may, when relevant, indicate his or her affiliation with the University of Dayton so long as the indication is made for purposes of identification only, and the indication does not state or imply any sponsorship or endorsement of the activity by the University.

K. Additional University Services: The University encourages faculty to work cooperatively across units. Most often faculty under full-time contract to the University are not personally paid for services rendered in another department or unit of the University. Payment is usually made to the department which has given the faculty member release time to perform the service outside the member's own department. Whether payments are made to the department or the faculty member, arrangements for this additional compensation must always be approved by the appropriate Chair(s) and Dean(s).

III. Process for Faculty Who Wish to Pursue Outside Employment

A. An annual approval request for approval of all anticipated outside employment during contractual and non-contractual periods may be submitted in August and describe activities for a period up to, but not exceeding, 12 months. Subsequent requests for activities not covered by an August request may be submitted at any time during the year. If the faculty member wishes to continue the activity beyond the initial period, a new request for approval must be submitted.

B. Prior to committing to outside employment, a faculty member must provide a written description of the work to the direct supervisor (e.g., Chair). The faculty member should use the form "Request for Approval to Perform Outside Employment/Additional Services." (Appendix A <http://insert> link). The Chair will review the description and make a recommendation to the Dean, and share the recommendation with the faculty

member. The Dean will review the request and chair's recommendation and make a recommendation to the Provost. The Dean will share the recommendation with the faculty member. If the Provost determines that the proposed employment violates this policy, he or she may deny the request to pursue that employment. If the Provost denies the request, he or she will provide a written explanation for the denial to the faculty member. If the Provost does not approve or deny the request within a reasonable time, the faculty member may pursue the employment.

C. Notwithstanding any failure to deny a faculty member's request for outside employment, the University reserves the right to deny the faculty member such employment at any time it determines that the employment violates this policy.

Appendix A

Name: _____ Department: _____

FACULTY ANNUAL REQUEST FOR OUTSIDE EMPLOYMENT

ACADEMIC YEAR 20_____

I request permission to accept the following outside employment while on the faculty of The University of Dayton. This request is made in accordance with the Policy on Faculty Outside Employment and Additional University Services.

1. Employing or contracting organization/entity

2. Nature of duties to be performed:

3. Period of outside employment (cannot extend beyond 12 months):

4. Average number of hours per week, per month or other fixed time period required for each activity

5. Total average number of hours per week, per month or other fixed time period of approved outside employment for this academic year, including that requested on this form:

I hereby certify that the outside employment activity reported does not constitute a conflict of interest and will not interfere with my regular employment at the University of Dayton.

Faculty signature

Date

APPROVALS:

Department Chair/Unit Head

Date

Dean

Date

Provost

Date