

31.05.01.W1/AA Faculty Consulting and/or External Professional Employment



Approved November 19, 2001
Revised February 1, 2016
Revised September 3, 2020
Next Scheduled Review: September 3, 2025
Supplements System Policy 31.05 and System Regulation 31.05.01

Rule Summary

This rule applies to consulting and external professional employment by faculty members of West Texas A&M University directly related to their academic and professional discipline. For unrelated external faculty employment, see *System Regulation 31.05.02, External Employment*.

West Texas A&M University having faculty positions of employment may authorize faculty consulting and/or external professional employment in accordance with this rule.

Procedures and Responsibilities

1. It is the obligation of faculty to obtain annual approval of all new and continuing consulting and/or external professional employment prior to entering into any agreement including, specifically, engagements that may affect system intellectual property.
2. A request for approval of external professional employment must be made to the WTAMU Executive Vice President/Provost (EVPP) using the [System Faculty Consulting and/or External Professional Employment Application and Approval Form](#). The President shall maintain all approved faculty consulting and/or external professional employment requests for the fiscal year which shall be retained for the term designated in the state record retention schedule. 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 fiscal year.
 - (a) In reviewing for approval a proposed faculty consulting and/or external professional employment engagement, the EVPP will ensure that the faculty consulting and/or external professional employment is not reasonably expected to create a conflict of interest or present a conflict of commitment; that is, interfere with the regular work of the employee.
 - (b) If a faculty member proposes to engage in faculty consulting and/or external professional employment with a foreign entity, the member will submit the proposed engagement for review to the member's export controls empowered official prior to submission to the EVPP. When the member submits the faculty member's proposed engagement to the member export controls empowered official, a copy of the faculty member's application and approval form and supporting documentation will also be provided to the system Research Security Office.

3. Use of West Texas A&M University property, as governed by *System Regulation 33.04.01, Use of System Resources for External Employment*, is not permitted for external consulting or professional employment activities, unless in accordance with and as provided in section 1.1 of Regulation 33.04.01.
 4. No release time is granted for external consulting or professional employment activities unless prior approval is obtained. Annual leave should be taken if the faculty member accrues annual leave and the activity occurs during normal business hours. Activity outside normal business hours may be limited by appropriate supervisors if these activities are limiting performance of primary duties.
 5. Ten workdays per semester may be allowed for work on outside activities, if appropriate signatures for approval are attained prior to external employment.
 6. Teaching at another institution is not acceptable and constitutes a conflict of interest.
 7. Requests for internal faculty consulting shall be governed by *System Regulation 33.99.07, Internal Faculty Consulting and Professional Services*.
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Related Statutes, Policies, or Requirements

[System Policy 31.05, External Employment and Expert Witness](#)
[System Regulation 31.05.01, Faculty Consulting and/or External Professional Employment](#)
[System Regulation 31.05.02, External Employment](#)
[System Policy 33.04, Use of System Resources](#)
[System Regulation 33.04.01, Use of System Resources for External Employment](#)
[System Regulation 33.99.07, Internal Faculty Consulting and Professional Services](#)

Definitions

Faculty consulting and/or external professional employment – any work, advice or service related to a faculty’s field of discipline for which a system faculty member receives compensation, services, goods, or any other item of value. The term includes, but is not limited to, any fee-for-service or equivalent relationship with a third party, employment by an individual, self-employment, or employment by an entity in which the faculty member is a principal owner. In addition, the provision of certain types of scholarly or research expertise to foreign entities without compensation constitutes “faculty consulting and/or external professional employment” for purposes of this regulation. These types include, but are not limited to, participation in scholarly or scientific research projects or publications required to be disclosed to any agency of the U.S. government, as well as communication of any information subject to export control, publication restriction or confidentiality agreement.


Release time – administratively approved time that a faculty member may spend away from his or her normal work duties for the purpose of engaging in consulting and/or external professional employment.

Contact Office

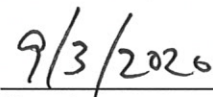
Executive Vice President/Provost
806-651-2044

System Approvals*

Approved for Legal Sufficiency:

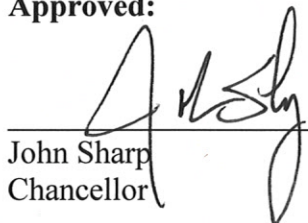


Ray Bonilla
General Counsel

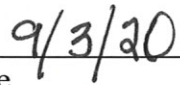


Date

Approved:



John Sharp
Chancellor



Date

***System approvals are contingent upon incorporation of any and all System-required changes in the rule's final posting.**