

NUMBER: ACAF 1.50
SECTION: Academic Affairs
SUBJECT: Outside Professional Activities for Faculty
DATE: February 1, 1995
REVISED: November 10, 2016
Policy for: All Campuses
Procedure for: All Campuses
Authorized by: Executive Vice President for Academic Affairs and Provost and Vice
President for System Planning
Issued by: Office of the Provost

I. Policy

The faculty of the University will seek prior administrative approval for outside professional activities and will report these activities annually.

A. Preamble

The University recognizes its responsibility to provide leadership and share expertise and knowledge with the private sector, government and society in general. It encourages research, teaching, consulting, and service activities by the faculty that are designed to enhance the participant's competence; contribute to and more widely disseminate the store of human knowledge; promote effective and efficient use of society's resources; and help society define ethical standards. In providing a comprehensive range of academic programs and services, the University recognizes research as an indispensable component of undergraduate and graduate education.

As an important part of its research, education, and public service missions, the University actively participates in, and encourages, faculty interactions with the private sector and government. Agreements between the University and these entities provide a valuable source of funds, equipment, consulting arrangements, and other contacts among faculty, government and private entities advancing the University's ability to provide high quality educational experiences, quality services, and enhanced employment opportunities for students. The University considers activities such as licensing by the University, consulting services by faculty, and assistance by faculty in various forms of technology and skills transfer, to be critical in meeting society's needs.

Areas in which either the mission of the University or the professional and ethical conduct of its faculty might be compromised may be divided into two broad categories:

1. The first regards conventional conflicts of interest situations in which individuals may have the opportunity to influence the University's activities in ways that

could lead to inappropriate personal gain or give improper advantage to their associates.

2. The second regards conflicts of commitment situations in which an individual's external professional activities, often valuable in themselves, interfere with the individual's paramount obligations to students, colleagues, and the University in performance of his/her teaching, scholarship, research and/or creative activities, and service.

Faculty, researchers, and scholars are given various degrees of freedom in scheduling their activities with the understanding that their external professional activities will enhance the quality of their direct contributions to the University and its mission. Outside professional activities are allowed and encouraged so long as they do not conflict with the expected performance of duties and obligations to the University.

The University and its faculty have a joint obligation to see that fair and reasonable standards and procedures covering outside professional activities are developed, disseminated and implemented.

Faculty applying for, or participating in, governmental grants or contracts must adhere to and comply with the specific governmental conflict of interest or commitment regulations in addition to those specified in this document.

B. Definitions:

1. Faculty includes all administrators holding academic appointments and all professors, associate professors, assistant professors, full-time academic instructors and full-time lecturers who are not degree candidates at the University of South Carolina. The definition includes faculty holding clinical, research, and professor of practice appointments as well.
2. University means the University of South Carolina campuses at Columbia, Aiken, Beaufort, Upstate, Lancaster, Salkehatchie, Sumter and Union as an entity and acting through its authorized agents.
3. Local Unit means any part of the University (e.g., school, colleges, department, division, campus) having its own separate promotion and tenure policy.
4. Supervisory Unit means an organizational unit that includes one or more local units (e.g., colleges).
5. Immediate Family means an individual's spouse, children, parents, and/or other members of the individual's household.
6. Financial Interest means any monetary interest which could be construed as having a potential impact on University-related work.
7. University Committee means the University Committee on Conflict of Interest.

C. Developing and Implementing Local Unit Procedures

Each local academic unit will develop and follow its own policy statements on conflicts of interest and conflicts of commitment, within the general guidelines of University policy.

1. Each local unit is to develop and follow a policy on outside professional activities. Either a standing committee within the unit or an outside professional activities committee specially appointed by the unit head may complete the original drafting.
2. Once the local unit faculty approves the proposed policy., it shall be forwarded to the unit head for review. Once the unit head approves the proposed policy., it shall be forwarded through appropriate channels to the University Committee which shall recommend approval or disapproval to: a) the provost for the Columbia and Regional campuses; or b) the respective chancellor of the Senior campuses.
3. Should the provost or chancellor withhold his/her approval of the proposed policy for any reason, the draft policy shall be referred to the University Committee which shall arbitrate points of difference between the local unit and the provost or chancellor.
4. Local units should submit their respective proposed policy on outside professional activities, to the provost or chancellor, as applicable, no later than one semester following the adoption of this process by the unit. Following the provost's or chancellor's approval, or resolution of differences via the arbitration process, the particular policy shall become effective at the beginning of the next academic year.
5. The provost or chancellor, as applicable, will maintain current approved copies of all local units' policies.

D. Unit Policy Guidelines

The following guidelines are to be used in developing unit outside professional activities policies regarding conflicts of interest and conflicts of commitment. Outside professional activities to be reported should not normally include, for example, colloquia, authoring and editing of textbooks, paintings, and performances, but special attention should be given to compensated services, private practice or for-profit activities. Each unit should

specify activities which should be reported.

1. Compensated services: Local unit policies should address disclosure procedures covering the following areas for review for potential conflict of interest or commitment:
 - contract with any private sector entity (individual, business, or corporation), ownership of or equity holding in a business or corporation, management or board position in a business or corporation,
 - participation in a contract or proposal through an entity other than the University,
 - participation in a service or teaching contract with another college or university, and,
 - academic remuneration noted as fees and honoraria.

Faculty applying for or participating in governmental and private sector grants or contracts must adhere to University policy RSCH 1.06 Disclosure of Financial Interest and Management of Conflicts Interests Related to Sponsored Projects.

2. Additional Circumstances: In addition to the aforementioned instances, the local unit, by virtue of its discipline, etc., may have unique circumstances which require faculty disclosure.
3. Unpaid consulting/*pro bono* service: The University encourages *pro bono* work for reasonable time periods and without substantial allocation of University resources, as a normal and desirable activity for faculty. Reporting *pro bono* work allows the University to properly recognize such work which benefits the University, but which currently may not be reported formally.

E. Reporting

1. On an annual basis, each full-time faculty member will report his/her outside professional activities to the reviewing unit head. Such reports shall be submitted through the University's central reporting system.
(http://www.sc.edu/about/offices_and_divisions/provost/faculty/outside-professional-activities.php)
2. The institutional reporting requirements shall be consistent with applicable regulatory and policy requirements. Reports should include, but not limited to, the following.
 - type of activity and name of outside entity,
 - whether the activity is compensated,

- duration/time requirements,
- whether a potential conflict of interest or commitment exists and, if so, an explanation,
- whether the activity involves the use of University facilities, resources or personnel, including students, staff, or fellow faculty, or other commitments, and if so, whether appropriate policies and procedures have been followed.

When the faculty member has a supervisory or teaching role with respect to the students, in addition to involvement with them in an outside professional activity or activities, the potential exists for the appearance of a conflict of interest. Faculty, staff and students working together in outside professional activities must be particularly sensitive to the potential for conflict of interest and, therefore, the faculty member should record any joint activities of this nature.

3. The extent of any reporting requirement for part-time or adjunct faculty is a matter to be dealt with at the local unit level.
4. Reports prepared by individual faculty pursuant to this policy constitute information of a personal nature and shall be treated as confidential.
5. Any material increase in outside professional activity status should be reported immediately.

F. Reporting Procedures

Once a local unit policy is developed and approved, reporting will begin within that unit on an annual basis.

1. An individual faculty member will comply with the local unit's set policy, and will report directly to the local unit head through established reporting mechanisms.
2. The head of the supervisory unit will review local unit reports and respond accordingly. Any appearance of conflict of interest or commitment must be reviewed fully by the head of the supervisory unit, including actions taken by the local unit head. Should a case arise of a perceived "appearance of impropriety," the local unit head will advise, in writing, the appropriate supervisor to prohibit the faculty member from engaging in the activity, or to modify the proposed activity of the faculty member. A record will be kept of all steps taken leading to the resolution of the issue. The head of the supervisory unit will advise the provost or chancellor, as applicable, of the nature of the problem, the steps taken

in dealing with it, and further suggest any changes in the local unit code which may assist in preventing any recurrence. Any changes in the local unit code must be approved through the appropriate administrative channels by the University Committee who will make recommendations to provost or chancellor, as appropriate.

Additionally, in cases where it is believed that a conflict of interest exists, please consult University Policy BTRU 1.18 Conflict of Interest. In cases involving an external grant or contract, the Office of Research Compliance should also be notified.

3. The head of the supervisory unit will report annually to the provost or chancellor, indicating school or division compliance with approved policies, noting instances deserving review and actions taken.
4. The provost or chancellor will review local unit summary reports and will investigate any instances deserving review, as well as actions taken by local and supervisory unit heads. If warranted, the provost or chancellor will take appropriate action which may include consultation with the University Committee.
5. If a faculty member disagrees with his/her supervisor's assessment of whether a given activity constitutes an "appearance of impropriety," the faculty member may appeal the supervisor's decision through appropriate administrative channels to the provost for the Columbia and Regional Campuses or to the respective chancellor for the Senior campuses. If, after review by the provost or chancellor, the faculty member continues to disagree with the assessment of the activity, he/she may appeal the decision to the University Committee. The University Committee will review the circumstances of the decision and make a recommendation to the provost or chancellor, as appropriate. If a faculty member disagrees with the decision of the provost or chancellor, he/she may appeal the decision through the faculty grievance procedures outlined in the appropriate *Faculty Manual*.

G. Policy Compliance

1. The University of South Carolina expects faculty to be conscientious in their adherence to the provisions and policies of the University and unit as well as any applicable state and federal regulations/policies concerning outside professional activities. The University further expects academic administrators to be vigilant in their oversight and enforcement of these policies.
2. Violations of this policy and procedures, including the failure to file timely disclosures; filing incomplete, erroneous, or inaccurate disclosures; or failure to comply with prescribed procedures for managing or resolving conflicts of interest, will be dealt with in accordance with applicable University policies and

procedures.

H. University Committee on Conflict of Interest

1. The provost will appoint a University Committee on Conflict of Interest. The voting membership of the committee shall be appointed in the following manner: the provost shall appoint a minimum of five members from the Columbia campus who hold faculty appointments and who represent a reasonable cross section of the academic disciplines that are involved in scholarly research. The Vice President for System Planning shall appoint a minimum of two members from the Comprehensive and Regional campuses. Voting members are appointed to serve staggered three year terms.

The University Committee also will have as permanent non-voting members: a representative from the University Legal Department; a representative from the Office of Research Compliance; a representative from the University's Division of Human Resources; and a representative from the Office of the Provost. The chair of the University Committee shall be appointed annually by the provost.

2. The University Committee shall:
 - a. Make recommendations to the Provost and Vice President for System Planning regarding local unit policies and reporting formats regarding conflict of interest and conflict of commitment.
 - b. Review appeals from faculty members regarding decisions made under the local unit policy and make recommendations to the appropriate University administrator.
 - c. In conformance with USC policy RSCH 1.06, review individual faculty disclosures related to outside financial interests to determine if a financial conflict of interest exists, including the level and scope of the conflict. Recommend to the University Reviewing Official actions necessary to ensure that any conflict is eliminated, reduced and/or managed.
 - d. Other matters deemed necessary by the University Committee for the proper implementation and functioning of the University policy on outside professional activities.

II. Related Policies

University Policy BTRU 1.18 Conflict of Interest

University Policy RSCH 1.06 Disclosure of Financial Interests and Management of Conflicts of Interest Related to Sponsored Projects (Research)

III. Reasons for Revision

Revised to streamline committee membership and reflect current committee responsibilities.