NSHE Scholarly and Professional Outside Compensated Services Report

July 2024

Prepared by the Department of Academic and Student Affairs

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Scholarly and Professional Outside Compensated Services Report

July 2024

The NSHE Scholarly and Professional Outside Compensated Services Report is prepared annually in accordance with Board policy (Title 4, Chapter 3, Section 9, Subsection 15 and Title 4, Chapter 11, Section 12, Subsection 14 for the Desert Research Institute):

Each NSHE institution shall publish an annual report regarding compensated outside professional or scholarly service completed by its full-time faculty (aggregate data) and approved by the institution in accordance with the provisions of this section. This report will verify that all potential conflicts of interest have been reviewed and approved in accordance with the provisions of this section. A summary of these reports will be sent to the Board of Regents annually.

This report summarizes such services performed by full-time faculty members across NSHE, as reported by the institutions. A copy of the full policy is available under Appendix A.

UNLV

NSHE Scholarly and Professional Outside Compensated Services Report

University of Nevada, Las Vegas

January 1 – December 31, 2023

Administrative Unit	SPOCS # of Faculty and Prostaff Requesting SPOCS	SPOCS Total # of Faculty and Prostaff	SPOCS % of Faculty and Prostaff Requesting SPOCS	SPOCS Requests Reviewed at a Higher Level than Supervisor	SPOCS Requests Approved with Management Plans	COI # Annual Disclosure Reports Submitted	COI % of Faculty and Prostaff Submitting Annual Disclosure	COI # with Management Plans
Academic Success Center	3	31	10%	0	0	31	100%	0
Athletics, Division of	22	142	15%	4	1	142	100%	0
Business Affairs, Division of	3	133	2%	3	0	133	100%	0
Business School, Lee	21	117	18%	14	0	117	100%	0
Dental Medicine, School of	12	72	17%	6	1	70	97%	1
Diversity Initiatives, Division of	0	7	0%	0	0	7	100%	0
Economic Development, Office of	2	19	11%	4	0	19	100%	0
Education, College of	32	158	20%	4	0	157	99%	0
Engineering, Howard R. Hughes College of	25	123	20%	11	0	118	96%	0
Executive Vice President and Provost, Office of the	17	216	8%	16	5	216	100%	0
Fine Arts, College of	57	162	35%	4	0	162	100%	0
Government and Community Engagement, Office of	1	4	25%	0	0	4	100%	0
Graduate College	1	12	8%	2	0	12	100%	0
Honors College	2	19	11%	2	0	19	100%	0
Hospitality William F. Harrah, College of	10	68	15%	8	0	68	100%	1
Information Technology, Office of	7	126	6%	7	1	126	100%	0
Integrated Health Sciences, School of	23	88	26%	4	0	88	100%	0
Integrated Marketing and Branding, Division of	0	29	0%	0	0	29	100%	0
Law, William S. Boyd School of	31	73	42%	24	0	71	97%	0
Liberal Arts, College of	60	235	26%	28	2	234	100%	2

Libraries, University	18	81	22%	9	0	81	100%	0
Medicine, Kirk Kerkorian School of	38	483	8%	18	0	473	99%	1
Nursing, School of	18	59	31%	8	6	59	100%	0
Philanthropy and Alumni Engagement, Division of	3	61	5%	3	0	61	100%	0
Police Services	1	8	13%	2	1	8	100%	0
President, Office of the	4	27	15%	61	0	26	96%	0
Public Health, School of	15	75	20%	13	0	75	100%	0
Research, Division of	8	68	12%	14	0	68	100%	0
Sciences, College of	26	246	11%	12	2	241	98%	1
Student Affairs, Division of	16	192	8%	12	0	192	100%	0
Urban Affairs, College of	28	101	28%	7	0	99	98%	0
Total	**505**	**3273**	**15%**	**300**	**19**	**3244**	**99%**	**6**

Administrative Unit	# of SPOCS Requests	Not Approved	Business	Academic Institution	Government	Other
Academic Success Center	3	0	2	0	0	1
Athletics, Division of	52	0	13	1	0	38
Business Affairs, Division of	3	0	1	1	0	1
Business School, Lee	29	0	11	25	0	3
Dental Medicine, School of	31	0	10	13	2	6
Diversity Initiatives, Division of	0	0	0	0	0	0
Economic Development, Office of	4	0	3	0	0	1
Education, College of	49	0	5	29	2	13
Engineering, Howard R. Hughes College of	56	1	4	46	5	0
Executive Vice President and Provost, Office of the	31	0	10	19	0	2
Fine Arts, College of	223	0	31	104	2	85
Government and Community Engagement, Office of	0	0	0	0	0	0
Graduate College	2	0	2	0	0	0
Honors College	8	0	0	8	0	0
Hospitality William F. Harrah, College of	32	0	22	10	0	0
Information Technology, Office of	12	0	9	1	0	2
Integrated Health Sciences, School of	45	0	10	20	12	3
Integrated Marketing and Branding, Division of	0	0	0	0	0	0
Law, William S. Boyd School of	88	0	24	50	9	5
Liberal Arts, College of	123	4	10	99	4	6
Libraries, University	34	0	1	26	1	6
Medicine, Kirk Kerkorian School of	71	0	19	42	2	8
Nursing, School of	33	0	8	8	2	15

Philanthropy and Alumni Engagement, Division of	11	0	0	10	0	1
Police Services	2	0	2	0	0	0
President, Office of the	64	0	2	60	1	1
Public Health, School of	50	20	2	20	4	4
Research, Division of	22	0	9	6	0	7
Sciences, College of	41	2	8	14	16	1
Student Affairs, Division of	40	1	17	17	0	5
Urban Affairs, College of	69	0	13	38	6	12
Total	**1229**	**28**	**248**	**657**	**69**	**227**

Definitions:

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Scholarly or Professional Outside Compensated Services (SPOCS) means any outside scholarly or professional service by a faculty or professional staff member within his/her subject matter field or for which he/she is compensated by an outside entity (e.g., consulting).

Administrative Unit – Universities: College or Vice President Office

Administrative Unit – DRI: Division

Administrative – Colleges: Vice President's Office reporting more than two SPOCS

Results of Required Disclosures for the Scholarly and Professional Outside Compensated Services (SPOCS) Report

2023

With the exception of pre-approved compensated outside activities, the employee's supervisor reviewed and approved requests for outside compensation. Both the employee and the employee's supervisor received an electronic copy of their completed 2023 annual disclosure.

1. Number of Faculty/Prostaff Requesting SPOCS: UNLV's data in this column reflect pre-approved compensated outside activities as well as requested and approved compensated outside activities.

2. Total Number of Faculty/Prostaff: This is a listing of the total number of faculty/staff by unit.

3. Percent of Faculty/Prostaff Requesting SPOCS: This is the percentage of individuals per unit who have requested compensated outside activities.

4. Number of SPOCS Requests Reviewed at a Level Higher than the Employee's Supervisor: In 2023, pre-approved SPOCS were not reviewed prior to engaging in the outside activity. All other SPOCS were reviewed at a level higher than the employee's supervisor (e.g., Dean or Director).

5. SPOCS Requests Approved with a Management Plan: This column reflects the number of SPOCS that were approved once a management plan was developed to modify the activity to prevent or address a conflict of interest. In 2023, there were 19 SPOCS that were approved with a management plan.

6. Number of Annual COI Disclosure Reports Submitted: Annual disclosures for 2023 were required of employees by the end of March.

7. Percentage of Faculty/Prostaff Submitting the Annual Disclosure: This column represents the percentage of completed COI reports per unit.

8. Number of COIs with a Management Plan: In 2023, there were 6 COIs with management plans.

UNR

NSHE Scholarly and Professional Outside Compensated Services Report

University of Nevada, Reno

January 1 – December 31, 2023

Administrative Unit	SPOCS # of Faculty and Prostaff Requesting SPOCS	SPOCS Total # of Faculty and Prostaff	SPOCS % of Faculty and Prostaff Requesting SPOCS	SPOCS Requests Reviewed at a Higher Level than Supervisor	SPOCS Requests Approved with Management Plans	COI # Annual Disclosure Reports Submitted	COI % of Faculty and Prostaff Submitting Annual Disclosure	COI # with Management Plans
College of Ag, Biotech and Natural Resources (includes NV Experiment Station and Cooperative Extension)	14	213	7%	0	0	213	100%	0
College of Business	7	111	6%	0	0	111	100%	0
College of Education & Human Development	14	99	14%	0	0	99	100%	0
College of Engineering	12	124	10%	0	1	124	100%	1
College of Liberal Arts	11	264	4%	0	0	264	100%	0
College of Science	16	281	6%	0	1	281	100%	1
Extended Studies	0	6	0%	0	0	6	100%	0
Graduate School	0	6	0%	0	0	6	100%	0
Honors College	0	7	0%	0	0	7	100%	0
Intercollegiate Athletics	3	101	3%	0	0	101	100%	0
Lawlor Events Center	0	1	0%	0	0	1	100%	0
Nevada Humanities	0	3	0%	0	0	3	100%	0
Office of the Provost	5	161	3%	0	0	161	100%	0
Orvis School of Nursing	6	37	16%	0	0	37	100%	0
President's Office	1	39	3%	0	0	39f	100%	0
Research and Innovation	7	86	8%	0	0	86	100%	1
School of Journalism	2	39	5%	0	0	39	100%	0
School of Medicine	36	283	13%	0	8	283	100%	16
School of Public Health	6	130	5%	0	0	130	100%	1
School of Social Work	4	28	14%	0	0	28	100%	0
University Libraries	2	44	5%	0	0	44	100%	0
VP Administration and Finance	2	119	2%	0	0	119	100%	0
VP Information Technology	0	50	0%	0	0	50	100%	0
VP Student Services	15	104	14%	0	0	104	100%	0
VP University Advancement	0	42	0%	0	0	42	100%	0
Total	**163**	**2378**	**7%**	**0**	**10**	**2378**	**100%**	**20**

Administrative Unit	# of SPOCS Requests	Not Approved	Business	Academic Institution	Government	Other
College of Ag, Biotech and Natural Resources (includes NV Experiment Station and Cooperative Extension)	18	1	7	2	2	7
College of Business	8	0	5	2	0	1
College of Education & Human Development	15	1	7	4	1	3
College of Engineering	18	0	15	1	2	0
College of Liberal Arts	17	0	7	2	5	3
College of Science	21	1	10	8	1	2
Extended Studies	0	0	0	0	0	0
Graduate School	0	0	0	0	0	0
Honors College	0	0	0	0	0	0
Intercollegiate Athletics	3	0	2	0	0	1
Lawlor Events Center	0	0	0	0	0	0
Nevada Humanities	0	0	0	0	0	0
Office of the Provost	5	0	4	1	0	0
Orvis School of Nursing	9	0	5	0	2	2
President's Office	1	0	1	0	0	0
Research and Innovation	10	0	7	1	0	2
School of Journalism	2	0	2	0	0	0
School of Medicine	58	0	42	1	4	11
School of Public Health	8	0	3	4	1	0
School of Social Work	4	0	1	2	0	1
University Libraries	2	0	1	0	1	0
VP Administration and Finance	2	0	2	0	0	0
VP Information Technology	0	0	0	0	0	0
VP Student Services	17	0	11	1	1	4
VP University Advancement	0	0	0	0	0	0
Total	**218**	**3**	**132**	**29**	**20**	**37**

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Scholarly or Professional Outside Compensated Services (SPOCS) means any outside scholarly or professional service by a faculty or professional staff member within his/her subject matter field or for which he/she is compensated by an outside entity (e.g., consulting).

Administrative Unit – Universities: College or Vice President Office

Administrative Unit – DRI: Division

Administrative – Colleges: Vice President's Office reporting more than two SPOCS

DRI

NSHE Scholarly and Professional Outside Compensated Services Report

Desert Research Institute

January 1 – December 31, 2023

Administrative Unit	SPOCS # of Faculty and Prostaff Requesting SPOCS	SPOCS Total # of Faculty and Prostaff	SPOCS % of Faculty and Prostaff Requesting SPOCS	SPOCS Requests Reviewed at a Higher Level than Supervisor	SPOCS Requests Approved with Management Plans	COI # Annual Disclosure Reports Submitted	COI % of Faculty and Prostaff Submitting Annual Disclosure	COI # with Management Plans
Atmospheric Sciences, Division of	12	48	25%	0	3	45	94%	0
Hydrologic Sciences, Division of	11	60	18%	0	3	60	100%	0
Earth and Ecosystem Sciences, Division of	12	52	25%	0	2	52	100%	0
Administration	18	40	45%	0	1	38	95%	0
Total	**53**	**200**	**27%**	**0**	**9**	**195**	**96%**	**0**

Administrative Unit	# of SPOCS Requests	Not Approved	Business	Academic Institution	Government	Other
Atmospheric Sciences, Division of	12	0	6	4	1	3
Hydrologic Sciences, Division of	11	0	6	3	2	7
Earth and Ecosystem Sciences, Division of	12	0	11	3	3	4
Administration	18	0	8	3	3	7
Total	**53**	**0**	**31**	**13**	**9**	**21**

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Administrative Unit – Universities: College or Vice President Office

Administrative Unit – DRI: Division

Administrative – Colleges: Vice President's Office reporting more than two SPOCS

NSU

NSHE Scholarly and Professional Outside Compensated Services Report

Nevada State University

January 1 – December 31, 2023

Administrative Unit	SPOCS # of Faculty and Prostaff Requesting SPOCS	SPOCS Total # of Faculty and Prostaff	SPOCS % of Faculty and Prostaff Requesting SPOCS	# of COI Reports Submitted	# of COI Reviewed at a Level Higher than the Supervisor	# of actual COI with Management Plans
Institutional Effectiveness	1	3	33%	n/a	n/a	n/a
School of Education	0	27	0%	n/a	n/a	n/a
School of Liberal Arts, Sciences, and Business	8	80	10%	n/a	n/a	n/a
School of Nursing	9	27	33%	n/a	n/a	n/a
University Library	0	6	0%	n/a	n/a	n/a
Total	**18**	**143**	**13%**	**n/a**	**n/a**	**n/a**

Administrative Unit	# of SPOCS Requests	Not Approved	Business	Academic Institution	Government	Other
Institutional Effectiveness	1	0	0	1	0	0
School of Education	0	0	0	0	0	0
School of Liberal Arts, Sciences, and Business	8	0	3	5	0	0
School of Nursing	9	0	5	3	1	0
University Library	0	0	0	0	0	0
Total	**18**	**0**	**8**	**9**	**1**	**0**

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Administrative Unit – Universities: College or Vice President Office

Administrative Unit – DRI: Division

Administrative – Colleges: Vice President's Office reporting more than two SPOCS

CSN

NSHE Scholarly and Professional Outside Compensated Services Report

College of Southern Nevada

January 1 – December 31, 2023

Administrative Unit	SPOCS # of Faculty and Prostaff Requesting SPOCS	SPOCS Total # of Faculty and Prostaff	SPOCS % of Faculty and Prostaff Requesting SPOCS	# of COI Reports Submitted	# of COI Reviewed at a Level Higher than the Supervisor	# of actual COI with Management Plans
Science, English & Math	13	98	13%	n/a	n/a	n/a
Health Science	14	50	28%	n/a	n/a	n/a
Arts and Letters	5	13	38%	n/a	n/a	n/a
Adv Applied Tech	23	75	31%	n/a	n/a	n/a
Education, Soc. & Behavioral Science	13	80	16%	n/a	n/a	n/a
Library	1	12	8%	n/a	n/a	n/a
Business, Hospitality & Public Service	17	57	30%	n/a	n/a	n/a
Total	**86**	**385**	**22%**	**n/a**	**n/a**	**n/a**

Administrative Unit	# of SPOCS Requests	Not Approved	Business	Academic Institution	Government	Other
Science, Eng & Math	13					
Adv. Applied Tech	14					
Education, Social & Behavioral Science	5					
Library	23					
Business, Hospitality & Public Service	13					
Health Science	1					
Arts and Letters	17					
Total	**86**	**0**	**0**	**0**	**0**	**0**

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Administrative Unit – Universities: College or Vice President Office

Administrative Unit – DRI: Division

GBC

NSHE Scholarly and Professional Outside Compensated Services Report

Great Basin College

January 1 – December 31, 2023

Administrative Unit	SPOCS # of Faculty and Prostaff Requesting SPOCS	SPOCS Total # of Faculty and Prostaff	SPOCS % of Faculty and Prostaff Requesting SPOCS	# of COI Reports Submitted	# of COI Reviewed at a Level Higher than the Supervisor	# of actual COI with Management Plans
Academic and Administrative Staff	11	134	8%	n/a	n/a	n/a
Total	**11**	**134**	**8%**	**n/a**	**n/a**	**n/a**

Administrative Unit	# of SPOCS Requests	Not Approved	Business	Academic Institution	Government	Other
Academic and Administrative Staff	11	0	6	4	1	0
Total	**11**	**0**	**6**	**4**	**1**	**0**

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Administrative Unit – Universities: College or Vice President Office

Administrative Unit – DRI: Division

Administrative – Colleges: Vice President's Office reporting more than two SPOCS

TMCC

NSHE Scholarly and Professional Outside Compensated Services Report

Truckee Meadows Community College

January 1 – December 31, 2023

Administrative Unit	SPOCS # of Faculty and Prostaff Requesting SPOCS	SPOCS Total # of Faculty and Prostaff	SPOCS % of Faculty and Prostaff Requesting SPOCS	# of COI Reports Submitted	# of COI Reviewed at a Level Higher than the Supervisor	# of actual COI with Management Plans
Academic Affairs	8	191	4%	n/a	n/a	n/a
Finance and Administrative Services	0	34	0%	n/a	n/a	n/a
President's Office	4	26	15%	n/a	n/a	n/a
Student Services	0	64	0%	n/a	n/a	n/a
Total	**12**	**315**	**4%**	**n/a**	**n/a**	**n/a**

Administrative Unit	# of SPOCS Requests	Not Approved	Business	Academic Institution	Government	Other
Academic Affairs	8	0	2	5	0	1
Finance and Administrative Services	0	0	0	0	0	0
President's Office	4	0	1	0	0	3
Student Services	0	0	0	0	0	0
Total	**12**	**0**	**3**	**5**	**0**	**4**

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Administrative Unit – Universities: College or Vice President Office

Administrative Unit – DRI: Division

Administrative – Colleges: Vice President's Office reporting more than two SPOCS

WNC

NSHE Scholarly and Professional Outside Compensated Services Report

Western Nevada College

January 1 – December 31, 2023

Administrative Unit	SPOCS # of Faculty and Prostaff Requesting SPOCS	SPOCS Total # of Faculty and Prostaff	SPOCS % of Faculty and Prostaff Requesting SPOCS	# of COI Reports Submitted	# of COI Reviewed at a Level Higher than the Supervisor	# of actual COI with Management Plans
President's Office	0	7	0%	n/a	n/a	n/a
Advancement	0	9	0%	n/a	n/a	n/a
Controller	1	12	8%	n/a	n/a	n/a
Academic & Student Affairs	19	93	20%	n/a	n/a	n/a
Total	**20**	**121**	**17%**	**n/a**	**n/a**	**n/a**

Administrative Unit	# of SPOCS Requests	Not Approved	Business	Academic Institution	Government	Other
President's Office	0	0	0	0	0	0
Advancement	0	0	0	0	0	0
Controller	1	0	0	0	0	1
Academic & Student Affairs	19	0	7	6	0	6
Total	**20**	**0**	**7**	**6**	**0**	**7**

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Administrative Unit – Universities: College or Vice President Office

Administrative Unit – DRI: Division

Administrative – Colleges: Vice President's Office reporting more than two SPOCS

APPENDIX A

Section 9. Compensated Outside Professional Services
(For DRI Faculty Members, See Title 4, Chapter 11, Sec. 12)

1. Outside professional or scholarly service by faculty members within their subject matter field and for compensation is recognized as a legitimate activity unless specifically prohibited by the employee's contract with the institution.

2. Outside professional or scholarly service as contemplated by this section shall not interfere with the performance of the duties of any faculty member. If taken during the faculty member's standard workweek, such service shall occupy no more than one day's equivalent time per work week (20%) for full-time faculty members. Faculty members on 12-month contracts must take annual leave if providing outside professional or scholarly service during the standard work week. For the purposes of this paragraph, annual leave is not required to be taken if the activity is scholarly in nature and advances the reputation of the institution, such as serving on a national review board, and the amount of compensation, above expenses, is less than the monetary value of taking a half-day leave.

3. No faculty member may undertake outside professional or scholarly service that would result in a conflict of interest with his or her assigned duties. Conflict of interest means any outside activity or interest that may adversely affect, compromise, or be incompatible with the obligations of an employee to the institution.

4. Faculty members performing compensated outside professional or scholarly service are subject to the code of ethical standards of the State of Nevada (NRS 281A.400-281A.660), which governs the conduct of public officers and employees.

5. A faculty member may not perform an official act on behalf of the institution that directly benefits a business or other undertaking in which he or she either has a substantial financial interest or is engaged as counsel, consultant, representative, agent, director, or officer. This prohibition is not intended to limit a faculty member's ability to enter into a contract between a governmental entity, the institution, and a private entity to the extent authorized by and in conformity with NRS 281.221(3), NRS 281.230(3), NRS 281A.430(3), the Board of Regents Intellectual Property Policy (Title 4, Chapter 12, Sections 1-8), and the Board of Regents Conflict of Interest Policy (Title 4, Chapter 10, Section 1.7).

6. For the purpose of this section, potential conflicts of interest include a faculty member's involvement in transactions or decisions on behalf of an institution, in which the faculty member knows that benefits accrue to individuals in the faculty member's household, persons to whom the faculty member is related by blood, adoption or marriage within the third degree of consanguinity, or persons with whom the faculty member has substantial and continuing outside business relationships.

   Relationships within the third degree of consanguinity or affinity are defined as:
   (a) The faculty member's spouse, child, parent, sibling, half-sibling, or step-relatives in the same relationship;
   (b) The spouse of the faculty member's child, parent, sibling, half-sibling, or step-relative; or
   (c) The faculty member's in-laws, aunt, uncle, niece, nephew, grandparent, grandchild, or first cousin.

7. Except as otherwise provided in this section, full-time faculty members engaged in providing compensated outside professional or scholarly service shall provide advance notification and request approval in writing to their immediate supervisor about the nature of the work to be performed, the company/organization for which the work will be performed, and the estimated time involved. The

request must be approved in advance by the supervisor within 10 working days. Individual requests to perform outside professional or scholarly service shall be considered confidential personnel documents pursuant to Title 2, Chapter 5, Section 5.6.2.of the Code.

Institutions may establish an expedited pre-approval process for notification of certain compensated outside professional or scholarly activities that are for a short-period, determined to be routine or standard, and compensated at $3,000 or less per activity. Such services must be identified within the written pre-approval process established by the institution and may include activities such as service on a national panel, speaking engagements as allowed by the institution, and reviewing manuscripts.

8. When a supervisor believes that a faculty member's consulting activities conflict with the faculty member's obligations to the institution or other obligations of the institution, the supervisor shall inform the faculty member of these concerns and negotiate a mutually acceptable course of action. If a mutually acceptable course of action cannot be negotiated, the appropriate vice president or vice chancellor, as the case may be, will hear and evaluate the evidence and render a decision, or appoint a review committee if necessary. The vice president or vice chancellor may require the faculty member to cease performance of existing obligations while the faculty member remains a NSHE employee.

9. Faculty members performing compensated outside professional or scholarly service shall inform those who engage them that they are not acting in the name of the institution and that the institution is not a party to the contract nor liable for any actions of such faculty member.

10. In negotiating for a contract for outside compensated professional or scholarly services, faculty members shall not use institutional stationery or forms in any manner.

11. Full-time faculty members may make a general announcement of their availability as consultants but may not solicit consulting assignments.

12. Faculty members working independently on their own time may obtain patents or copyrights on the results of their work.

13. Faculty members performing compensated outside professional or scholarly service are subject to the Board policy on personal use of System property or resources (Title 4, Chapter 1, Section 25). A faculty member working independently on an outside-compensated contract shall not use NSHE facilities, equipment or personnel unless such use is authorized in advance by the supervisor. Reimbursement of any costs to the institution shall be in accordance with Title 4, Chapter 1, Section 25.

14. It is the responsibility of each full-time faculty member to report outside compensated services in a timely manner and to certify the accuracy of the disclosures. Failure to disclose outside compensated services in a timely and accurate manner constitutes a basis for disciplinary action under Title 2, Chapter 6 of the Code. Records are to be kept annually by the dean or appropriate vice president, or vice chancellor as the case may be, of all approved consulting activities in each department or division.

15. Each NSHE institution shall publish an annual report regarding compensated outside professional or scholarly service completed by its full-time faculty (aggregate data) and approved by the institution in accordance with the provisions of this section. This report will verify that all potential conflicts of interest have been reviewed and approved in accordance with the provisions of this section. A summary of these reports will be sent to the Board of Regents annually.

Section 12. Compensated Outside Professional Services
(For NSHE General Policy, See Title 4, Chapter 3, Sec. 8)

1. Under conditions set forth below, limited professional services rendered by a Desert Research Institute (DRI) faculty member to organizations or individuals outside of DRI for compensation is recognized as a legitimate, and often desirable, activity for a faculty member.

2. Outside professional or scholarly service as contemplated by this section shall not adversely affect the performance of the faculty member in regard to his or her obligation and duties to DRI. A faculty member is to perform compensated outside professional activities on his or her own time. For the purposes of this section, compensated outside professional or scholarly service does not include work conducted as part of the regular duties of, or the professional responsibilities of, the faculty member, such as serving on a national review board.

3. No faculty member may undertake outside professional or scholarly service that would result in a conflict of interest with his or her assigned duties. Conflict of interest means any outside activity or interest that may adversely affect, compromise, or be incompatible with the obligations of an employee to the institution.

4. DRI faculty members performing compensated outside professional or scholarly service are subject to the code of Ethical Standards of the State of Nevada (*Nevada Revised Statutes* (NRS) 281A.400-281A.480 and 281A.500-281A.660), which governs the conduct of public officers and employees.

5. A faculty member may not perform an official act on behalf of the institution that directly benefits a business or other undertaking in which he or she either has a substantial financial interest or is engaged as counsel, consultant, representative, agent, director, or officer. This prohibition is not intended to limit a faculty member's ability to enter into a contract between a governmental entity, the institution, and a private entity to the extent authorized by, and in conformity, with NRS 281.221(3), NRS 281.230(3), NRS 281A.430(3), the Board of Regents Intellectual Property Policy (Title 4, Chapter 12, Sections 1-8), and the Board of Regents Conflict of Interest Policy (Title 4, Chapter 10, Section 1.7).

6. For the purpose of this section, potential conflicts of interest include a faculty member's involvement in transactions or decisions on behalf of an institution, in which the faculty member knows that benefits accrue to individuals in the faculty member's household, persons to whom the faculty member is related by blood, adoption or marriage within the third degree of consanguinity, or persons with whom the faculty member has substantial and continuing outside business relationships.

   Relationships within the third degree of consanguinity or affinity are defined as:
   (a) The faculty member's spouse, child, parent, sibling, half-sibling, or step-relatives in the same relationship;
   (b) The spouse of the faculty member's child, parent, sibling, half-sibling, or step-relative; or
   (c) The faculty member's in-laws, aunt, uncle, niece, nephew, grandparent, grandchild, or first cousin.

7. Except as otherwise provided in this section a full-time faculty member engaged in providing compensated outside professional service shall provide advance notification and request approval in writing to his or her supervisor, i.e., the executive director of the division or the appropriate vice president if not in a division, of the nature of the work to be performed, the company/organization for which the work will be performed, and the amount of his or her time likely to be involved. The

request must be approved in advance by the supervisor within 10 working days and shall indicate that the intended compensated outside professional service is not in conflict with any obligations currently incurred or assumed by the Institute. Activity in new areas not presently a regular part of the DRI efforts will not be considered to be in conflict even if DRI subsequently moves into such work. Individual requests to perform outside professional or scholarly service shall be considered confidential personnel documents pursuant to Title 2, Chapter 5, Section 5.6.2. of the Code.

DRI may establish an expedited pre-approval process for notification of certain compensated outside professional or scholarly activities that are for a short-period, determined to be routine or standard, and compensated at $3,000 or less per activity. Such services must be identified within the written pre-approval process established by DRI and may include activities such as service on a national panel, speaking engagements as allowed by the institution, and reviewing manuscripts.

8. When a supervisor believes that a faculty member's consulting activities conflict with the faculty member's obligations to the institution or other obligations of the institution, the supervisor shall inform the faculty member of these concerns and negotiate a mutually acceptable course of action. If a mutually acceptable course of action cannot be negotiated, the faculty member or the supervisor may request the DRI Senate to appoint a panel of three DRI professional members to hear and evaluate the evidence and make a recommendation to the president. The president will review the recommendation and render a final decision. The president may require the faculty member to cease performance of existing obligations while the faculty member remains a DRI employee.

9. Any faculty member performing outside professional service shall inform those who engage him or her that the faculty member is not acting in the name of the DRI and that the DRI is neither a party to the contract nor liable for any actions of such faculty member.

10. In negotiating for a contract or any contract activities for outside compensated professional service, a faculty member shall not use DRI stationery or forms in any manner.

11. Faculty members performing compensated outside professional or scholarly service are subject to the Board policy on personal use of System property or resources (*Title 4, Chapter 1, Section 25*). A faculty member working independently on an outside compensated contract shall not use DRI facilities, equipment or personnel not available to members of the general public unless such use is authorized in advance by the supervisor. Reimbursement of any added direct costs to DRI shall be in accordance with Title 4, Chapter 1, Section 25.

12. A faculty member working independently on his or her own time may obtain patents or copyrights on the results of his or her work, providing DRI resources were not used in the preparation of the inventions or copyrighted work.

13. It is the responsibility of each full-time faculty member to report outside compensated services in a timely manner and to certify the accuracy of the disclosures. Failure to disclose outside compensated services in a timely and accurate manner constitutes a basis for disciplinary action under Title 2, Chapter 6 of the Code. Records are to be kept annually by each supervisor of all approved consulting activities.

14. The Desert Research Institute shall publish an annual report regarding compensated outside professional or scholarly service completed by its full-time faculty, as aggregate data, and approved by the institution in accordance with the provisions of this section. This report will verify that all potential conflicts of interest have been reviewed and approved in accordance with the provisions of this section. A summary of these reports will be sent to the Board of Regents annually.