

PROPOSED AMENDMENT

UCCSN General Policy on Compensated Outside Professional Services Board of Regents Handbook Title 4, Chapter 3, Section 7

Additions in **Boldface**; deletions [~~stricken~~ in brackets]

Section 7. Compensated Outside Professional Services
(For DRI Faculty Members, See Also Title 4, Chapter 11, Sec. 12)

1. Outside professional or scholarly service by [~~a~~] faculty members within [~~his~~] **their** subject matter field and for compensation is recognized as a legitimate activity [~~for a faculty member~~] unless specifically prohibited by [~~his~~] **the employee's** contract with the [~~University~~] **institution**.
2. Outside professional or scholarly service as contemplated by this section shall not interfere with the performance of the [~~academic~~] duties of any faculty member. **Such service shall occupy no more than one day's equivalent time per work week (20%). Faculty members on 12-month contracts must take annual leave if providing outside professional or scholarly service during the standard work week.**
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 281.481-281.581), 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 396.255, NRS 281.221(3), NRS 281.230(3), NRS 281.505(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).**

- [3] 6. [A] [f] Faculty members engaged in providing compensated outside professional or scholarly service shall ~~[inform his immediate superior in writing of the nature of such service]~~ **provide advance notification 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.**
7. **When a supervisor believes that a conflict exists with obligations currently incurred or assumed by the institution regarding a faculty member's consulting activities, 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 UCCSN employee.**
- [4] 8. ~~[Any]~~ [f] Faculty members performing compensated outside professional or scholarly service shall inform those who engage ~~[him that he is]~~ **them that they are** not acting in the name of the [University] **institution** and that the [University] **institution** is not a party to the contract nor liable for any actions of such faculty member.
- [5] 9. In negotiating for a contract for outside compensated professional or scholarly services, [a] faculty members shall not use [University] **institutional** stationery or forms in any manner.
- [6] 10. [A] [f] Faculty members may make a general announcement of ~~[his]~~ **their** availability as [a] consultants but may not solicit consulting assignments.
- [7] 11. [A] [f] Faculty members working independently on ~~[his]~~ **their** own time may obtain patents or copyrights on the results of ~~[his]~~ **their** work.
- [8] 12. **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 24).** A faculty member working independently on an outside-compensated contract shall not use [University] UCCSN facilities, equipment or personnel unless such use is authorized **in advance** by ~~[his Dean]~~ **the supervisor**. ~~[No such use shall be permitted unless proper consideration is made thereof.]~~ **Reimbursement of any costs to the institution shall be in accordance with Title 4, Chapter 1, Section 24.**
13. **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.**