

**UCCSN Policy for DRI Faculty on
Compensated Outside Professional Services
Board of Regents Handbook
Title 4, Chapter 11, Section 12**

Section 12. Compensated Outside Professional Service

(For UCCSN General Policy [Policies], See Chapter 3, Sec.7)

1. Under conditions set forth below, limited professional services rendered by a 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.**
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 (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 faculty member engaged in providing compensated outside professional service shall **provide advance notification in writing** [inform] to [~~the Executive Director of his Center~~] **his or her supervisor (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[, prior to the commencement of that service;] **The request must be approved in advance by the supervisor within 10 working days and shall indicate** [and shall receive a prompt written determination by the President of DRI] 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 [, for such an involved faculty member,] if DRI subsequently moves into such work.

7. **When a supervisor believes that a conflict exists with obligations currently incurred or assumed by the Institute 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 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 Senate for transmission 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.**

[4] 8. Any faculty member performing outside professional service shall inform those who engage him or her that they are not acting in the name of the DRI and that the DRI is not a party to the contract nor liable for any actions of such faculty member.

[5] 9. 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.

[6] 10. **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 DRI facilities, equipment or personnel not available to members of the general public [competent in such use] **unless such use is authorized in advance by the supervisor.** [Use involving added direct costs to the DRI shall only be permitted if proper consideration is made therefore and such use is authorized by the faculty member's Executive Director]. **Reimbursement of any added direct costs to DRI shall be in accordance with Title 4, Chapter 1, Section 24.**

[7. ~~When a faculty member feels he or she has been unfairly treated in matters regarding their consulting activities, he or she may request the Senate of the DRI to appoint a panel of three professional members of DRI to hear and evaluate the evidence and make a recommendation for revision of the decision, where necessary, to the Senate for transmission to the President.~~]

[8] **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.**

[9] **13.** Records are to be kept **annually by each supervisor** of all approved consulting activities. Monthly reports of consulting time will be submitted **by the faculty member** to the ~~President~~