

**CSCU BOARD OF REGENTS FOR HIGHER EDUCATION**  
**Central Connecticut State University**  
**Procedure for Reporting of Research or Consulting**  
**With Outside Public or Private Entity**

**Introduction/Purpose:**

On October 20, 2016, the Board of Regents for Higher Education adopted a Policy on Faculty Consulting and Research with Public or Private Entities ("Consulting Policy") for the Connecticut State Colleges and Universities ("CSCU"). The Consulting Policy applies to Central Connecticut State University's ("CCSU's") full and part-time faculty. On November 18, 2016, the CSCU System Office developed an Administrative Protocol that provides that although both full and part time faculty must comply with the Consulting Policy, part time faculty do not need the Provost's permission to engage in consulting or research. Part time faculty may, however, seek permission should they wish to do so. The Consulting Policy requires that CCSU develop procedures to manage and account for consulting and research by full time faculty, and provide information semiannually to an oversight committee at CSCU. The information provided will be reviewed to assure that statutory ethical requirements are met and that no full time faculty member may engage in a consulting agreement or research project that:

1. Inappropriately uses CSCU and/or CCSU proprietary information.
2. Consults or performs consulting or research in a manner that interferes with the proper discharge of their duties.
3. Inappropriately uses their association with CCSU and/or CSCU in connection with any consulting agreements and research projects outside of the faculty member's primary responsibility as an employee of CSCU.

**Scope:**

Faculty professional activities such as consulting or engaging in a research project for a public or private entity often are useful in maintaining and enhancing the faculty member's academic scholarship and competence. The value of these outside activities is recognized through Collective Bargaining Agreements and statute and regulation. However, the primary responsibility of full-time faculty during the academic year is to the Board of Regents for Higher Education of the Connecticut State Colleges and Universities and their respective institution.

There is a set of purely academic activities that all faculty members are normally expected and encouraged to undertake. Such activities would include, but are not limited to, reviewing books, articles and research proposals (i.e. federal grant study sections), presenting occasional lectures and speeches, creation of works of art. The nature of such activities will vary from one discipline to another – but the underlying principle is that they are part of faculty members' expected academic professional development.

Research is defined as a systematic investigation, including, but not limited to, research development, testing and evaluation, designed to develop or contribute general knowledge in the applicable field of study.

Consulting is defined as "the provision of services for compensation to a public or private entity by a member of the faculty or member of the faculty bargaining unit" while such member is not acting in the capacity of a state employee.

All consulting done by all faculty members must conform to the following conditions:

1. Consulting activities must not interfere or conflict with the execution of the faculty member's normal duties.
2. Consulting activities must not create any conflict of interest with CCSU and/or CCSU or violate State statutes related to conflicts of interest.

**Procedure:**

Per the "Board of Regents Policy on Faculty Consulting and Research with Public or Private Entities," Central Connecticut State University shall establish internal operating procedures that shall ensure, to the extent possible the:

1. Disclosure, review and management of conflicts of interest relating to any such agreement or project.
2. Approval of CCSU's Academic Deans and Provost prior to any such member entering into any such agreement or engaging in any such project.
3. Referral of any failure to comply with the provisions of this policy or procedure to the applicable disciplinary process outlined in the Collective Bargaining Agreement.

CCSU shall provide biennial reports to the BOR President and Director of Internal Audit on or before May 1 and November 1 of each year. Note that biennial reports will be sent even if no activity has been reported. Information provided on the Faculty Consulting and Research Projects Semi-Annual Report must include the following:

1. Faculty Member's Name
2. College Department/Discipline
3. Name of Public/Private Entity
4. Duration of Project (include beginning and end dates)
5. Brief Description of Consulting Duties or Research Project
6. Decision Regarding In Compliance/Not In Compliance

At the start of each semester (Fall and Spring) the Office of Academic Affairs shall distribute electronically to all full and part-time faculty information as promulgated by the "Board of Regent's Policy on Faculty Consulting and Research with Public or Private Entities." Included in this communication will be the BOR policy (see Attachment A), the "Compliance Form for Reporting of Research or Consulting with Outside Public or Private Entity" (see Attachment B), and a list of Frequently Asked Questions – FAQs (see Attachment C) prepared by the Board of Regents to assist faculty members in: understanding their responsibility under Connecticut General Statutes Section 1-84(r)(2) and Board of Regents Policy; and providing faculty with requirements of the policy and when consulting and research activity should be reported.

In general, all full time faculty members who are hired/contracted by a public or private entity to perform consulting or research activities during the Fall and Spring semesters coterminous with his/her regular faculty duties must complete the Compliance Form disclosing consulting and/or research with private and/or public entities. Full time faculty must also submit a Compliance Form when consulting or research activity occurs mid-semester or changes from when submitted and approved at the start of the semester.

Faculty are informed that pursuant to the 2016 Guide to the Code of Ethics for Public Officials and State Employees, state employees "may not utilize state time, materials or personnel in completing tasks for outside employment" and, as required by policy, CCSU must report faculty consulting and research activity to the BOR President and Director of Internal Audit on or before each November 1<sup>st</sup> and May 1<sup>st</sup>, even if no activity occurred.

CCSU's Academic Deans review the submitted compliance forms and determine whether to recommend or not recommend the activity. The Provost then reviews and indicates whether or not the activity is "in compliance" or "not in compliance." This internal review ensures the:

1. Disclosure, review, and management of conflicts of interest relating to any such agreement or project.
2. Approval or disapproval of CCSU's Academic Deans and Provost prior to any such member entering into any such agreement or engaging in any such project.
3. Referral of any failure to comply with the provisions of this policy or institution procedure to the applicable disciplinary process outlined in the Collective Bargaining Agreement.

The original compliance form is maintained in the Provost's Office. A copy is sent to the faculty member and their Dean, and a copy is also placed in the faculty member's personnel file.

#### **Compliance Form Review:**

CCSU's Academic Deans and Provost will make every effort to turn Compliance Form submissions around as quickly as possible. During the semester, such review and reply to approve the faculty member's Compliance Form should not take more than 48 hours business time (Monday through Friday) ordinarily.

The Academic Deans and Provost determine compliance by:

1. Determining if the request is professional in nature and will not interfere with the proper discharge of his or her employment with CCSU (scheduled classes, advising duties, office hours, and other institutional responsibilities).
2. Verifying that activity is based in the faculty member's discipline and that the faculty member does not inappropriately use CSCU's or CCSU's proprietary information in connection with said agreement.
3. Determining whether the faculty member receives compensation and that there is no conflict of interest.
4. Establishing that the name of the entity, description of work and dates of engagement are clearly specified.

#### **Sanctions:**

Any faculty member who intentionally provides misleading or false information during the course of the approval process or who continues formally disapproved consulting or research activity will be subject to the disciplinary process in such member's collective bargaining agreement. Such disciplinary action may include, but is not limited to: letter of reprimand; loss of the privilege to continue to engage in consulting activities; suspension; or dismissal.

#### **Record Retention:**

Documents obtained pursuant to this policy and protocol shall be stored in the Office of Academic Affairs and at the Board of Regents review level. Documentation shall be retained for the appropriate

retention period for employment records promulgated by the State of Connecticut and by institution or System Office policies and procedures.

**Statutory/Administrative Regulation:**

Connecticut General Statutes, Section 1-84(r)(2)

**Responsible Function Area:**

Office of Academic Affairs

**Attachments:**

A: BOR Faculty Consulting and Research with Public or Private Entities Policy

B: Compliance Form for Reporting of Research or Consulting with Outside Public or Private Entity

C: Frequently Asked Questions (FAQs) prepared by the Board of Regents

**RESOLUTION**

concerning

**Policy Regarding  
Faculty Consulting and Research with Public or Private  
Entities**

October 20, 2016

WHEREAS, The Board of Regents in accord with of the Connecticut State Colleges and Universities recognize that the faculty professional activities such as consulting or engaging in a research project for a public or private entity is often useful in order to maintain and enhance the faculty member's academic scholarship and competence; and

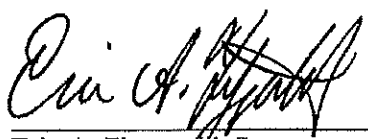
WHEREAS, The primary responsibility of full-time faculty during the academic year is to their respective college or university; and

WHEREAS, Section 1-84(r)(2) of the General Statutes requires the board to adopt a policy regarding faculty consulting agreements and research projects with public and private entities, requires that procedures be promulgated at the institutions to manage and account for such agreements and projects, and provide information semiannually;

WHEREAS, From time to time policies require revision to reflect Board policy changes or other needed changes or clarifications; therefore, be it

RESOLVED, That the Board of Regents adopts the amended "Policy Regarding Faculty Consulting and Research with Public or Private Entities" (Attachment A) effective immediately.

A True Copy:



Erin A. Fitzgerald, Secretary  
CT Board of Regents for Higher Education

4.4	Faculty Consulting and Research Policy	16-115	2016-10-20
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## 4.4 Faculty Consulting & Research w/Public or Private Entities

Board of Regents for Higher Education  
Connecticut State Colleges and Universities

### Policy Regarding Faculty Consulting and Research with Public or Private Entities

Faculty professional activities such as consulting or engaging in a research project for a public or private entity often are useful in maintaining and enhancing the faculty member's academic scholarship and competence. However, the primary responsibility of full-time faculty during the academic year is to the Board of Regents for Higher Education of the Connecticut State Colleges and Universities and their respective institution. The value of these outside activities is recognized through Collective Bargaining Agreements and statute and regulation.

For the purposes of this policy, consulting shall be defined as the provision of services for compensation to a public or private entity by a member of the faculty or member of the faculty bargaining unit: (i) when the request to provide such service is based on such member's expertise in a field or prominence in such field, and (ii) while such member is not acting in the capacity of a state employee.

For the purposes of this policy, research shall be defined as a systematic investigation, including, but not limited to, research development, testing and evaluation, designed to develop or contribute to general knowledge in the applicable field of study.

Faculty is expected to comply with the applicable provisions of the aforementioned Collective Bargaining Agreement, state statute and regulation. As such, no faculty member may engage in consulting agreement or research project that (A) inappropriately uses the institution's proprietary information in connection with such agreement or project; (B) interferes with the proper discharge of his or her employment with the university; and/or (C) inappropriately uses such member's association with the institution in connection with such agreement or project.

Each institution shall establish internal operating procedures that shall ensure, (i) the disclosure, review, and management of conflicts of interest relating to any such agreement or project; (ii) the approval of the chief academic officer and dean of the institution prior to any such member entering into any such agreement or engaging in any such project; and (iii) the referral of any failure to comply with the provisions of this policy or institution procedure to the applicable disciplinary process outlined in the Collective Bargaining Agreement. Each institution shall provide a report to the Office of the BOR President of any such approved activities on or before May 1 and November 1 of each year. In addition, the Director of Internal Audit for the Connecticut State Colleges and Universities shall audit institution compliance with the established internal procedures and this policy annually.

**CSCU Board of Regents for Higher Education  
Central Connecticut State University  
Compliance Form for Full Time Faculty  
for Reporting of Research or Consulting  
with Outside Public or Private Entity**

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**Procedure:**

1. This form must be submitted by full-time AAUP members for review by the Member's Academic Dean and Provost prior to engaging in any outside consulting or research that involves compensation, in accordance with BOR policy issued October 20, 2016. Please refer to the "CSCU Board of Regents For Higher Education Central Connecticut State University Procedure for Reporting of Research or Consulting with Outside Public or Private Entity" for instructions on completing and submitting this compliance form.
  2. A copy of the form indicating whether the outside activity is "in compliance" or "not in compliance" shall be returned to the faculty member and their Dean.
  3. A copy of this form shall be placed in the faculty member's personnel file.
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**Name:** \_\_\_\_\_

**Academic Rank:** \_\_\_\_\_

**Department:** \_\_\_\_\_

**Description of Consulting Service or Research Project (attach additional pages if needed):**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to the 2016 Guide to the Code of Ethics for Public Officials and State Employees, state employees "may not utilize state time, materials or personnel in completing tasks for outside employment."

**Name of Public/Private Entity:** \_\_\_\_\_

**Dates of Engagement:** \_\_\_\_\_ to \_\_\_\_\_

**Faculty member's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Academic Dean: I recommend / do not recommend this activity for approval (circle one)**

**Academic Dean's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Provost/VP for Academic Affairs Approval:** \_\_\_\_\_ **In Compliance/Not in Compliance**

\_\_\_\_\_  
**Provost/VP for Academic Affairs signature**

\_\_\_\_\_  
**Date**

**CSCU BOARD OF REGENTS FOR HIGHER EDUCATION**  
**Central Connecticut State University**  
**Faculty Consulting and Research with Private and Public Entities**

**Frequently Asked Questions**

1. **Who has to complete the Compliance Form disclosing consulting and/or research with private and/or public entities?**

Any full-time instructional faculty member who is hired/contracted by a public or private entity to perform consulting or research activities during the Fall and Spring semesters coterminous with his/her regular faculty duties.

2. **Who determines whether the activity complies with the statute, policy, and collective bargaining agreement?**

By law and policy, the chief academic officer of the university makes the final determination.

3. **When in our negotiations should we submit the Compliance Form to determine if the anticipated activity will comply?**

To be safe, you should submit the form as soon as you can reasonably disclose the anticipated activity, its duration, and interaction with your regular duties.

4. **How long does review by the chief academic officer take?**

The chief academic officers will make every effort to turn these requests around as quickly as possible. During the semester, such review and reply to the faculty member should not take more than 48 hours ordinarily.

5. **Is there an appeal process if the chief academic officer determines my expected activity does not comply with the statute or policy?**

No. However, if you believe the determination in some way violated the collective bargaining agreement, you may file a grievance.

6. **Are there any consequences if the activity is not endorsed by the Provost & Vice President for Academic Affairs and the AAUP member proceeds with the consulting and/or research activity?**

Yes. Such a disregard for the direction of the Provost & Vice President for Academic Affairs will result in a referral to the Human Resources Department to determine if an Article 16 disciplinary process should be initiated.

7. **If I am hired to review a textbook, should I complete the compliance form?**

Yes, if you are receiving compensation for this activity and such review occurs during a period when you are teaching.



**8. What if I am writing a textbook?**

Yes, if you are receiving compensation for this activity and the process occurs during a period when you are teaching.

**9. What if I receive an advance for writing a textbook?**

Yes, if you are receiving compensation for this activity and the process occurs during a period when you are teaching.

**10. What if I do not receive an advance?**

If there is any chance that you will ultimately be compensated for this activity, you must disclose it.

**11. If I have my own business, should it be reported?**

Possibly. If your business has no relation to your academic or faculty responsibilities and does not involve the use of university property, you do not need to report the business activity. (Note that faculty members may not make use of university property to engage in a business that has no relation to their academic or faculty responsibilities.) If the business is related to your academic or faculty responsibilities, you will need to report the business. The following examples illustrate the two situations. First, if you are a history professor and own an ice cream shop that has no relation to your activities as a faculty member, such a business does not need to be disclosed. Second, if you are an accounting professor and you own a CPA firm that performs accounting activities throughout the academic year, you should disclose this information.

**12. What if I have an occasional opportunity to consult with a number of clients? How do I report that?**

Report the anticipated dates/scope of such an engagement for the present academic year. Report again during the following academic year if you anticipate an additional engagement.

**13. Do I need to disclose if I am receiving an NSF grant?**

Possibly. If the grant is administered by the Connecticut State Colleges & Universities (CSCU), you do not need to disclose the grant since we already have approved such activity. If you have the grant through an institution not affiliated with CSCU, you must disclose the activity.

**14. Do I need to disclose if I am receiving a grant and the grant is being administered through my university or another CSCU institution?**

No, if the grant is administered by the CSCU, you do not need to disclose the grant since we already have approved such activity.

**15. Do I need to submit a Compliance Form when receiving reimbursement from grants?**

Yes, unless the grant is being administered through the university and the reimbursement check comes from the state.

16. **Do I need to complete the Compliance Form if I am hired by another Connecticut public higher education institution (UConn or CSCU) or an executive branch agency to perform research or consulting services?**

Not this form. However, you must have on file a fully executed Dual Employment Request Form and (if teaching) and External Teaching Form with the Human Resources Department.

17. **If I am asked to teach a course at another institution during the regular semester, do I need to complete the Compliance Form?**

Not this form. However, you **MUST** file an External Teaching Form and receive approval for outside teaching pursuant to Article 10.13 of the collective bargaining agreement. This must be done whether at a Connecticut public higher education institution or at any other institution.

18. **What if I am engaged in an outside activity that is not covered by this policy but requires me to spend a considerable amount of time each week at such activity?**

It is important to note that the collective bargaining agreement is very clear on this matter. Your primary responsibility is to the university and your students. If it is determined that any outside activity interferes with your ability to fulfill your obligations to your university and/or the students, the university may direct you to cease such activity.

19. **Does this apply to work done with or through ITBD (Institute of Technology & Business Development at CCSU) or another state-affiliated organization?**

It does not apply if payment for such activities goes through the regular payroll processes of the university/State of Connecticut and you have on file a valid Dual Employment Request Form.

20. **How much time a week can I spend on outside activities such as these?**

CSCU has not set an arbitrary amount of time for this purpose. However, by way of reference, please be advised that UConn has limited such activities to the equivalent of one day per week. While no such limitation has yet been set here, the one-day example seems appropriate and a legitimate guideline for faculty and chief academic officers alike.

21. **I'm about to go to Akron, Ohio, to give a talk for which I will be paid an honorarium. I have already received approval of my travel authorization for this. In the future, do I need to receive prior approval for this type of activity before I accept an invitation to give a guest lecture?**

In the future, at the same time a Travel Authorization Form is submitted, the Compliance Form should also be submitted.

22. **I get paid \$10 a week to write a blog post about poetry-related news for a popular online literary magazine. Does this need to be registered? Does it matter that it's open-ended?**

Yes, this ongoing activity should be submitted for a determination of compliance.

23. **I review one to three new books of poetry every month (I keep the book, but get no other compensation), and also write a column on psychoanalysis in literary culture (no compensation). Likewise, I am a staff writer for an online publication, where I review books & DVD's, and occasionally interview authors. Does all of this uncompensated activity need to be registered?**

If it is uncompensated, it does not have to be disclosed. Please note, however, in Connecticut, receiving a copy of the book might be considered compensation by the Citizens' Ethics Advisory Board. As such, it is recommended that such activities be disclosed.

24. **Recently, InsideHigherEd.com published an editorial I wrote. It's a one-time thing (i.e., I have no relationship with them), but they're paying me \$100. Should I disclose this?**

Yes.