Regulations on External Professional Activities for Pay by Faculty and Non-Faculty EPA Employees

In accordance with the Board of Governors' policy on Conflicts of Interest and Commitment Affecting Faculty and Non-Faculty EPA Employees (*UNC Policy Manual,* 300.2.2), UNC faculty and non-faculty EPA employees sometimes may engage in compensated activities that are not a part of University employment. Through such opportunities, employees apply their specialized knowledge and experience to activities outside of their University employment, thereby enhancing their own capabilities in teaching and research and contributing significant societal benefits, including economic development through technology transfer. These activities are encouraged if the intended activity complies with Section II, A of the corresponding policy 300.2.2, and do not create a conflict of interest (see definitions, *UNC Policy Manual,* 300.2.2, Section I).

An EPA employee who wishes to engage in external professional activity for pay must adhere to these regulations to provide satisfactory assurances that such activity will not interfere with University employment obligations.

I. Regulations

A. Any EPA employee who plans to engage in external professional activity for pay shall complete the "Notice of Intent to Engage in External Professional Activity for Pay" (hereinafter referred to as "Notice of Intent," see Appendix 1), which shall be filed with the head of the department in which the individual is employed. A separate "Notice of Intent" shall be filed for each such activity in which an employee proposes to engage. Unless there are exceptional circumstances, the "Notice of Intent" shall be filed not less than ten (10) calendar days before the date the proposed external professional activity for pay is to begin.

B. Approval of a "Notice of Intent" may be granted for a period not to exceed the balance of either 1) the fiscal year (in the case of 12-month employees and employees with contract service periods that include the summer session) or 2) the academic year (in the case of 9-month employees with no summer session contract period) remaining as of the date of approval; if the approved activity will continue beyond the end of the relevant fiscal or academic year in which it was begun, an additional "Notice of Intent" must be filed at least ten (10) days before engaging in such activity in the succeeding relevant year.

C. Except as set out in paragraph D below, the "Notice of Intent" shall be considered as follows: If, after a review of the "Notice of Intent" and consultation with the EPA employee, the department head (or appropriate administrator, see definition *UNC Policy Manual,* 300.2.2, Section I, Item F) determines that the proposed activity is not consistent with the policy statements of the institution or Board of Governors, the faculty or other professional staff member shall be notified of that determination within ten (10) calendar days of the date the "Notice of Intent" is filed. In the event of such notification by the department head, the EPA employee shall not proceed with the proposed activity but may appeal that decision to the administrative officer to whom the department chair reports, and then to the chancellor or the chancellor's designee (or, in the Office of the President, to the President). A decision on any such appeal shall be given to the EPA employee within ten (10) calendar days of the date on which the appeal is received. The decision of the chancellor (or of the President) shall be final. Appeals shall be made in writing.

D. If question 8, question 9a, or question 9b on the "Notice of Intent" is answered in the affirmative, the procedure set out in paragraph 3 above shall be modified as follows: The decision of the department head to approve the activity shall be reviewed promptly and approved or disapproved within ten (10) days of receipt by the administrative officer to whom the department

head reports, and appeal of a disapproval by that officer shall be to the chancellor or the chancellor's designee (or, in the Office of the President, to the President).

E. Departmental summaries of all "Notices of Intent" filed and of actions taken in response to such "Notices of Intent" during the preceding fiscal year shall be submitted by department heads to the chancellor or the chancellor's designee (or, in the Office of the President, to the President) each July. On or before September 1 of each year, the UNC Office of the President, Office of Research and Sponsored Programs, will initiate the submission of annual summary reports from the chancellors to the President.

F. External professional activities for pay performed for another institution or agency of the State of North Carolina also must comply with State policies governing dual employment and compensation, unless an exception to those State policies is expressly authorized by the chancellor or the President.

G. In addition, senior academic and administrative officers may be subject to special regulations regarding honoraria. Please refer to the *UNC Policy Manual,* 300.2.2.2 [R].

H. University employees not complying with these procedures will be subject to disciplinary action.

II. Special Provision

These regulations shall not be required of EPA employees serving on academic year contracts, if the external professional activity for pay is wholly performed and completed outside of the academic year, provided that the activity does not conflict with the policy statements of the institution or Board of Governors and is not conducted concurrently with a contract service period for teaching, research, or other services to the institution during a summer session.

APPENDIX I

NOTICE OF INTENT TO ENGAGE IN EXTERNAL PROFESSIONAL ACTIVITIES FOR PAY

Date:_____

_____ (name) intends to engage in external professional activity for pay under the following conditions:

1. Name and address of contracting organization:

_____

_____

2. Nature of proposed activity:

_____

_____

3. Beginning date and anticipated duration of activity:

_____

_____

4. On average, how many hours per week will be devoted to this activity?

a. For 12-month employees, for the anticipated duration of the activity, within the current fiscal year ending June 30:____

b. For 9-month employees, for each component part of the academic year, as applicable, within the current fiscal year ending June 30 (see above paragraph 2):

(1) Second summer session (post July 1)_____

(2) Fall semester_____

(3) Spring semester_____

(4) First summer session (pre July 1)_____

5. Total number of hours to be devoted to activity:_____

6. Identify any classes, meetings or other University duties that will be missed because of involvement in the proposed activity (respond separately for each applicable component part of the academic calendar if 9-month employee) and state what arrangements have been made to cover any such duties:

Duties Missed	Arrangements to Cover
_____	_____
_____	_____
_____	_____

7. Use of University resources in connection with proposed activity:

a. Will the activity entail the use of any University resources (see *UNC Policy Manual*, 300.2.2, Section I, Item G)?
( ) Yes ( ) No

b. If yes, describe what resources will be used.

_____
_____
_____

8. To your knowledge, does the contracting organization above provide funding which directly supports any of your University duties or activities?
( ) Yes ( ) No

9. To be completed if the contracting organization is a private firm:

a. Do you or any member of your immediate family own an equity interest in the contracting organization?
( ) Yes ( ) No

b. Do you hold an office in the contracting organization?
( ) Yes ( ) No

10. Performance of the above described activity is consistent with the Board of Governors Policy on conflicts of interest and commitment and external professional activities (300.2.2).

_____
Signature

_____
Department

_____
Academic Rank or Job Title

_____
Administrative Title (if any)

_____
Signature Department Head (or supervisor)

ADMINISTRATIVE ACTION ON NOTICE OF INTENT

1. Reviewed; activity determined to be consistent with University policy.

_____ _____
Date Department Head

Other action (as required):

_____

_____

_____

_____ _____
Date Dean or Other Administrative Officer*

* Approval by Dean or other administrative officer to whom Department Head reports is required if question 8 or question 9a or 9b is answered in the affirmative.

2. Reviewed; activity determined not to be consistent with University policy.

_____ _____
Date Department Head

Action on appeal (if any):

_____ _____
Date Action taken

_____
Dean or Other Administrative Officer

_____ _____
Date Action taken

_____
Chancellor

Any administrative action approving a "Notice of Intent" shall be effective only for the remaining balance of the fiscal year (in the case of 12-month employees) or for the balance of the academic year (for 9-month employees); see above paragraph 2.