

ADMINISTRATIVE MEMORANDUM

SUBJECT Board of Governors' Policy Statement on
External Professional Activities of
Faculty and Other Professional Staff

NUMBER 129

DATE December 5, 1979

The above-titled Policy, a copy of which is attached, was adopted by the Board of Governors on November 9, 1979, and takes effect January 1, 1980. Institutional procedures consistent with Section 3 of the Policy should be in effect by the latter date, and a copy of the Policy should be furnished to each employee to whom it applies.

Please note particularly that the activities to which the Policy applies are defined in Section 2.a., and that it applies to full-time faculty and all other full-time professional staff members who are not subject to the State Personnel Act as set forth in Section 2.b. Note also that Section 4 makes special address of external professional activities undertaken for pay for another State institution or agency; of activities of individuals serving on academic year contracts, when the activities are to be performed and completed between the day following spring commencement and the first day of registration for fall semester; and of agreements for external professional activities for pay that are in effect prior to January 1, 1980.

The Policy employs procedures that focus on the academic department or analogous administrative unit, as defined in Section 2.c. That section requires the Chancellor to define appropriate units for the filing of the Notice of Intent by covered employees whose appointments are not in academic departments or professional schools. Accordingly, institutional procedures should identify the appropriate administrative units for any such employees, and should assure that every covered employee knows to whom he or she should submit the Notice of Intent described in the procedures. Vice Chancellors and other institutional officers of equivalent rank should file Notices directly with the Chancellor; Chancellors should file with me the Notices of Intent relating to any proposed activity of their own. You should call to the attention of all department heads and other administrators with whom the Notice of Intent is filed that they should make a prompt, timely review of the Notice. Note that pursuant to Section 3.b., the Chancellor's decision on any Notice of Intent is final, and that reports will be required from all units beginning in July, 1980.



William Friday

Attachment

The Board of Governors of
The University of North Carolina

POLICY STATEMENT ON EXTERNAL PROFESSIONAL ACTIVITIES
OF FACULTY AND OTHER PROFESSIONAL STAFF

SECTION 1. UNIVERSITY POLICY

a. Professional Affiliations and Public Service

The University of North Carolina and its constituent institutions seek to appoint and to retain, as faculty and other professional staff members, individuals of exceptional competence in their respective fields of professional endeavor. The University and the constituent institutions therefore encourage these individuals to participate in professional activities and to maintain professional affiliations based on their areas of knowledge and interest. These activities include those undertaken as members of professional associations and learned societies; membership on review or advisory panels; presentation of lectures, papers, concerts, or exhibits; participation in seminars and conferences; preparation, review, or editing of scholarly publications; and membership on accreditation bodies. Such activities performed for nominal honoraria or reimbursement of expenses or both are encouraged so long as they do not conflict or interfere with the performance of University duties and responsibilities, and they shall not be subject to the procedures defined in Section 3.

b. External Professional Activities for Pay

Because of their competence in their areas of special knowledge and interest, faculty and other professional staff are also invited by various public and private organizations to provide, for pay, consultation and other professional services. By engaging in these external professional activities for pay, these individuals have an opportunity through the practical application of their professional knowledge to enhance their own capabilities in teaching, research, and other University service. Participation of faculty and other professional staff in external professional activities for pay is therefore an important characteristic of academic employment that often leads to significant societal benefits. However, these external professional activities for pay are to be undertaken only if they do not

- (1) interfere or conflict with the performance of the primary obligation of the individual to carry out all University duties and responsibilities in a timely and effective manner; or
- (2) involve any inappropriate use or exploitation of University facilities, equipment, personnel, or other resources; or
- (3) make any use of the name of The University of North Carolina or of any of its constituent institutions for any purpose other than professional identification; or
- (4) claim any University or institutional responsibility for the conduct or outcome of such activities.

The following definitions and procedures are established to insure equity and consistency in carrying out this policy.

SECTION 2. DEFINITIONS

a. "External professional activities for pay" means any activity that (1) is performed on an individual contractual basis for an entity other than a constituent institution or other agency or unit of The University of North Carolina, (2) is based upon the professional knowledge, experience, and abilities of the faculty or other professional staff member, and (3) is undertaken for compensation to the individual, beyond the payment of a nominal honorarium or reimbursement for expenses or both.

b. "Faculty or other professional staff member" means any person who is employed full-time by a constituent institution or other agency or unit of The University of North Carolina and who is not subject to the State Personnel Act.

c. "Department" means an academic department, a professional school without formally established departments, or any other administrative unit so designated by the Chancellor of a constituent institution, or by the President for the General Administration, for the purposes of implementing this policy.

SECTION 3. PROCEDURES

a. A faculty or other professional staff member who wishes 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"), which shall be filed with the head of the department in which the individual is employed. 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. If, after a review of the "Notice of Intent" and consultation with the faculty or other professional staff member, the department head determines that the proposed activity is inconsistent with this policy statement of the 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 faculty or other professional staff member shall not proceed with the proposed activity but may appeal that decision to the administrative officer to whom the department head reports, and then to the Chancellor (or, in the General Administration, to the President). A decision on any such appeal shall be given to the faculty or other professional staff member 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 on the "Notice of Intent" form.

c. Departmental summaries of all "Notices of Intent" filed and of actions taken in response to such "Notices of Intent" during the preceding twelve months shall be submitted by department heads to the Chancellor (or, in the General Administration, to the President) each July, beginning in July, 1980.*

*The summaries reported in July, 1980, shall be for the period January 1 - June 30, 1980.

SECTION 4. SPECIAL PROVISIONS

a. External professional activities for pay performed for another institution or agency of the State of North Carolina shall be in conformity with State policies governing dual employment and compensation, unless an exception to those State policies is expressly authorized by the Chancellor or the President.

b. The procedures in Section 3 shall not be required of faculty and other professional staff members serving on academic year contracts, if the external professional activity for pay is performed and completed between the day following spring commencement and the first day of registration for the fall semester, provided that the activity does not conflict with this policy statement of the 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.

c. Any agreement or contract for external professional activity for pay in effect prior to January 1, 1980, shall be reported to the individual's department head on the "Notice of Intent" form. If such agreement or contract is deemed to contain commitments that conflict or interfere with the policy enumerated herein, the agreement or contract shall be modified by January 1, 1981, to eliminate the conflict or interference, unless other arrangements are approved by the Chancellor, or, in the General Administration, by the President.

SECTION 5. EFFECTIVE DATE

This policy statement shall become effective on January 1, 1980.

NOTICE OF INTENT TO ENGAGE IN EXTERNAL PROFESSIONAL ACTIVITY FOR PAY

DATE _____

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

1. Name and address of contracting organization:

2. Beginning date of activity _____

3. Termination date* _____

4. Time requirements

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

b. What classes, meetings, or other University duties will be
missed? _____

c. What arrangements have been made to cover any such duties
missed? _____

5. Nature of Professional Activity:

(continue on back if necessary)

Performance of the above described activity is consistent with the Board of
Governors' Policy on External Professional Activities.

Signature

ADMINISTRATIVE ACTION ON NOTICE OF INTENT

Reviewed; activity determined to be consistent with University policy.

Date

Department Head

Other action (as required):

Date

Department Head

*Approval is granted for each activity for no more than one year at a time,
unless an exception is approved by the Chancellor, or, in the General
Administration, by the President.