

POLICY AND PROCEDURES ON OUTSIDE CONSULTANCY

Policy

Morgan State University employs and seeks to retain faculty, administrators, and professional staff who are highly competent in their fields. These people are often sought by the business and professional community to provide consulting or other professional services. It is the policy of Morgan State University, consistent with Board of Regents Policy on Professional Commitment of Faculty, that professional consultancy by full-time and part-time faculty and professional staff members is permitted when responsibilities to the University have been fully satisfied as determined by the responsible administrator, and if there is no conflict of interest.

II. Procedures for Reporting Paid Professional Consultancy

A. A report must be made by a staff member doing outside paid consulting work to the Department Chair and Dean in writing, within ten (10) days of the close of each semester, and must contain:

1. the number of hours worked, and the dates;
2. the company, agency, or organization for which the work was performed; (names of clients or patients need not be disclosed if this would be a breach of ethical standards)
3. the general nature of the work.

The staff or faculty member's failure to report shall be grounds for appropriate personnel action, which may include termination of employment at the University.

B. Reports are signed by the Department Chair, Dean and Vice President for Academic Affairs (VPAA). The VPAA forwards the reports to the President or President's designee.

III. Prior Approval of Consulting and Professional Services

Paid consultancy or professional service must be approved in writing in advance by the Dean, VPAA and the President or President's designee. A written explanation of the services to be rendered and the time involved should be submitted.

IV. Consultancy To University Administered Grants

Paid consultancy for contracts or grants administered through the University are

generally not allowed. A waiver may be granted by the President in unusual or exceptional circumstances. A written request for a waiver should be made to the Department Chair, the Dean, the VPAA and to President or President's designee for final review and approval. The request should contain a detailed explanation of the services to be rendered and an explanation of the unusual circumstances which may warrant a waiver of the normal policy.

V. Use Of University Resources

University resources shall not be used in rendering consulting services unless there have been prior arrangements with the responsible administrator for reimbursement. There must be a written identification of the costs, and agreement specifying when the costs will be reimbursed.

VI. Conflict of Interest And Conflict of Commitment

A. Definition

A conflict of interest arises when a faculty member influences, or is in a position to influence, the institution's decisions for personal financial gain or benefit. A conflict of commitment situation arises when outside activities substantially interfere with the person's obligation to students, colleagues, or the institution.

B. Procedures for Resolving Issues of Conflict of Interest

Any faculty member or professional staff member engaged or seeking to be engaged in consulting work who has reason to believe that there may be a conflict of interest, or the appearance of a conflict of interest, should:

1. inform the Department Chair or responsible administrator of the possible conflict;
2. consult the State Ethics Commission for an official opinion. The State Ethics Commission has the sole authority to interpret the State Ethics Law.
3. The Department Chair or responsible administrator may suspend consulting work pending an opinion by the State Ethics Commission.

VII. Limitation on Outside Employment

The University reserves the right to limit outside employment where a supervisor imposes such a limitation as part of a plan to remediate employee job performance

deficiencies, or where the President or President's designee determines that an employee's outside activities constitute a conflict of interest or conflict of commitment.

VIII. Miscellaneous

- A. A faculty member or professional staff member shall not convey through his or her outside work an endorsement by the University of the recommendations or results. The faculty member must include a statement in any document which reports the results or recommendations of the consulting activities that the contents of the report or recommendation are not those of Morgan State University.
- B. No individual shall enter into an agreement for consulting services which conflicts with the University's policies on intellectual property without the express written consent of the President.