

# Rule 31.05.01.T1 Faculty Consulting and/or External Professional Employment



Approved: June 15, 2015  
Reviewed: March 29, 2019  
Revised: November 17, 2020  
Next Scheduled Review: November 17, 2025

---

## Rule Summary

---

Tarleton State University (Tarleton or university) encourages its faculty members to make their expertise available to business, industry, government, professional societies and other appropriate entities. Such professional engagements serve to strengthen the individual employee, serve the public and contribute to the improvement of education, leadership development, research and service. This rule is required by and supplements System Regulation *31.05.01 Faculty Consulting and/or External Professional Employment*, and establishes guidelines for the approval process for consulting and/or external professional employment activities for all faculty members employed by Tarleton. For external employment that is not directly related to the faculty member's professional discipline, see System Regulation 31.05.02, *External Employment*.

---

## Definitions

---

Faculty consulting and/or external professional employment – any work, advice or service related to a faculty's field of discipline for which a system faculty member receives compensation, services, goods, or any other item of value. The term includes, but is not limited to, any fee-for-service or equivalent relationship with a third party, employment by an individual, self-employment, or employment by an entity in which the faculty member is a principal owner. In addition, the provision of certain types of scholarly or research expertise to foreign entities without compensation constitutes "faculty consulting and/or external professional employment" for purposes of this regulation. These types include, but are not limited to, participation in scholarly or scientific research projects or publications required to be disclosed to any agency of the U.S. government, as well as communication of any information subject to export control, publication restriction or confidentiality agreement.

Faculty or faculty member – any full-time paid employees of Tarleton with an appointment as Instructor, Assistant Professor, Associate Professor, or Professor, a Lecturer, a Senior Lecturer, and Professional Track Faculty at any rank. Part-time and adjunct faculty are excluded from the requirements of this rule and the guiding regulation.

Release time – administratively approved time that a faculty member may spend away from the faculty member's normal work duties for the purpose of engaging in faculty consulting and/or external professional employment.

---

## Procedures and Responsibilities

---

### 1. RESPONSIBILITIES

- 1.1 The executive vice president of academic affairs and provost (provost) is delegated authority, as designee of the president, to approve faculty consulting and/or external professional employment at Tarleton in accordance with System Regulation 31.05.01 and as outlined herein.
- 1.2 In reviewing for a proposed faculty consulting and/or external professional employment engagement (external engagement or activity), the provost will ensure that the faculty external engagement is not reasonably expected to create a conflict of interest or presents a conflict of commitment with the regular work of the employee.
  - 1.2.1 Prior to authorization, the provost will submit any request for external engagement with a foreign entity to University Compliance and Strategic Initiatives (CSI) and the university's export control empowered official, as designated in Tarleton Rule 15.02.99.T1, *Export Controls*, for screening and review. When the faculty member's proposed external engagement is submitted to CSI and the empowered official, a copy of the application and approval form and supporting documentation will also be provided to The Texas A&M University System (System) Research Security Office.
  - 1.2.2 The provost will address any potential or actual conflicts of interest or conflicts of commitment arising from faculty external engagement and/or requests with the faculty member through the applicable dean and department head and in consultation with Employee Services as needed.
- 1.3 In accordance with System Regulation 31.05.01 and this rule, faculty members are obligated to obtain written approval for all external engagements prior to entering into any agreement and annually thereafter for each subsequent fiscal year in which the faculty member wishes to continue the external engagement. Part-time and adjunct faculty are excluded from the requirements of this rule and the guiding regulation.

### 2. STANDARDS OF CONDUCT

- 2.1 Tarleton faculty members engaged in external employment or consultation should be guided by the principles of ethical conduct in System Policy 07.01, Ethics.
- 2.2 Standards of conduct of state officers and employees are established by law, by TAMUS policies and regulations, and by Tarleton rules and procedures. Any employee who violates such standards through a consulting and/or external professional employment engagement may be subject to appropriate disciplinary

action, up to and including dismissal, regardless of approval status of the application for external engagement.

### 3. CONSULTING AND/OR EXTERNAL PROFESSIONAL EMPLOYMENT

- 3.1 Outside employment and consulting activities of faculty are considered secondary activities that may be engaged in only after approved through the process outlined in section 4 of this rule and the faculty member's duties and responsibilities to Tarleton are fulfilled.
- 3.2 No release time is granted for external consulting or external professional employment activities unless prior written approval is obtained. Annual leave should be taken if the faculty member accrues annual leave and the external activity occurs during normal business hours. If applicable external activities are limiting the performance of the faculty member's primary duties, the faculty member's supervisor may limit the applicable external activity performed outside normal business hours.
- 3.3 Tarleton faculty members may enter into an employment or consultation relationship provided that prior written approval is obtained through the process outlined in section 4 of this rule and that:
- It is not reasonably expected to present a conflict of commitment; that is, interfere with the regular work of the employee;
  - It is reasonable in amount—not more than 10 working days per long semester, or twenty percent time or less;
  - It is directly related to the faculty member's academic and professional discipline;
  - It avoids unfair competition with private business and those in private professional practice;
  - It is not reasonably expected to create a conflict of interest;
  - It does not involve the use of any resources (facilities, equipment, or personnel) of the System, unless permitted by System Policy 33.04, *Use of System Resources*, and Regulation, 33.04.01 *Use of System Resources for External Employment or are pursuant to collaboration with foreign entities that are approved under this regulation and are part of the normal scholarly work of the faculty member*; and
  - It is in accordance with any and all additional requirements outlined in System Regulation 31.05.01.

## 4. APPROVAL PROCESS

- 4.1 Faculty members must complete and route for approval an [External Employment and Consulting Application and Approval Form](#) prior to initiating the external activity and annually thereafter for each subsequent fiscal year in which the faculty member wishes to continue the engagement.
- 4.2 Approvals are required from the department head, the college dean, the export control empowered official when engagement involves a foreign entity, and the provost.
- 4.3 Prior to authorization approval, the provost will address any potential or actual conflicts of interest or conflicts of commitment arising from faculty consulting and/or external employment request with the faculty member through the applicable dean and department head and in consultation with Employee Services as needed.
- 4.4 Requests where potential or actual conflicts of interest and or commitment exist and are not able to be resolved through further vetting will not be approved.
- 4.5 Authorizations for consulting and external employment will expire August 31<sup>st</sup> each year.
- 4.6 Approved requests will be routed to Employee Services to be maintained within the faculty member's personnel file in accordance with system records retention schedule, guidelines, policies, regulations and rules.

---

## Related Statutes, Policies, or Requirements

---

[System Regulation 31.05.01 Faculty Consulting and/or External Professional Employment](#)  
[System Regulation 31.05.02, External Employment](#)  
[System Policy 07.01, Ethics](#)  
[System Policy 33.04 Use of System Resources](#)  
[System Regulation 33.04.01 Use of System Resources for External Employment](#)  
[Tarleton Rule 15.02.99.T1, Export Controls](#)  
[External Employment and Consulting Application and Approval Form](#)

---

## Contact Office

---

Provost and Executive Vice President for Academic Affairs  
254.968.9103

Employee Services Department  
254.968.9128