Connecticut State Colleges and Universities
Gateway Community College

Public Act 07-166 & Board of Regents Policy on
Faculty Consulting and Research with Private and Public Entities approved 11/21/13

Frequently Asked Questions

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

   Any full-time and part-time 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. **Does a faculty member complete a Compliance Form during Winter Intersession or Summer Session?**

   Possibly. If the faculty member is hired/contracted by a public or private entity to perform any consulting/research activity during the Winter Intersession or Summer Session **AND** uses college facilities or materials in conjunction with the activity, then the form should be completed. For example, if a science faculty member is secured for research and utilizes college lab facilities to examine samples, he/she should complete a form.

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

   By law and policy, the College President makes the final determination. However, the President may designate the Dean of Administration to approve requests during his/her absence.

4. **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.

5. **How long does review by the Dean of Academic Affairs take?**

   The Dean of Academic Affairs 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.

6. **Is there an appeal process if the Dean of Academic Affairs determines my expected activity does not comply with the statute or policy?**

   Yes. A faculty member may appeal, in writing, to the BOR Vice President for Human Resources within ten (10) calendar days upon receiving written notice that the outside work was not in compliance.

a. The faculty member shall receive a written response from the BOR Vice President for Human Resources within ten (10) calendar days stating the reasons for the decision.

b. Should the faculty member disagree with the decision of the BOR Vice President for Human Resources, the matter will be submitted to the Office of State Ethics within ten (10) calendar days from the day the faculty member receives the response. The BOR Vice President for Human Resources may elect to submit the matter directly to the Office of State Ethics for its opinion. This election by the BOR Vice President for Human Resources would satisfy the obligation to respond as stated in paragraph (a).

c. The determination by the Office of State Ethics shall be final and not subject to the grievance procedure.

7. **Are there any consequences if the activity is not endorsed by the Dean of Academic and Student Affairs and the faculty member proceeds with the consulting and/or research activity?**

Yes. Such a disregard for the direction of the Dean of Academic Affairs will result in a referral to appropriate college authorities to determine if the disciplinary process should be commenced.

8. **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.

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

Yes, see number 8 above.

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

Yes, see number 8 above.

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

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

Frequently Asked Questions

12. **What if I am already engaged in consulting or research activity that began prior to November 21, 2013?**

    You should disclose this activity if it is being performed after November 21, 2013, and is ongoing. In the case of an ongoing assignment, you should update your form whenever there is a change in your agreement with the public or private entity or annually, whichever occurs first.

13. **If I have my own business, should it be reported on the Compliance Form?**

    Possibly. If your business has no relation to your academic or faculty responsibilities and does not involve the use of college property, you do not need to report the business activity on the Compliance Form. (Note that full-time and part-time faculty members may not make use of college 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 on the Compliance Form. 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.

    Note: Full-time and part-time 4Cs, 4Cs/AFSCME and AFT members must notify the Human Resources Office of any outside employment which includes self-employment.

14. **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.

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

    Possibly. If the grant is administered by CSCU/BOR, 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/BOR, you must disclose the activity.

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

    No, see number 15 above.

Frequently Asked Questions

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

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

18. **Do I need to complete the Compliance Form if I am hired by another Connecticut public higher education institution (UConn, UConn Health Center, or other CSCU institution) 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 for full-time and part-time 4Cs, 4Cs/AFSCME, and AFT members you must notify the Human Resources Office of any outside employment.

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

    Not this form. However, full-time and part-time 4Cs, 4Cs/AFSCME, and AFT members must notify the Human Resources Office of any outside employment which includes teaching. This must be done whether at a Connecticut public higher education institution or at any other institution.

20. **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 4Cs, 4Cs/AFSCME, and AFT collective bargaining agreements are very clear on this matter. Your primary responsibility is to the college and your students. If it is determined that any outside activity interferes with your ability to fulfill your obligations to your college and/or the students, the college may direct you to cease such activity.

23. **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.

24. **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.

Frequently Asked Questions

25. **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 & videos, 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 Office of State Ethics. It is recommended that such activities be disclosed.

26. **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.