

Policies

Outside Professional Activity and Employment, Research, and Continuing Education

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Preface

Virginia Commonwealth University affirms the fact that the members of its faculty are professionals with certain obligations and privileges inherent in that status. Professionals are obliged to continuously broaden their capabilities, to share their knowledge with their peers, and to make their knowledge and skills available to the public under appropriate circumstances. Although professionals who accept full-time faculty appointment thereby commit themselves to extending their principal professional effort through the university, limited service to or association with organizations and persons external to the institution may contribute to the growth of faculty competence and the purposes of the university. Like other professionals, faculty members expend their principal productive effort on their professional work, which occupies time well beyond the norm for nonprofessional employment but may be flexible in schedule and not limited to particular hours of the day or week.

The policies below are based on certain premises:

1. Faculty members should be encouraged to engage in activities beyond their regular university duties when such activities contribute to individual growth, extend knowledge, or advance the mission of the university.
2. Under appropriate limitations, it is acceptable for faculty members to receive extra compensation for work that is definitely beyond and does not interfere with their university duties.
3. There is need to protect the interests of the university by ensuring that the faculty does not have outside demands and commitments that would retard their academic development and discharge of university responsibilities.
4. There is need to protect the university from use of its facilities in ways that would deplete its resources and interfere with its programs of education, scholarly activity, and health care.

5. In as much as individuals accepting a faculty appointment have thereby committed a full professional effort to the university, the university has a right and obligation to require advance approval and subsequent reporting on additional activities of faculty members that have a potential for significant interference with the discharge of university duties or other conflict of interest with the university.

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I. Outside Professional Activity

Outside professional activity is understood to mean any service rendered by a faculty member to persons or organizations external to the university, without university sponsorship, for the purpose of advancing, applying, or transferring knowledge in a field of endeavor related to the faculty member's employment at the university. Such activity is beyond or in addition to the faculty member's university responsibilities; it generally occurs off-campus and requires only the time and special capabilities of the individual, without significant use of university facilities or supporting services.

Outside professional activity under appropriate circumstances is to be encouraged. However, since a faculty member has committed his or her primary professional effort to the university, the university has a responsibility to limit and regulate such activity. With certain exceptions noted below, faculty members are required to obtain the permission of the university prior to engaging in outside professional activity and to make periodic summary reports on such activity.

A. Professional Leadership Activities

The university encourages its faculty members to achieve positions of leadership in their respective professions. Attainment of such status often involves activities such as presenting papers at professional meetings, giving occasional lectures at other institutions, service in offices or on committees of academic or professional societies or professionally-related civic and nonprofit organizations, participation in accreditation visits to other institutions, and service on governmental advisory committees or study sections. Such activities generally are of an occasional or short-term nature, and are either without compensation or bring only a nominal financial return to the individual. When professional leadership responsibilities have these characteristics they may be accepted without prior clearance or specific limitation by the university, and the faculty member has an obligation to see that they do not interfere with teaching assignments, research productivity, or other departmental, school, and university duties. Occasionally, faculty members are asked to accept professional responsibilities that require substantial recurring or long-term time commitments, such as may be involved in holding national level office in an academic society or editing a professional journal. Consultation with the appropriate department chairman and/or dean should precede acceptance of such responsibilities. The university will attempt to facilitate faculty performance of professional leadership roles when such activities are of a significant nature and reflect credit on the university, but all parties involved have a responsibility to ensure that such activities are compatible with university responsibilities and entail no undue drain on university resources.

With the exception noted, professional leadership activities as defined above may be undertaken without prior permission of the university. In all cases, however, such activities must be reported by the faculty member at the end of the year, in the manner described below.

B. Outside Consulting

Faculty members often have opportunities to serve as consultants or part-time employees to make their professional knowledge and skills available to individuals and organizations outside the university, including government agencies, other academic institutions, nonprofit organizations, and business enterprises. Such activities may be either on a short-term or recurring basis, and generally involve compensation to the individual. Such outside consulting is permissible and under appropriate circumstances may be encouraged as contributing to professional growth and the purposes of the university, but these activities must be carefully scrutinized and limited to ensure that they do not interfere with the faculty member's university responsibilities. Outside consulting as described above may be entered into only with prior permission of the university, within time limits specified below, and with an obligation to report all such activities to the university at the end of the contractual appointment year.

C. Teaching in Other Academic Institutions

Teaching or research at other academic institutions may be appropriate under some circumstances but is generally discouraged except for occasional lectures in the faculty member's area of specialization. Recurring responsibilities in another academic institution, such as teaching a course or supervising a research program, may be accepted only with prior permission, which usually will not be given without communication between the faculty member's department chairman or dean and a counterpart at the other institution to assure that both institutions understand and approve the arrangement.

D. Scholarly or Creative Writing and Other Individual Creative Endeavor

Such activity is part of the regular university responsibilities of many faculty members, and additional activity beyond normal expectations is generally encouraged as contributing to professional growth and the purposes of the university. If such activity is undertaken in anticipation of uncertain future compensation (such as a royalty interest in a book or possible eventual sale of an artistic work), there is no requirement of advance permission but the requirement of subsequent reporting applies. If the activity is undertaken for direct compensation or immediate sale of a product, or for an advance in anticipation of royalties, the requirements of prior permission and subsequent reporting apply.

E. Outside Professional Practice

Under some circumstances, faculty members engage in independent professional practice, accepting clients without university sponsorship and generally off-campus. Such activity whether undertaken for fees or on a pro bono basis, must be carefully limited and regulated to avoid conflict with university obligations and may be prohibited altogether by the policies of some departments or schools. When it is allowable, the requirements of advance permission and subsequent reporting apply. If the relevant canons of professional practice preclude identification

of individual clients that information need not be disclosed, but the faculty member is required to describe at the beginning of the contractual year the nature and circumstances of the practice and the amount of time to be committed to the practice, and to report at the end of the year on the actual time spent.

The policies in this section do not apply to the clinical practice of medicine and dentistry, which is regulated by special policies identified in Part IV of this document.

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II. Continuing Education

Continuing education is an integral part of the mission of Virginia Commonwealth University, and faculty are encouraged to participate in such activity. For purposes of this document, "continuing education" means VCU-sponsored short courses, seminars, workshops directed toward specific professional groups or target populations, and noncredit short courses advertised and open to the general public. Faculty participation in such activities sponsored by other institutions is considered outside professional activity.

Policies governing faculty participation in continuing education are contained in Appendix A of this document.

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III. Policies and Procedures

The following policies and procedures apply to outside professional activity as defined in Part I, with the exceptions noted therein.

- A. In their professional engagements beyond their normal university duties, faculty members have a responsibility to choose activities that contribute to their professional growth and the spread of knowledge, and which support the broad purposes of the university.
- B. When engaging in outside professional activity or other outside employment or involvements, faculty members have a responsibility to limit such activities so that they do not conflict with their primary obligations as faculty members or the goals and needs of the university.
- C. During the period of contractual obligation to the university, and with the exceptions noted in Parts I.A and I.D, above, faculty members are required to submit written requests for permission in advance of participating in outside professional activity. This is done by submitting [Form CP-1](#) through the department chairman to the dean of the school. Forms can be obtained at the offices of the appropriate dean or chairman.
- D. Arrangements for all recurring consultation and research must be approved in writing by the department chairman and the dean or director, using an appropriate form, before the work is undertaken. Faculty holding administrative rank such as chairman, dean, vice-president, etc., must obtain written permission from their immediate supervisor before such employment can be accepted. A copy of this approval must be renewed annually if

the activity is going to be continued during the subsequent calendar year. Where an employee of the Medical College of Virginia Hospitals (hospital personnel payroll) is involved, the executive director of the hospitals shall approve these arrangements.

- E. If permission for a faculty member to engage in outside professional activity is denied, the dean must inform the faculty member in writing, giving specific reasons for the denial. Copies of the request and the denial will be forwarded to the appropriate vice-president.
- F. Outside professional activity for which extra compensation is received, either separately or in combination, shall not exceed an average of one day per calendar week during the period of a faculty member's contractual obligation to the university.
- G. At the end of the contractual year (May 15 for academic year faculty, June 30 for 12-month faculty), faculty members who have engaged in outside professional activity for extra compensation must report such activity using [Form CP-2](#).

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IV. Clinical Practice of Medicine and Dentistry

All clinical practice of medicine and dentistry by faculty members must be conducted under approved university regulations in university hospitals, clinics, and centers. Income from such activity becomes a part of the faculty member's annual compensation, in accordance with university-approved compensation plans for clinical faculty through the MCV Associated Physicians and the Dental Faculty Practice Plan. The amount of effort devoted to these activities is subject to approval by the department chairman and dean and/or director.

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V. Other Outside Employment

Other outside employment is defined as any employment of a faculty member for compensation by persons or organizations external to the university, including self-employment, in fields of endeavor unrelated to the individual's university duties; it includes all nonuniversity employment not covered in Part I of this document. Any such activity must occur only in time that is clearly off-duty from the university and must be carefully limited so that it is compatible with the individual's professional status, creates no conflict of interest with the university, does not conflict with scheduled university duties, or does not in any way infringe on the full-time professional effort committed to the university.

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VI. Grants, Contracts, and Consultation Using University Facilities, Services, or Personnel

The university realizes its obligations toward the advancement of the state of knowledge and toward the improvement of the health of the general population and therefore makes its facilities and personnel available when these studies will promote the quality of programs of research,

education, and patient care, which will bring recognition to the individual faculty member, the department, the school, and the university.

- A. Grants, contracts, and consultation requiring the services of university faculty and staff and/or the use of university facilities or services must be administered in accordance with (a) the current VCU Manual on Grants and Contracts and (b) the current regulations of the funding source. Copies are available from the VCU Office of Research and Graduate Affairs.
 1. Grants and Contracts are defined as specific arrangements with
 - o federal agencies
 - o state agencies
 - o nonprofit foundations and agencies
 - o business and industry.
 2. All of these awards are made to the university for the support of the research and other sponsored activities of the faculty member. All funds are deposited with and disbursed from the office of the controller-treasurer. Any salary and accompanying fringe benefits to be paid from such awards are included in the grant or contract budget and must be paid as part of the annual compensation through routine university procedures. This becomes a part of the total annual compensation.

- B. Consultation and Research Requiring University Facilities, Services or Personnel
Occasionally a faculty member or a group of faculty members working together will be requested by an outside organization or another department, school, center, or other administrative unit in the university to provide consultation services or to perform scientific or clinical studies in university facilities or using university services or personnel.
 1. Such consultation services, scientific, or clinical studies, may be performed if at least one of the following criteria is met to the satisfaction of the appropriate department chairman and approved in writing by the appropriate dean(s) or director(s).
 - a. The project has merit, either to advance science or to improve the quality of life.
 - b. The project will improve the scientific or professional qualifications of the faculty member.
 - c. The project enhances ongoing programs of faculty members making these programs more complete and comprehensive.
 2. Any costs to the university including the Medical College of Virginia Hospitals and/or the patients within the hospital or ambulatory setting originating from any research or clinical studies must have prior approval of the executive director of the Medical College of Virginia Hospitals and the appropriate academic vice-president to use hospital facilities when any time or effort of hospital reimbursed personnel are involved. Participating faculty members shall have the right to publish the results of these studies. Reference to the university, including names of faculty members, for commercial advertising purposes is prohibited; reference may be made to the research publications reporting the work.

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VII. Implementation

- A. The policies in this document apply to activities of full-time faculty members during their period of contractual obligation to the university, which is defined as August 16-May 15 for faculty on academic year appointments and July 1-June 30 for faculty on 12-month appointments. Part-time faculty members have an obligation to deliver the full amount of time or effort committed by the terms of their appointment, and to assure that their other activities and employment do not infringe on their university obligations or create conflicts of interest with the university, but they are exempt from the specific limitations and procedures stated in this document.
- B. Department chairmen have a responsibility to keep informed of the professional and outside employment activities of faculty members, to encourage such activities when they are consistent with the policies in this document, and to warn faculty members of over involvement in activities that might jeopardize the development and promotion of the individual, or interfere with the individual's primary responsibilities, or hinder the achievement of excellence in academic or research programs.
- C. Department chairmen will report clear violations of these policies to the appropriate dean, who has a responsibility to discuss the situation with the chairman and the faculty member concerned and to initiate appropriate action.
- D. Faculty members who do not abide by the principles and policies described in this document, or who fail to adjust their activities after appropriate warning by their department chairman and/or dean, are subject to disciplinary action, including possible termination.

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VIII. Amendments to this Policy

Amendments to this policy shall be reviewed by the University Council. The above policies may be supplemented by procedures subsequently developed by the university or by the separate schools to serve their own needs in keeping with the intent of this policy and subject to review by the president of the university.

Proposed implementation date: January 1, 1983

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APPENDIX A

Continuing Education Activity For Full-time Faculty

1. **Seminars, workshops, institutes, etc. directed toward professional groups, or specific target populations**
Although a number of activities of this type are annual or regularly scheduled events, the

content of the programs will vary in keeping with the interest and needs of participants as well as advancements in the field. Such activities frequently involve several faculty for brief periods of time. These activities are usually initiated by the faculty at the department or school level, by the director of continuing education, or by the Division of Continuing Studies and Public Service and are processed through the chairmen and/or dean(s) of the various schools (as appropriate) within the university.

Guidelines to assist in arriving at payment of faculty for these activities will be developed by the faculty and administration of each school; these guidelines will take into account customary and usual travel expenses in keeping with state policy where appropriate and will be reported annually to the Division of Continuing Studies and Public Service.

2. **Noncredit courses which are advertised by the Division of Continuing Studies and open to the general public**

These courses usually extend over a period of several weeks to a full semester and are arranged and announced through the Office of Continuing Education.

Payment of faculty involved in this type of activity will be negotiated between the faculty member and the Office of Continuing Education, and the assignment of faculty to short courses will be in concurrence with the appropriate deans or their representatives. Factors to be considered in determining payment include the nature of the instruction, the number of hours of instruction, enrollment, administrative support costs, and tuition fees.

Negotiations for payment to faculty will be based on an hourly rate. The Office of Continuing Education reserves the decision as to whether a course will be offered.

3. **Extent of faculty participation**

The faculty and administration of each school, division, or program (working together within the existing administrative structures) will establish a procedure for monitoring continuing education programs during an academic year and report the procedure at the beginning of each academic year to the Division of Continuing Studies and Public Service. These procedures shall cover all programs sponsored, cosponsored or sanctioned by Virginia Commonwealth University.

4. **State and federal regulations**

State and federal regulations pertaining to payment of instructors will be adhered to where applicable.

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