

**Procedure for Reporting of Research or Consulting  
with Outside Public or Private Entity  
Connecticut State Colleges and Universities  
Housatonic Community College**

**Introduction/Purpose:**

The Connecticut State Colleges and Universities System (“CSCU”) adopted a policy on 11/21/13 regarding faculty consulting agreements and research projects with public and private entities. The policy applies to Housatonic Community College (HCC) full and part-time faculty (“Faculty”), including adjuncts and non-credit lecturers and requires that procedures be promulgated at HCC to manage and account for such agreements and projects, and provide information semiannually to an oversight committee at CSCU established pursuant to the statute. The information provided will be reviewed to assure that statutory ethical requirements are met and that no faculty member:

1. Inappropriately uses CSCU and/or HCC proprietary information
2. Consults or performs consulting or research in a manner that interferes with the proper discharge of their duties
3. Inappropriately uses their association with HCC and/or CSCU in connection with any consulting agreements and research projects outside of the faculty member’s primary responsibility as an employee of CSCU.

**Scope:**

Faculty professional activities such as consulting or engaging in a research project for a public or private entity often are useful in maintaining and enhancing the faculty member's academic scholarship and competence. The value of these outside activities is recognized through Collective Bargaining Agreements and statute and regulation. However, the primary responsibility of full-time faculty during the academic year is to the Board of Regents for Higher Education of the Connecticut State Colleges and Universities and their respective institution.

There is a set of purely academic activities that faculty members are normally expected and encouraged to undertake. Such activities would include, but are not limited to, reviewing books, articles and research proposals (i.e. federal grant study sections), presenting occasional lectures and speeches, creation of works of art. The nature of such activities will vary from one discipline to another – but the underlying principle is that they are part of faculty member’s expected academic professional development.

Consulting is defined as any additional professional activity performed by a faculty member that is:

1. Beyond the assigned duties of the faculty member
2. Professional in nature
3. Based in the faculty member’s discipline, and
4. One for which the faculty member receives compensation.

All consulting done by faculty members must conform to the following conditions:

1. Consulting activities must not interfere or conflict with the execution of the faculty member's normal duties
2. HCC must be reimbursed at market rates for HCC owned facilities, equipment or materials used in the faculty member's consulting activities
3. Consulting activities must not create any conflict of interest with CSCU and/or HCC or violate State statutes related to conflicts of interest.

**Procedure:**

Per the [Board of Regents Policy on Faculty Consulting and Research with Public or Private Entities](#), Housatonic Community College shall establish internal operating procedures that shall ensure, to the extent possible the:

1. Disclosure, review and management of conflicts of interest relating to any such agreement or project
2. Approval of HCC's Dean of Academics and the President prior to any such member entering into any such agreement or engaging in any such project
3. Referral of any failure to comply with the provisions of this policy or procedure to the applicable disciplinary process outlined in the Collective Bargaining Agreement.

HCC shall provide biennial reports to the Office of the President and Director of Internal Audit on or before May 1 and November 1 of each year. Note that biennial reports will be sent even if no activity has been reported.

At the start of each semester (Fall and Spring) the Human Resources Director shall distribute to all full and part-time faculty, including adjuncts and non-credit lecturers, information as promulgated by the BOR's Policy on Faculty Consulting and Research with Public or Private Entities. Included in this communication will be the BOR policy (see Attachment A), the "Compliance Form for Reporting of Research or Consulting with Outside Public or Private Entity" (see Attachment B), and a list of Frequently Asked Questions – FAQs (see Attachment C) prepared by the Board of Regents to assist faculty members in: understanding their responsibility under Connecticut General Statutes Section I-84(r)(2) and Board of Regents Policy; and providing faculty with requirements of the policy and when consulting and research activity should be reported.

In general, all full and part-time faculty members, including adjuncts and non-credit lecturers, who are 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 must complete the Compliance form disclosing consulting and/or research with private and/or public entities. Faculty must also submit a Compliance form when consulting or research activity occurs mid-semester or changes from when submitted and approved at the start of the semester.

Faculty are informed that pursuant to the 2011 Guide to the Code of Ethics for Public Officials and State Employees, state employees “may not utilize state time, materials or personnel in completing tasks for outside employment” and, as required by policy, HCC must report faculty consulting and research activity to the BOR Provost and Senior Vice President for Academic and Student Affairs on or before each November 1<sup>st</sup> and May 1<sup>st</sup>.

Submitted Compliance forms are presented to HCC’s Dean of Academics and President for review, approval or disapproval. This internal review ensures the:

1. Disclosure, review, and management of conflicts of interest relating to any such agreement or project
2. Approval or disapproval of HCC’s Dean of Academics and President prior to any such member entering into any such agreement or engaging in any such project
3. Referral of any failure to comply with the provisions of this policy or institution procedure to the applicable disciplinary process outlined in the Collective Bargaining Agreement.

#### **Compliance Form Review**

HCC Dean of Academics and President will make every effort to turn Compliance form submissions around as quickly as possible. During the semester, such review and reply to approve the faculty member’s Compliance form should not take more than 48 hours business time (Monday through Friday) ordinarily.

Dean of Academics and President determines compliance by:

1. Reviewing the Collective Bargaining Agreement
2. Determining if the request is professional in nature and will not interfere with the proper discharge of his or her employment with HCC (scheduled classes, advising duties, office hours, and other institutional responsibilities)
3. Verifying that activity is based in the faculty member’s discipline and faculty does not inappropriately use CSCU’s or HCC’s proprietary information in connection with said agreement
4. Determining if the faculty member receives compensation and there is no conflict of interest
5. Establishing that the name of the entity, description of work and dates of engagement are clearly specified.

#### **Sanctions**

Any member who intentionally provides misleading or false information during the course of the approval process or who continues formally disapproved consulting or research activity will be subject to disciplinary process in accordance with such member’s collective bargaining agreement or employment agreement. Such disciplinary action may include, but is not limited to: letter of reprimand; loss of the privilege to continue to

engage in consulting activities; suspension; or dismissal.

**Appeal Process for Negative Decision on the Compliance Form**

Should HCC Dean of Academics or President determine that the faculty member's research or consulting with outside public or private entity is not in compliance, the faculty member will be notified not more than 48 hours business time (Monday through Friday) upon submission of the Compliance form.

1. 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
2. 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
3. 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 #2
4. The determination by the Office of State Ethics shall be final and not subject to the grievance procedure
5. Once the decision is final, the Faculty member must cease any research or consulting activity found to be in non-compliance with the BOR's Policy on Faculty Consulting and Research with Public or Private Entities or face sanctions noted above.

**Record Retention:**

All information obtained as part of this policy and protocol shall be held in strictest confidence in the Office of Human Resources and at the System Office review level. Documentation shall be retained for the appropriate retention period for employment records promulgated by the State of Connecticut and by institution or System Office policies and procedures. Unauthorized disclosure of information or use for any party outside of stated reviewers or other approved and necessary reviewers will not be tolerated and may subject the discloser to disciplinary action.

**Reporting**

All institutions shall provide a report to the Office of the BOR President of any such approved activities on or before May 1 and November 1 of each year. In addition, the Director of Internal Audit for the Connecticut State Colleges and Universities shall audit each institution's compliance with the established internal procedures and this policy annually

**Statutory/Administrative Regulation:**

Connecticut General Statutes, Section I-84(r)(2)

**Revisions**

These procedures may be revised by mutual consent of the Dean of Academics/President with notification to the Board of Regents.

**Responsible Function Area:**

Office of Human Resources

**Attachments:**

- A: BOR Faculty Consulting and Research with Public or Private Entities Policy,
- B: Compliance Form for Reporting of Research or Consulting with Outside Public or Private Entity,
- C: Frequently Asked Questions (FAQs) prepared by the Board of Regents

Revised July 8, 2015