

INDIANA UNIVERSITY-PURDUE UNIVERSITY INDIANAPOLIS

GUIDELINES AND PROCEDURES ON CONFLICTS OF COMMITMENT FOR ACADEMIC APPOINTEES

INTRODUCTION

These guidelines and procedures detail IUPUI's implementation of the Indiana University Policy on Conflicts of Commitment for Academic Appointees. (<http://www.indiana.edu/~ufc/docs/AY04/circulars/U13-2004.approved.htm>)

Indiana University recognizes that participation by Academic Appointees with outside activities often complements research, education, and public service responsibilities. Sponsored activities supported by grants, contracts, or gifts from outside organizations and individuals provide a valuable source of funds, equipment, and topics for University research. Consulting arrangements and other contacts between Academic Appointees and outside organizations advance the University's ability to provide high-quality research and educational experiences, and to enhance employment opportunities for students. University licensing of technology to outside organizations, Academic Appointees' consulting for private companies, governmental entities and non-profit organizations, assisting in new company starts, and developing other forms of technology transfer are critical to meeting society's needs. The University, therefore, clearly has a responsibility to foster the free flow of ideas and individuals between the University and outside organizations.

1. Statement of General Policy

All Academic Appointees are expected to fully and professionally meet the obligations of their appointments. Their primary responsibilities within IUPUI are teaching and learning, scholarship (including research and creative activity), professional service (including librarian responsibilities) to the University and the wider community, service to the University, and administration in support of these activities. Due to their special capabilities, Academic Appointees are often sought to provide professional expertise for activities beyond the responsibilities of their academic appointment. External activities are often complementary and synergistic with the Academic Appointees' primary IUPUI responsibilities. However, there are times when external activities interfere with Academic Appointees' campus duties. These guidelines identify activities that might create conflicts of commitment and establish procedures for managing external activities in such a way that they do not adversely influence Academic Appointees' IUPUI responsibilities with respect to extra work. The two purposes of these guidelines are to protect Academic Appointees from ungrounded criticism for participating in already-approved external work and to give IUPUI a means of addressing instances where Academic Appointees engage in activities with a potential for conflicts of commitment. Academic Appointees are encouraged to discuss questions about external work with their Department Head or Dean.

With the acceptance of a full-time appointment, Academic Appointees make a commitment to the University that is understood to be full-time in the most inclusive sense. Full-time Academic Appointees are expected to devote their primary professional time and energy to their teaching, research, professional service, and administrative responsibilities. Accordingly, they should arrange outside activities so as not to interfere with the primacy of these commitments. At the same time, no one benefits from undue interference with the legitimate external activities of Academic Appointees who fulfill their primary full-time duties—teaching at the University, conducting scholarly research under its sponsorship, and meeting other obligations to students and colleagues. Indeed, the involvement of Academic Appointees in outside professional activities, both public and private, often serves not only the participants but also the University as a whole.

2. Application of this policy

These guidelines and procedures apply to all Academic Appointees. (There will be a separate University policy on conflicts of commitment that applies to professional staff and other non-academic appointees who are not involved in the design, conduct, or reporting of research, professional service, the financial administration of research funds, or teaching activities.)

The potential for conflicts of commitment to arise is often in proportion to the commitment that exists between the individual Academic Appointee and the University. The long-term reciprocal responsibilities that exist between the University and its tenured faculty, for example, mean that external activities by such appointees can have more significant conflict of commitment implications than if the same activities were engaged in by an adjunct faculty member or some other appointee where lesser reciprocal responsibilities exist. Accordingly, this policy defines in a consistent manner the types of situations that could be conflicts and that should be reported, but the evaluation by the appropriate Department Head or Dean on whether those situations actually pose conflicts may vary according to the particular facts, including the nature of the appointment of the faculty member and the culture of the discipline of that academic unit within the University.

3. Definitions

Academic Appointee means any person who has either a full- or part-time faculty appointment in the University (these Guidelines and Procedures will not normally apply to Academic Appointees holding honorary or unpaid positions). Examples of appointees covered by these Guidelines and Procedures include but are not limited to the following appointments: FTX, FLX, FAX, FVX, FCX, RSX, RSS, UAS, RSP, UMD, UCH, LTX, LVX.

Activities outside the University or *Outside Activities* are defined as activities not directly related an Academic Appointee's University responsibilities such as the teaching, research, and service..

University Activities, by contrast are defined as activities conducted by an Academic Appointee's University that are directly related to the Appointee's responsibilities such as the teaching, research, and service.

University Responsibilities are defined as the responsibilities of an Academic Appointee to perform University activities as defined by University or unit policy (or in a contract).

Indiana University or *University* refers to Indiana University and to any foundation associated with Indiana University.

4. General Principles

- a. Academic Appointees may engage in activities outside the University, provided that these activities do not interfere with the Academic Appointees' performance of their University responsibilities or otherwise constitute a conflict of commitment.
- b. Academic Appointees shall not use IUPUI resources in the performance of outside activities without the permission of his or her Department Head or Dean and without compensating the University. Where the resource usage is minimal and the cost difficult or impossible to calculate, such use of IUPUI resources shall not require reimbursement.
- c. Full-time Academic Appointees shall be permitted to spend, on average, one day each week on professional activities other than University activities, provided that those activities do not otherwise constitute a conflict of commitment.
- d. Full-time Academic Appointees shall be permitted to spend time without salary or on "Sabbatical Leaves" on professional activities, provided that those activities do not otherwise constitute a conflict of commitment.

e. Academic Appointees' compliance with these guidelines or with any other University or unit policy on conflicts of commitment shall not be determined on the basis of income earned from outside activities or the percentage of the appointees' University compensation that such income constitutes, unless required by law.

5. Examples of Conflicts of Commitment to which this policy applies

The University reserves the right to determine whether Outside Activities are incompatible with University Activities, and this may apply throughout the calendar year, regardless of the actual appointment period. The following are three examples, but they are not the only situations that may require disclosure. Other cases may be deemed appropriate for disclosure.

a. Being employed by or consulting for a business related to their professional responsibilities that competes, or has the potential to compete, with the mission of the University that are part of the Academic Appointees' University responsibilities.

b. Applying for, receiving, or conducting sponsored research activities for another organization that ordinarily would be conducted under the auspices of the University.

c. Teaching for another educational institution while on salary. There is no distinction between resident and online teaching.

6. Implementation

All Academic Appointees and others to whom this policy applies at IUPUI must disclose to their Department Head or Dean activities that may represent a conflict of commitment.

All disclosure statements are to be submitted to the dean's office of the individual submitting the statement. The dean or the dean's designee will review submitted disclosure statements within 30 days and will work with the Academic Appointees to determine if they may engage in the external activity and if a specific management plan must be developed. If the Dean and Academic Appointee disagree, they may seek additional advice regarding the proposed activity from the campus Conflicts of Interest Committee.

7. Appeals

Appeals of administrative decisions concerning conflicts of commitment are subject to applicable University policies and procedures.

8. Compliance

Instances of deliberate breach of policy, including failure to file or knowingly filing an incomplete, erroneous, or misleading disclosure, violations of the guidelines, or failure to comply with prescribed monitoring procedures, will be adjudicated in accordance with applicable disciplinary policies and procedures at IUPUI. Possible sanctions will include the following:

a. Formal admonition;

b. The inclusion in the Academic Appointee's file of a letter from the Chancellor indicating that the individual's good standing as a member of the University has been called into question;

c. Ineligibility of the Academic Appointee for grant applications,

d. Non reappointment;

e. Dismissal.

