**Appendix B: Prior Approval and Management of Outside Employment**

**University of Arkansas**

This form implements the University of Arkansas Board of Trustees Policies on outside employment ([450.1](https://www.uasys.edu/wp-content/uploads/sites/16/2018/04/450.1-Outside-Employment-Concurrent-Emplmt.pdf)), conflict of interest ([330.1](https://www.uasys.edu/board-policy/330-1/)), patents and copyrights ([210.1](https://www.uasys.edu/wp-content/uploads/sites/16/2019/08/BP-210.1-Patent-and-Copyright-Policy-8.21.19.pdf)), and related provisions in the campus policy on disclosure and management of potential conflicts interest and/or commitment, including outside activity (404.0). The form also assists the university in ensuring compliance with certain federal requirements.

Outside commitments and consulting activities by university employees may contribute to the institution’s land grant mission and to the dissemination of knowledge and skills. The university recognizes that a limited amount of outside work for private compensation may be advantageous to all concerned. Such persons may engage in outside employment which contributes to their professional development or correlates to their university roles. Outside employment may not interfere in any substantial way with the employee’s duties nor conflict with his or her university’s assignments. For the latter, such outside employment should not pertain to university research as defined under Board of Trustees Policy [210.1](https://www.uasys.edu/wp-content/uploads/sites/16/2019/08/BP-210.1-Patent-and-Copyright-Policy-8.21.19.pdf).

Full-time employees (30 hours per week or more), including faculty and non-classified staff, are required to obtain **written approval** from the department head/supervisor and dean/administrative unit head **prior to undertaking outside employment** and are required to report on time spent in outside employment during the previous year. Ongoing work and contracts must be approved annually. In limited and unusual cases where it may not be possible to process formal prior approval using this form due to urgent and pressing time constraints, employees should provide notice via email or similar method to their supervisors and obtain informal prior approval of any outside employment; this must be followed up with a formal approval process using Appendix B as soon as possible.

*Note: the prior approval requirement includes outside employment for all covered employees during university breaks and holidays.* ***Summer employment for 9-month faculty must be disclosed via Appendix D if the summer employment: 1) involves teaching, research, creative activity, or an appointment with another institution; 2) pertains to university research as defined in Board of Trustees Policy*** [***210.1***](https://www.uasys.edu/wp-content/uploads/sites/16/2019/08/BP-210.1-Patent-and-Copyright-Policy-8.21.19.pdf)***; 3) otherwise directly relates to the faculty member’s responsibilities to the university; or 4) involves any compensation or support from a foreign entity***, or furnishing of research or services to a foreign entity***. This includes foreign talent recruitment or foreign research funding arrangements, even if personal compensation for the employee is not included. Peer review activities for U.S. federal or state government agencies and domestic institutions that do not involve compensation other than reimbursement for expenses and/or a nominal honorarium are excluded from this requirement.***

Faculty members who engage in recurring employment that aligns with their university appointment should obtain written approval from the department head and dean at the start of the academic year, and anytime new opportunities arise. Each dean or similar officer shall keep records on all outside employment by personnel in his/her academic or administrative unit and shall prepare an annual report at or near the end of the year, including details on what outside employment actually occurred. The report should include time spent on the employment during the reporting period and the total payment for all outside employment. Such records shall be submitted to the Chancellor, Vice President for Agriculture, or chief executive officer for the unit (or a designee who is a senior administrator) by September 30 of each year or nearest feasible date in addition to the regular review of outside employment disclosure when changes occur.

I request to undertake outside employment as follows:

Beginning Date: Click or tap here to enter text. Ending Date: Click or tap here to enter text.

Estimate of average number of hours per week spent over the period: Click or tap here to enter text.

Note: Faculty on 9- and 12-month appointments may be permitted to commit up to 15 workdays per semester to an outside commitment, provided they are meeting their university obligations. Faculty on 12-month appointments may also commit up to 15 workdays during the summer semester. (In unique and rare circumstances where there is a demonstrated benefit to the university and the outside commitment will increase the research contributions of the faculty member, approval for extra days may be sought as described in the policy.) Staff members must limit their outside employment activities to non-work hours or use personal leave.

In the space below or in an attached explanation provide the following: name and address of employer or contracting entity; source and type of compensation; specific explanation of the nature of the employment, role or position, location, schedule, how assigned University responsibilities will be covered during any absence; and whether or not the use of University facilities, property, or personnel are requested. For employees conducting federally funded research or engaged in outside employment/contracting with a foreign source, estimated, approximate amount (specific figure or [range](https://grants.nih.gov/grants/policy/coi/fcoi_web-based_tutorial.pdf)) of compensation must be listed.

Click or tap here to enter text.

What is the expected benefit of the outside employment to your professional development and to the university?

Click or tap here to enter text.

Documentation may be included with the request for approval. The university reserves the right to require that copies of any proposed contracts or agreements, including consulting agreements, appointment letters, business formation agreements, or other documentation be furnished in order to facilitate evaluation of the proposed outside employment. Employees may request that specific documentation furnished be treated as exempt from disclosure under FOIA (see below).

*NOTE: When approval of outside employment is requested, the employee should also submit Appendix D, Disclosure and Management of Outside Activity and Other Potential Conflicts of Interest and/or Commitment.*

[ ]  Information disclosed to the university may be subject to public disclosure. **To request that specific information be reviewed to determine if it may be exempt from public disclosure, attach all information as required by 404.0, *Disclosure and Management of Outside Activity, including Potential Conflicts of Interest and/or Commitment.* In signing this form, I acknowledge that all information not determined to be exempt may be released by the university upon public request, without further notice.**

[ ]  In signing this form, **I certify that all information furnished is true, accurate, and complete**, and I understand that I need to submit a new form each year if I continue such outside employment.

[ ]  For any external consulting, appointment, or business activity, **I certify that all requirements of Board Policy 210.1 have been satisfied** (see excerpt below).

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click or tap here to enter text.

Name: Click or tap here to enter text.

Title/Position: Click or tap here to enter text.

Department/Unit: Click or tap here to enter text.

Workday ID#: Click or tap here to enter text. Note: this is not your UARK ID Number

Approvals: Signature certifies that 1) the faculty or staff member is fully and successfully meeting his/her assigned university duties; 2) this form and supporting documentation, if any, have been reviewed; 3) the proposed outside employment appears to be consistent with all applicable university and Board policies; and 4) the employment will not interfere with the employee’s university obligations. Approval may be withdrawn in the event that any of the above conditions are not satisfied.

*Department Chair or Unit Head*

[ ]  Approved [ ]  Disapproved

[ ]  Further review or conditions required (specify): Choose a building block.

Name of Department Chair or Unit Head: Choose a building block.

Signature: Choose a building block. Date: Choose a building block.

*Dean or Unit Head Supervisor*

[ ]  Approved [ ]  Disapproved

[ ]  Further review or conditions required (specify): Choose a building block.

Name of Dean or Unit Head Supervisor: Choose a building block.

Signature: Choose a building block. Date: Choose a building block.

*Vice Chancellor for Economic Development (if referred due to intellectual property concerns)*

[ ]  Approved [ ]  Disapproved

[ ]  Further review or conditions required (specify): Choose a building block.

Name of Vice Chancellor for Economic Development (or designee): Choose a building block.

Signature: Choose a building block. Date: Choose a building block.

*Vice Chancellor for Research and Innovation*

[ ]  Approved [ ]  Disapproved

[ ]  Further review or conditions required (specify):

Name of Vice Chancellor for Research and Innovation (or designee): Choose a building block.

Signature: Choose a building block. Date: Choose a building block.

*Provost*

**(**Approval required for all full-time faculty teaching, conducting research/creative activity, or other appointment at another institution).

[ ]  Approved [ ]  Disapproved

[ ]  Further review or conditions required (specify): Choose a building block.

Name of Provost (or designee): Choose a building block.

Signature: Choose a building block. Date: Choose a building block.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Copies of all outside employment forms approved by the Department Chair/Unit Head and Dean shall be forwarded to the Vice Chancellor for Research and Innovation (VCRI) and the Vice Chancellor for Economic Development (VCED) (as necessary), or their respective designees, for review and processing. The VCRI or VCED may require further review (including, but not limited to, review by the Conflict of Interest & Commitment Review Committee) or require additional conditions for approval of outside employment arrangements tentatively approved at the college or school level in light of applicable policies or statutory/regulatory requirements and in the best interests of the University. If Provost approval is required, the VCRI shall forward the form to the Provost. Upon final action, please furnish completed copy furnished to employee, Dean, Department/Unit Head, VCED, and Research Compliance.

*Board Policy 210.1, Patent and Copyright Policy, excerpt:*

I.D.2. External Consulting Agreements. Pursuant to this policy and Board Policies [330.1](https://www.uasys.edu/board-policy/330-1/) and [450.1](https://www.uasys.edu/wp-content/uploads/sites/16/2018/04/450.1-Outside-Employment-Concurrent-Emplmt.pdf), together with any and all campus Conflict of Interest and Conflict of Commitment policies, persons employed, compensated, or appointed by the University may engage in external consulting work or business activities upon the following conditions:

* 1. Employees engaged in external consulting work or business are responsible for ensuring that agreements emanating from such work are not in conflict with this policy or with contractual commitments of and to the University, including teaching and research obligations.
	2. Such employees should provide affirmative notice to the other parties to such agreements, informing them of the obligations of the employees to the University and the possible applicability of this policy to such agreements. In addition, it is recommended that any Consulting Agreement contain the following sentence: “Nothing in this Agreement shall be construed to restrict or hinder the Consultant’s ability to conduct current or future research or teaching assignments with the University.” In the event of a conflict between the Consulting Agreement and this Board of Trustees Policy [210.1](https://www.uasys.edu/wp-content/uploads/sites/16/2019/08/BP-210.1-Patent-and-Copyright-Policy-8.21.19.pdf), the terms of this policy shall control.
	3. The intellectual property developed or created by such employee under a Consulting Agreement shall not be an Invention subject to this policy and may be owned by the employee or the company or organization for whom the employee consults provided the employee:

(1) obtains campus authorization prior to starting the consulting or business activity;
(2) abides by all applicable Conflict of Interest and Conflict of Commitment policies; and

(3) develops or creates such intellectual property without the use of (a) facilities owned, operated, or controlled by the University, (b) a pre-existing Invention owned by the University, or (c) University Research.

* 1. **It is the responsibility of the employee to ensure and establish that the intellectual property developed or created pursuant to a Consulting Agreement satisfies the conditions of the preceding Section I.D.2.c.**  (Emphasis added.)