Frequently Asked Questions (FAQs)

For

Policy for the Disclosure of External Activity
By Faculty and Other Research Grant and Contract Eligible Employees

(8/16/2020)

FAQs will be updated frequently and shared with the campus community.

1. An employee is asked to serve as a grant reviewer for the National Science Foundation. Does the employee need to submit a notice of intent form?

   **Answer:** No. Serving on a grant review panel is a well-recognized and valued professional “Secondary Responsibility” where the employee legally and professionally represents UA. Secondary Responsibilities are not considered External Activities, and employees engaging in Secondary Responsibilities do not have to complete the Notice of Intent form.

2. An employee is invited to present a seminar on his/her UA research at another university. The employee’s travel expenses are paid by the other university and the employee receives a honorarium. Does the employee need to submit a notice of intent form?

   **Answer:** No. An invitation to present research at another university and receiving a honorarium is a well-recognized and valued professional “Secondary Responsibility” where the employee legally and professionally represents UA. Secondary Responsibilities are not considered External Activities, and employees engaging in Secondary Responsibilities do not have to complete the Notice of Intent form.

3. An employee is asked by a private company to serve as a paid consultant. What are the most important factors for the department head to consider in reviewing the request?

   **Answer:** There are at least four factors to consider: 1) Is the employee otherwise meeting their Primary and Secondary Responsibilities?, 2) is the level of engagement manageable (i.e., will any university assignments or responsibilities be missed, and if so, is there a sufficient plan to address?), 3) Is a Sponsored Research Project or Service Agreement between the company and UA more appropriate than a consulting agreement between the employee and the company?, and 4) Does the proposed consulting engagement present any perceived or real conflict of interest (i.e., financial, intellectual property, etc.).

4. An employee is asked by a private company to serve as a paid consultant. The contract the employee is asked to sign by the company requires that any new intellectual property developed under the contract will be assigned to and owned by the company. Should the request be approved?

   **Answer:** No, the request should not be approved without further consideration. Board Rule 509 titled “Patent Policy” states “Any invention or discovery which is made by an employee of a campus of the University and which relates to the employee's field of work shall be the property of the applicable campus of the University.” [Section II.D.]. However, the policy also states that the President of the respective campus (or his/her designee) has sole discretion to consider the applicability of this requirement. Therefore, the Office for Research and Economic Development should be consulted on this matter.

5. Do 9-month faculty have to obtain advance approval for external activities performed during the summer (non-academic appointment months)?

   **Answer:** Yes, 9-month faculty are considered by the state to be full-time state employees and are expected to obtain approval in advance for external activities performed during those periods. State employees are bound throughout the calendar year by the state’s Code of Ethics and Board Rules referenced in this policy.