

<b>ADMINISTRATIVE DIVISION</b> ACAF Academic Affairs		<b>POLICY NUMBER</b> ACAF 1.50
<b>POLICY TITLE</b> Outside Professional Activities for Faculty		
<b>SCOPE OF POLICY</b> USC System		<b>DATE OF REVISION</b> February 10, 2022
<b>RESPONSIBLE OFFICER</b> Executive Vice President for Academic Affairs and Provost		<b>ADMINISTRATIVE OFFICE</b> Office of the Provost

**PURPOSE**

The University of South Carolina (university) recognizes its responsibility to provide leadership and share expertise with the private sector, government, and society in general. This policy defines which outside professional activities must be disclosed to the university, approved prior to engagement, and reported annually.

**DEFINITIONS**

**Conflict of Commitment:** a situation in which an individual engages in external activities, either paid or unpaid, that may interfere with his/her primary obligation and commitment to the university.

**Conflict of Interest:** a situation in which an individual has financial, professional, or personal considerations that may directly or indirectly affect, or have the appearance of affecting, their professional judgment in exercising any University duty or responsibility. A conflict of interest may arise when an individual has the opportunity or appears to have the opportunity to influence the university’s business, administrative, academic, research, or other decisions in ways that could lead to financial, professional, or personal gain or advantage of any kind, whether the value is readily ascertainable.

**Faculty:** University personnel who are engaged in research, instruction both inside and outside the classroom, service, and/or administration. Faculty can be further classified as having tenure-track, professional-track, or honorific appointments.

**Local Unit:** any part of the university (e.g., school, colleges, department, division, campus) having its own separate promotion and tenure policy.

**Outside Professional Activities:** activities, compensated or uncompensated, that are within a faculty member’s area of professional, academic expertise and that advance or communicate that expertise through interaction with industry, government, the community, or the public. Outside additional teaching is included in this definition. Outside professional activities are distinct from nonprofessional activities, i.e., activities that are part of the faculty member’s private life and not governed by guidelines on outside professional activities.

**Supervisory Unit:** an organizational unit that includes one or more local units (e.g., colleges).

**University:** the University of South Carolina campuses at Columbia, Aiken, Beaufort, Upstate, Lancaster, Salkehatchie, Sumter, and Union as an entity and acting through its authorized agents.

## **POLICY STATEMENT**

The University of South Carolina (university) recognizes its responsibility to provide leadership and share expertise with the private sector, government, and society in general. As an important part of its research, education, and public service mission, the university actively participates in, and encourages faculty interactions with the private sector and government. These collaborations provide valuable resources (funding, equipment, networks, etc.) and opportunities that help to advance the university's mission and address critical societal needs.

This policy acknowledges the value of outside professional activities while recognizing the likelihood that some outside activities may cause real or apparent conflicts of interest or commitment. Outside professional activities that interfere with a faculty member's professional obligations to the university represent a conflict of commitment. A faculty member may also have conflicts of interest between their duties at the university and certain outside professional activities due to financial, professional, or personal considerations. The Department Chair, in consultation with the faculty member and the Dean, shall resolve all questions related to whether an individual activity constitutes an outside professional activity.

Faculty must comply with all related university policies, including [BTRU 1.18 Conflicts of Interest and Commitment](#), [ACAF 1.33 Intellectual Property](#), [HR 1.02 Ethics Policy](#), [HR 1.27 Nepotism](#), [HR 1.30 Outside Employment](#), and [HR 1.78 Dual Employment](#).

Faculty applying for, or participating in, governmental and private sector grants or contracts must adhere to policy [RSCH 1.06 Disclosure of Financial Interests and Management of Conflicts of Interest Related to Sponsored Projects](#) (Research) and comply with all relevant governmental conflict of interest or conflict of commitment regulations in addition to those specified in this document.

- A. The university's resources (equipment, supplies, personnel, etc.) may not be used for private gain or for personal purposes, including outside professional activities ([HR 1.02 Ethics Policy](#)).
- B. Local units may develop and implement additional requirements regarding OPA, as may be appropriate for their disciplines. Local unit policies regarding OPA must be approved by the Office of the Provost and reviewed at least every five years. If a faculty member has questions regarding what outside activities should be reported, they should consult with their local unit head.
- C. Prior Approval and Reporting
  1. Before undertaking an outside professional activity (OPA), a faculty member must obtain the approval of their local unit head. Such approval should be based on consideration of potential conflicts of interest and the impact of the outside activity on professional obligations to the university. In addition, individuals engaging in OPA must submit a comprehensive annual report of these activities. Faculty with non-month appointments

must report outside professional activity from the full year (e.g., including activities from the summer months).

2. OPA that must receive prior approval and be disclosed, include but are not limited to the following:
  - Contracts for professional activities with any outside entity or individual. For example, consulting services, witness testimony, paid service on boards or review panels.
  - Participation in grant/research proposals through an entity other than University of South Carolina.
  - Academic remuneration noted as fees and honoraria.
  - Management or board positions in a business or corporation.
  - Employment by an external entity.
  - Ownership or equity holdings in an individual business or corporation which relates to a faculty member's institutional responsibilities.
  - Financial or in-kind support from foreign organizations (research, teaching, fellowships, foreign government talent recruitment programs, etc.)
  - Pro-bono engagements (e.g. service on professional committees, advisory boards, public commissions) that fall outside of the duties expected of a faculty member.
  - Additional activities identified by a faculty member's local unit head or unit policy
  
3. OPA that generally do not require prior approval or annual reporting because they are consistent with professional expectations, include but are not limited to the following:
  - Review of scientific or academic publications
  - Book reviews; external promotion reviews
  - Editorial boards for academic/professional publications
  - Lectures, seminars, or performances in academic/scholarly settings
  - Service on committees or governing boards of professional organizations
  - Service on government advisory groups, NIH study sections, FDA advisory panel or similar services workshops, or advisory work for federal agencies
  - Additional activities identified by a faculty member's local unit head or unit policy

#### D. Student Involvement in Outside Professional Activities

Involvement of students in the outside professional activities of a faculty member may, under certain conditions, offer the student potential educational benefits. However, the relationship between faculty member and student must be protected from influences or activities that may interfere with the educational goals and ideals of the university. A faculty member involving a student in outside activities has the responsibility to ensure that the student's participation does not interfere with the student's academic obligations.

If the faculty member has, or expects to have, academic responsibility (instructional, evaluative, or supervisory) for the student, the faculty member must obtain prior written approval from the local unit head before involving a student in an outside professional activity regardless of whether the faculty is compensated for or has a financial interest in the activity. Involvement of students means any substantive activity in which the student

participates, whether the student is compensated or uncompensated. The involvement of a student in the outside professional activity of a faculty member must not affect, positively or negatively, the faculty member's evaluation of the student's performance in any context.

## **PROCEDURES**

- A. Faculty will seek and obtain prior approval for outside professional activities from their local unit head. Approval is granted in the following ways:
1. Through the annual disclosure process. Faculty are asked to disclose any planned outside professional activities annually in the university's outside activities and interest reporting (AIR) system. Faculty disclose planned activities and their local unit head reviews the planned activities and notes approval. If any planned activities constitute a potential conflict of interest or conflict of commitment, the faculty member will be asked to develop a management plan to address the potential conflict. The approved management plan will be documented in the AIR system.
  2. If new outside professional activities arise during the year (e.g., activities not listed in the annual disclosure), faculty must seek written approval from their local unit head before engaging in the activity. Approval shall be documented in written correspondence between the faculty member and their unit head. If the new activity or interest presents a potential conflict of interest, it must be approved in the AIR system with a corresponding management plan.
  3. Material increases to approved OPA should be reported to the faculty member's unit head using the same mechanism as for new activities.
- B. On an annual basis, each full-time faculty member will report their outside professional activities to the reviewing unit head. Such reports shall be submitted through the university's central reporting system.  
([https://www.sc.edu/about/offices\\_and\\_divisions/provost/faculty/outside-professional-activities.php](https://www.sc.edu/about/offices_and_divisions/provost/faculty/outside-professional-activities.php))
- Reports shall include, but are not limited to, the following:
- type of activity and name of outside entity
  - whether the activity is compensated
  - duration/time requirements
  - any equity ownership, intellectual property rights, university licenses, or other factors relevant to evaluating a potential COI
  - whether the activity involves the use of university resources (facilities, faculty, staff, students, or other commitments).
- C. The head of the supervisory unit (Dean) will receive local unit reports and review all identified conflicts of interest or commitment as well as any instances of potential conflict not previously identified which may require further action. The supervisory unit head may return to the unit head any case that requires further review and/or management.

1. If the potential conflict of interest is a financial conflict of interest related to the conduct of research, the management plan must be approved by the [Office of Research Compliance](#) and the Conflict of Interest Committee. See policy [RSCH 1.06 Disclosure of Financial Interests and Management of Conflicts of Interest Related to Sponsored Projects \(Research\)](#).
  2. For other conflicts of interest and commitment, the faculty must work with their local unit head for approval of the management plan
- D. The provost or chancellor will review local unit summary reports, including actions taken by local and supervisory unit heads.
- E. The University of South Carolina expects faculty to be conscientious in their adherence to the provisions and policies of the university and unit as well as any applicable state and federal regulations/policies concerning outside professional activities. The university further expects academic administrators to be vigilant in their oversight and enforcement of these policies.

Violations of this policy and procedures, including the failure to file timely disclosures; filing incomplete, erroneous, or inaccurate disclosures; or failure to comply with prescribed procedures for managing or resolving conflicts of interest, will be dealt with in accordance with applicable university policies and procedures.

#### **RELATED UNIVERSITY, STATE AND FEDERAL POLICIES**

[ACAF 1.33 Intellectual Property](#)

[BTRU 1.18 Conflicts of Interest and Commitment](#)

[HR 1.02 Ethics Policy](#)

[HR 1.27 Nepotism](#)

[HR 1.30 Outside Employment](#)

[HR 1.78 Dual Employment](#)

[RSCH 1.06 Disclosure of Financial Interests and Management of Conflicts of Interest Related to Sponsored Projects](#)

#### **HISTORY OF REVISIONS**

<b>DATE OF REVISION</b>	<b>REASON FOR REVISION</b>
February 1, 1995	New policy approval
November 10, 2016	Revised to streamline committee membership and reflect current committee responsibilities
February 10, 2022	Removes requirement for each academic unit to develop their own sub-policy. Streamlines language and procedures throughout.