**3356-7-18 Outside consulting services – faculty.**

Previous Policy Number: 7004.01

Responsible Division/Office: Finance and Administration/Human Resources

Responsible Officer: VP for Finance and Administration; Provost

Revision History: April 1999; December 2013

Board Committee: University Affairs

**Effective Date:** **December 18, 2013**

Next Review: 2018

(A) Policy statement. The university supports faculty participation in activities in the government, industry, and other private institutions that generally serve the academic interest of the university. Students, the university, and the state of Ohio generally benefit from experiences faculty bring to the classroom and the recognition that such experiences bring to the faculty and university. Therefore, faculty may provide professional consulting services to entities or individuals outside the university and receive compensation for such services as long as the services do not create a conflict of commitment with the performance of their university duties, conflict with applicable university policy, or violate any state or federal statute or applicable research or grant-funding guidelines.

(B) Purpose. The purpose of this policy is to establish guidelines under which faculty may engage in outside paid consulting services and the reporting requirements which arise when faculty engage in such services outside of their university duties and in their areas of general professional expertise. This policy does not apply to external professional activities that are expected of faculty in their professional roles, such as work on peer review panels and advisory bodies for other universities or publishers.

(C) Definition. In general, “consulting” is defined as professional activity related to the person’s field or discipline, where a fee-for-service or equivalent relationship with a third party exists.

(D) Procedures.

(1) This policy does not apply to professional/administrative staff, including deans and chairs.

(2) Generally, the proportion of a faculty member’s professional effort devoted to consulting should not exceed one business day per week. Acceptance of a faculty appointment at the university requires that the faculty member make a commitment to the university consistent with the faculty appointment and academic rank. Outside consulting should not conflict with the overriding commitment made to the university.

(3) Prior to the commencement of any consulting activity, faculty must fully complete and receive approval of an outside consulting form. In order to insure that a consulting arrangement is in compliance with this policy, the form must be completed on an annual basis for each new and ongoing consulting arrangement and shall be submitted for approval/disapproval to the department chair and college dean prior to the commencement of any consulting activity. The form shall be retained in the office of human resources.

(4) University facilities, supplies, equipment, and resources, including letterhead (collectively referred to as “resources”) may not be utilized when providing consulting services without appropriate compensation and prior written approval of the vice president for finance and administration and the provost. Faculty shall not use the university name or the fact that they are affiliated with the university in a manner that suggests that the university approves the product or service that is the subject of the consulting or that would suggest university involvement or approval of the consulting activity, purpose or findings.

(5) Under Ohio law, the university owns any intellectual property that results from research or investigation conducted by employees within the scope of their employment or with funding, equipment, or infrastructure provided by or through the university. Approval for the use of university resources does not negate the university’s rights to and interest in discoveries, inventions, or patents pursuant to Ohio law.

(6) Consulting services may not be offered for activities provided by the university as part of its usual operation. Faculty may not enter into consulting arrangements that compete with the interests and work of the university.

(7) Faculty are responsible for any damages or claims for damages which may arise in connection with their outside consulting activities. The limited immunity conferred by section 9.86 of the Revised Code does not apply to consulting activities.

(8) Faculty providing consulting services should also refer to rules 3356-7-01 and 3356-5-12 of the Administrative Code.