



University of Kentucky
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MEMORANDUM

To: All Full-Time Faculty Members

From: Robert S. DiPaola, M.D.
Provost

Lisa Tannock, MD
Associate Provost for Faculty Advancement

Subject: **Consulting and Employment Outside the University**

Date: September 26, 2023

As University of Kentucky faculty, you are well regarded in your respective areas, and as such your expertise may be sought by external constituents. The “University Policy” section of the Administrative Regulation concerning Consulting and Other Overload Employment, [Administrative Regulation \(AR\) 3:9](#) states

“The University has an obligation to encourage its faculty to assist in the transfer of knowledge from the University into the general community....Personal participation in professionally relevant consulting activities should enhance a faculty member’s competence as a teacher and a researcher.”

However, please note this reminder about seeking approval **before** accepting employment, consulting, teaching or other types of work outside the university, with governmental agencies, other educational institutions, businesses, or others.

The reason for requiring approval before participating in such activities is to ensure that faculty members avoid any situations in which their involvement in consulting or other employment outside the university may conflict, or appear to conflict, with their university duties and responsibilities. At UK we believe in maintaining the highest standards of integrity and compliance. A number of university and even federal regulations may apply, and we acknowledge these can be complex. Thus, requiring approval before participation is in part to assist faculty with navigating these complexities.

In addition to AR 3:9, the following are especially recommended for review and application, as appropriate to your college and discipline:

GR X Regulations Affecting Employment

GR XIV B. 9 & 10: Conflicts of Commitment and Conflict of Interest

AR 7:2 Financial Conflict of Interest Involving Research

AR 7:6 Intellectual Properties Policy and Procedures

AR 7:9 Institutional Conflicts of Interest Involving Research

AR 3:14 Practice Plans for Health Science Colleges and University Health Services

Approval Procedure:

Documentation and **prior approval** of employment and most types of professional activity outside of the university is required. All faculty members on a full-time (0.75 or greater FTE, which includes nine-, ten-, eleven-, or twelve-month assignments, and including faculty on phased retirement) are required to report all outside employment and/or consulting via the myUK portal **before** engaging in any consulting or other outside employment.

Requests for approval should be submitted via the myUK portal (Go to the “Enterprise Services” tab, then “Workflow.” The Faculty Overload Form link appears on the left under “Workflow Items.”). A [reference guide](#), developed by the Martin-Gatton College of Agriculture, Food & Environment, provides valuable information in completing the required overload documentation. Your departmental or college business officer is available to provide additional assistance.

Once the myUK portal form is completed, the approval workflow process begins, which includes the appropriate department chair (or director), dean, and the Office of the Provost. If the request is denied, decisions may be appealed by the faculty member. With adequate detail when filing, approval rarely takes more than five business days; however, we recommend submitting requests at least 2 weeks ahead of any planned activity.

Description of Potential Conflicts:

A conflict of *commitment* occurs when a faculty member’s outside activities interfere with the faculty member’s professional obligations to the University of Kentucky, which include obligations to students, colleagues, and the missions of the university and compromises the individual’s performance as a full-time university employee. This form of conflict involves a perceptible reduction of the individual’s time and energy devoted to their assigned university activities. While outside work during one’s non-assignment period, authorized leave, vacation period, or during university-observed holidays does not create a conflict of commitment, faculty who plan to consult or to undertake employment outside the university during their non-assignment period are required to file the request through the myUK portal to ensure that the outside work does not create a conflict of *interest*.

A conflict of *interest* occurs when a faculty member’s outside activities create a conflict between the faculty member’s private interests and obligations to the university or, more specifically, when an individual uses their university position to further their own private interests or the interests of any members of their family. Full-time faculty (nine-, ten-, eleven-, or twelve-month) who have ongoing non-UK employment in or outside their contract assignment period are required to file

through the myUK portal annually, without concern for disclosure of previously unfiled requests. Lastly, professional services covered under university-enacted professional service plans (AR 3:14 link above) are not allowed, regardless of this approval process.

Determining when to submit a form F

As outlined in AR 3.9, occasional external professional activities that do not occur more than 4 separate times per year, and do not result in compensation in excess of \$1000 per occasion do not need prior approval. This would apply to activities such as the following

- Occasional service on review panels, site visit teams, professional committees or boards and related voluntary professional services
- Occasional lectures or seminars at other institutions
- Occasional telephone or office consultation
- Occasional reading and evaluation of manuscripts, writing reviews, serving as expert witness, rendering professional opinions in depositions, etc.

Please note that both time (up to 4 separate times a year) and compensation (up to \$1000 per occasion) are considerations. Recognizing this complexity, faculty are encouraged to submit a form F for all such work, even if not strictly necessary.

Questions?

For questions regarding AR 3:9 (link above) or its interpretation or application, contact the Office for Faculty Advancement at 859-323-6589 or facultyadv@uky.edu.

Consider attending a town hall presentation to learn more. We are offering sessions on

Thursday October 5th 2023, 12-1pm- [Register](#)

Tuesday October 10th 2023, 4-5pm- [Register](#)

RSD/lrt/rk