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[Appendix I, Summary of Categories of Outside Professional Activities](#)

**Note: For links to referenced documents see
 Section VI, *Related Information*, below.**

I. POLICY SUMMARY

- A. This section of the Policy and Procedure Manual (PPM) for the University of California (UC) Agriculture and Natural Resources (ANR) describes the local implementing procedures for UC Academic Personnel Manual (APM) Section 025, *Conflict of Commitment and Outside Activities of Faculty Members*. This section supplements APM-025 and should be read in concert with that policy. Nothing contained in these implementing procedures should be read or interpreted to contradict the UC policy. If any provision should contradict the UC policy, the UC policy shall prevail.
- B. APM-025 provides authority for academic appointees to engage in a wide array of outside activities, but not to the extent that the engagement(s) is in conflict with their official duties and any other obligation. Accordingly, outside professional activities must be undertaken in a manner consistent with the academic appointee's professional obligations to UC. Outside activities must not conflict with the academic appointee's obligations to clientele, colleagues, or to UC as a whole. Whether professional or non-professional, compensated or uncompensated, an outside activity that interferes with successful performance of an academic appointee's UC obligations represents a conflict of commitment.
- C. Conflicts of interest (whether actual or perceived) may arise in the course of outside professional activities. Conflicts of interest are addressed in PPM Section 403, *Conflict of Interest*.
- D. This policy addresses the management of conflict of commitment; and defines which outside professional activities must be disclosed to UC ANR, approved prior to engagement, and/or reported annually. This policy also limits the amount of time an academic appointee may devote to outside professional activities.
- E. Selected academic appointees have been assigned to a UC campus with personnel actions approved through campus academic policies and procedures. Thus, those selected academic appointees are subject to campus policies and procedures and are not addressed in UC ANR local implementing procedures. This section of the Policy and Procedure Manual is applicable only to academic appointees subject to UC ANR personnel actions.

II. DEFINITIONS

- A. **Appropriate Administrator:** The academic supervisor responsible to evaluate and approve or decline requests to engage in outside professional activities.
- B. **Category I Activity:** Outside professional activities **likely** to raise issues of conflict of commitment and/or interest, whether actual or perceived.
- C. **Category II Activity:** Outside professional activities **less likely**, but still may raise issues of conflict of commitment and/or of interest, whether actual or perceived.

- D. Category III Activity:** Outside professional activities **highly unlikely** to raise issues of conflict of commitment and/or of interest.
- E. Compensation:** Compensation for outside professional activities includes all types of remuneration (including stock and stock options) that have immediate or potential financial value, excluding customary honoraria, reimbursement for reasonable travel expenses and per diem expenses.
- F. Conflict of Commitment:** Occurs when an academic appointee's outside activities interfere with their professional obligations to UC.
- G. Day:** Defined using common sense and customary practice.
- H. Non-Professional Activities:** Activities that are part of the academic appointee's private life and not expressly governed by UC regulations or by the guidelines on outside professional activities.
- I. Outside Consulting:** One type of outside professional activity, defined as professional advice or services related to the academic appointee's field or discipline, whether compensated or uncompensated, that furthers the interests of an entity outside UC.
- J. Outside Professional Activities:** Activities (whether compensated or uncompensated and regardless of financial interest) within an academic appointee's area of professional, academic expertise that advance or communicate that expertise through interaction with industry, the community, or the public. Outside professional activities must not interfere with an academic appointee's obligations to UC.

III. POLICY TEXT

A. Outside Professional Activities and This Policy

1. This policy addresses outside professional activities, set forth in UC ANR's implementation of APM-025. It affirms that academic appointees may engage in activities that benefit the individual, and contribute to their profession and their community by expanding knowledge and experience helpful to research and public service.
2. At the same time, academic appointees owe their primary professional allegiance to UC. Research and the cultivation of scholarly or creative competence are the primary activities receiving the largest commitment of time and energy. To this end, the Regents' Standing Order 103.1 reads in part, "No one in the service of the University shall devote to private purposes any portion of time due to the University nor shall any outside employment interfere with the performance of University duties."
3. Accordingly, this policy provides guidance for the identification and management of outside professional activities to avoid conflicts of commitment, and assure that

academic appointees may engage in a wide array of outside activities without unnecessary limitations. It confirms the responsibilities of academic appointees and provides mechanisms to ensure that outside activities do not interfere with fulfillment of these responsibilities, or create an actual or perceived conflict of commitment.

B. The Unique UC ANR Environment

UC ANR does not function in a campus environment but conducts its mission in the communities of California, engaging in close working relationships with outside agencies to conduct field research and public service programs. These circumstances can present particular challenges vis-à-vis the conduct of outside professional activities and may give rise to the appearance of a conflict of commitment, *whether actual or perceived*. For example, a county-based Advisor engaging in compensated outside professional consulting in a neighboring county might give the appearance of an impropriety. The primary safeguard against improprieties is the integrity of the appointee. UC ANR's procedures support that principle, and protect the legitimate exercise of the privilege to consult.

C. Eligibility

All personnel holding an academic appointment in UC ANR are subject to this policy.

D. Time Limits

1. Full-Time Appointments

During the months of active service, a full-time academic appointee on a (fiscal-year (11-month) appointment may engage in outside professional activities for up to 48 days per year.

2. Part-Time Appointments

- a. For academics appointed at 49% to 100% time, the number of days allowed for outside professional activities (provided the appointee has fulfilled their obligations to UC), shall be prorated based on the percentage of the appointment.
- b. Academics appointed at less than 50 percent time are not subject to time limits, or to disclosure requirements (prior approval and annual reporting).
- c. Part-time academic appointees may also engage in additional outside professional activities during the time not committed to UC service.

3. Academic Appointees on Leave

a. Other Leave with Pay

Academic appointees on approved sabbatical or other leaves with pay are subject to time limits, and to prior approval and reporting requirements.

b. Leave without Pay

Academic appointees on approved leave without pay are not subject to time limits, but are subject to prior approval and reporting requirements.

4. Even distribution of days across the service period is recommended.
5. Days not used in one year may not be carried forward to the next year.
6. As referenced in Section II, *Definitions* above, 'day' defined for outside professional activities, is on a case-by-case basis, using common sense and customary practice. UC recognizes and supports the diverse hours and schedules devised by academic appointees to accommodate research and creative work activity, UC service, and UC-related public service. Appropriate administrators should exercise sound professional judgment, taking into account reasonable work schedules, when determining what constitutes a day of outside activity.

E. Disclosure Requirements

As further detailed in below item V., *Procedures*, the following disclosure requirements apply to all academic appointees.

1. Prior Approval (Request Form)

A request for prior approval to perform a Category I or II outside professional activity must be submitted to the appropriate administrator at least 30 days prior to the beginning of the activity. See item VI below, *Related Information* for a link to the approval request form accessed via the appointee's Academic Profile in the UC ANR Portal.

2. Annual Reports

Academic Human Resources makes an annual "call" for reports of outside professional activity that must be completed by all academic appointees, whether or not they participated in such outside activities. See item VI. *Related Information* below for a link to the annual report form accessed via the appointee's Academic Profile in the UC ANR Portal.

F. Types of Outside Professional Activities

Compensated outside professional activities are divided into three categories based on the extent to which they are likely to constitute a conflict of commitment. **See examples of outside professional activities in each category in Appendix I, *Summary of Categories of Outside Professional Activities*.**

1. Category I activities are likely to raise issues of conflict of commitment as they are related to the training and expertise that is the individual's qualification for UC appointment, but are performed for a third party, and/or require significant personal commitment. In order to engage in these activities, the academic appointee must make a written request to the appropriate administrator and receive written approval. Requests must be submitted and approved annually.

(Approval for multi-year projects must be requested annually for the duration of the project.) If permitted, Category I activities are subject to time limits and must be reported annually.

2. Category II activities are less likely to raise issues of conflict of commitment as they are typically shorter-term outside professional activities that are outside the course and scope of UC employment. While they are usually acceptable, the academic appointee must make a written request to the appropriate administrator and receive written approval. Requests must be submitted and approved annually. (Approval for multi-year projects must be requested annually for the duration of the project.) If permitted, Category II activities are subject to time limits and must be reported annually.
3. Category III activities are within the course and scope of UC employment and integral to the individual's discipline. They do not present issues of conflict of commitment and are accepted as part of the academic appointee's scholarly and creative work. Even if compensated, they are allowable and are not subject to time limits. Accordingly, Category III activities do not require prior approval and need not be reported annually.
4. When an activity falls into more than one category, it is assigned to the category that requires more stringent prior approval and reporting.

G. Use of UC Resources

UC's resources may not be used for private gain or for personal purposes except in limited circumstances permitted by existing policy (e.g., if the usage of the UC resource is *de minimis*).

H. Liability and Workers Compensation Coverage

UC liability and Workers' Compensation coverage does not extend to activity outside the course and scope of UC employment.

IV. COMPLIANCE/RESPONSIBILITIES

A. Academic Appointees

1. Request and receive prior approval from appropriate administrator when activities may raise issues of conflict of commitment (Categories I and II).
2. Ensure that outside professional activities do not interfere with primary UC responsibilities.
3. By the stated deadline, submit to Academic Human Resources an annual report of all Category I and II outside professional activities engaged in during the previous fiscal year. All academic appointees must file this report whether or not they engage in Category I or II activities.

B. Unit Directors/Appropriate Administrators

1. Remind academic appointees annually of requirement to request and receive prior approval for Category I and II activities.
2. Seek additional relevant information from the academic appointee if there is concern regarding meeting the standards of this policy.
3. Seek advice from the Academic Human Resources Manager, the Vice Provost of Strategic Initiatives and Statewide Programs, or the Vice Provost of Research and Extension if resolution cannot be reached satisfactorily.

C. Controller

The office of the Controller serves as a resource to the Academic Human Resources Manager, the Vice Provost of Strategic Initiatives and Statewide Programs, and/or the Vice Provost of Research and Extension in the event of any possible conflict of commitment issues.

D. Manager – Academic Human Resources

1. Responsible for implementing procedures necessary to properly manage outside professional activities by academic appointees.
2. Communicates annual reminder for Category I and II activities prior approval requests and for the annual report deadline to appropriate administrators. Ensures timely receipt of requests and annual reports.
3. As appropriate and if needed, perform periodic audits to verify UC ANR's compliance with this policy.

E. UC ANR Associate Vice President

The Associate Vice President (AVP) is responsible for overseeing the work of the Academic Human Resources unit in the specific implementation of this policy. The AVP approves or denies requests to perform Category I and II outside professional activities, renders a final decision on concerns regarding meeting the policy standards, and advises the Vice President in related matters.

F. UC ANR Vice President

The Vice President has general responsibility for the overall implementation of this policy. The Vice President has the authority to make exceptions to this policy, congruent with relevant UC policy.

V. PROCEDURES

A. Approval Authority

1. Approval authority for outside professional activities conducted by academic appointees shall be by the Associate Vice President.
2. Approval authority for outside professional activities conducted by the Associate Vice President shall be by the Vice President.
3. Approval authority for outside professional activities conducted by the Vice President shall be by the President of the University.

B. Location of Outside Professional Activity

1. If the proposed outside professional activity is to be conducted within the home county of a county-based Cooperative Extension academic appointee, or within the home unit of other appointees, the activity must be beyond the course and scope of those performed as regularly assigned duties.
2. If the proposed outside professional activity is outside the home county or unit, the appropriate administrator may seek the input of some or all of the involved external counties, and/or units.
3. The input of other personnel such as the Academic Human Resources Manager and/or the Vice Provosts may be sought by the appropriate administrator if they deem it advisable.

C. Disclosure Requirements – Prior Approval (Request Form)

1. A request is submitted to the appropriate administrator for prior approval to perform a Category I or II outside professional activity at least 30 days prior to the beginning of the activity. A form to make such a request is available via the academic appointee's Profile on the UC ANR Portal.
 - a. Academic appointees should seek approval in advance of soliciting the contemplated consulting activity, or performing any other preparatory work. This includes (but is not limited to) soliciting consulting opportunities; advertising services; and preparing and submitting a proposal, plan, and/or bid.
 - b. Requests received less than 30 days prior to the start of the proposed outside professional activity may risk being denied, but may be considered at the discretion of the Associate Vice President.
 - c. Inadvertent failure to submit a request for prior approval to perform an outside professional activity may be excused at the discretion of the Associate Vice President. Repeated failure to request prior approval may be

dealt with as a performance issue, and performance of an activity denied by the Associate Vice President will be dealt with as a performance issue.

- d. Approval is based on evidence that the proposed outside activity:
 - i. Is consistent with the time limits outlined above;
 - ii. Will not overcommit the academic appointee to such an extent as to impede their progression in rank and step;
 - iii. Will not create a conflict of commitment with the appointee's responsibilities to UC ANR; and
 - iv. Will not make significant use of UC resources.

D. Disclosure Requirements - Annual Reports

1. Academic Human Resources makes an annual “call” for reports of outside professional activity which must be completed by all academic appointees, whether or not they participated in such activities. See below item VI. *Related Information* for a link to access the annual report form via the appointee’s Academic Profile on the UC ANR Portal.
 - a. Academic appointees with split appointments need only report in their home department (this avoids duplication of records, unnecessary administrative time, and confusion).
 - b. Failure to file annual reports in accordance with this policy may, at the discretion of the Associate Vice President, be considered a performance issue.
 - c. In accordance with UC policy, annual reports are not confidential and are subject to public inspection.

VI. RELATED INFORMATION

- [Regents Standing Order 103.1, Service Obligations](#)
- [Academic Personnel Manual Section 025, Conflict of Commitment and Outside Activities of Faculty Members](#)
- [Academic Personnel Manual Section 140, Non-Senate Academic Appointees/Grievances](#)
- [UC ANR Policy and Procedure Manual Section 350, Grievances and Appeals](#)
- [UC ANR Policy and Procedure Manual Section 403, Conflict of Interest](#)
- [UC ANR Academic Human Resources Consulting & Other Professional Activities](#)

- [Appendix I, Summary of Categories of Outside Professional Activities](#)

VII. FREQUENTLY ASKED QUESTIONS

A. *May I grieve a decision made under this policy?*

Yes, academic appointees may grieve a decision made under this policy including the decision to deny a request to engage in an outside activity (see APM Section 140 and UC ANR Policy and Procedure Manual Section 350 for academic personnel grievance policies).

VIII. REVISION HISTORY

November 2017:

Format updated.

March 2021:

Revised for current practices, consistency and clarity, and titles and links updated.