

Conflict of Commitment and Outside Activities of Faculty Members and Designated Other Academic Appointees

**General University Policy Regarding Academic Appointees: APM - 025 - Conflict of Commitment and Outside Activities of Faculty Members and Designated Other Academic Appointees**

**025-0 Policy**

The University of California policy on conflict of commitment and outside activities of faculty members and Designated Other Academic Appointees (referred to hereafter as “appointees”) provides guidance for the identification and management of outside professional activities in order to avoid conflicts of commitment, while assuring that faculty and other appointees (see APM - 025-14-a for a list of faculty and other academic titles subject to this policy) may engage in a wide array of outside activities without unnecessary limitations. This policy is specific to general campus faculty and other appointees. Faculty participating in the Health Sciences Compensation Plan are subject to APM - 671, Conflict of Commitment and Outside Activities of Health Sciences Compensation Plan Participants and are not subject to APM - 025. Faculty members and other appointees appointed in Health Sciences Schools who are not participants in the Health Sciences Compensation Plan are subject to APM - 025.

**025-2 Purpose**

**a. General**

**(1) Faculty**

Faculty members who are employed by the University of California owe their primary professional allegiance to the University and accept as their own the University’s responsibilities to advance and communicate knowledge. Teaching, research or other creative activities, and the cultivation of scholarly or creative competence, are their primary activities and should receive the largest commitment of time and energy; the same expectation exists for part-time faculty to the extent of their faculty appointment. In service of the University’s goals to advance and communicate knowledge through interaction with the public, faculty have an obligation to provide, within limits, University-related public service by using their expertise to contribute to the University and/or the professions, business, the community or the public. Such activities also help faculty identify and address community needs and afford practical experience and knowledge valuable to teaching and research or creative activity. This policy seeks to balance these competing University obligations in the context of a faculty member’s professional discretion in allocating time and effort across multiple activities. This policy also seeks to clarify reporting and prior approval requirements related to outside professional activities involving foreign entities that may pose foreign influence risks.

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This policy acknowledges the value of outside professional activities while recognizing the likelihood that some outside activities may cause real or apparent conflicts of commitment. Outside professional activities that interfere with a faculty member's professional obligations to the University represent a conflict of commitment. 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 non-professional activity or is an activity within the course and scope of employment.

**(2) Designated Other Academic Appointees**

Designated Other Academic Appointees who are employed by the University of California owe their primary professional allegiance to the University. Research or other defined duties appropriate to their series should receive their time and energy. This policy seeks to clarify reporting and prior approval requirements related to outside professional activities involving foreign entities that may pose foreign influence risks.

This policy manages conflict of commitment, defines which outside professional activities must be disclosed to the University, approved prior to engagement, and/or reported annually. This policy limits the amount of time a faculty member or other appointee may devote to outside professional activities and describes the requirements ~~for when~~ involving a student in outside professional activities.

**b. Related University Policy**

In addition to this policy on conflict of commitment and outside activities, faculty and other appointees must comply with all University policies involving University intellectual property (this includes, among other policies [APM - 740-18-c-3](#)), conflict of interest, and restrictions on compensation. See Appendix A for a list of other relevant University policies.

**025-4 Definitions**

**a. Outside Professional Activities**

Outside Professional Activities, compensated or uncompensated and regardless of financial interest, are defined as those activities that are within a faculty member's or other appointee's area of professional, academic expertise and that advance or communicate that expertise through interaction with industry, the community, or the public. Outside additional teaching as described in APM - 025-10-a- (2)-(a) is included in this definition. Outside professional activities are

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distinct from non-professional activities, i.e., activities that are part of the faculty member's or other appointee's private life and are not expressly governed by University regulations or by the guidelines on outside professional activities. Outside professional activities must not interfere with a faculty member's or other appointee's obligations to the University.

**b. Conflict of Commitment**

A conflict of commitment occurs when a faculty member's or other appointee's outside activities interfere with the faculty member's or other appointee's professional obligations to the University of California.

**c. Conflict of Interest**

This policy does not cover conflict of interest; it covers only conflict of commitment. See Appendix A for relevant University policies concerning conflict of interest.

**d. Outside Consulting**

Outside consulting is one type of outside professional activity. It is defined as professional advice or services related to the faculty member's or other appointee's field or discipline, whether compensated or uncompensated, that furthers the interests of an entity outside of the University of California.

**e. A Day**

For purposes of this policy, a day is defined using common sense and customary practice. This definition may vary by campus and/or discipline.

**f. 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,<sup>1</sup> reimbursement for reasonable travel expenses, and per diem expenses.<sup>2</sup>

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<sup>1</sup> See [APM - 666](#)

<sup>2</sup> See [Business and Finance Bulletin G-28](#)

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**025-6 Responsibility**

**a. Chancellor**

The Chancellor is responsible for overseeing compliance with this policy, which includes:

- (1) Communicating policy requirements;
- (2) Developing implementing procedures and administrative mechanisms for disclosure, prior approval of all Category I activities (including I.A and I.B) and Category II.B activities (see APM - 025-10 for descriptions of Categories I, II, and III activities and APM - 025-10-b-(1) and ~~Appendix B~~ for prior approval requirements, and APM - 025-10-b-(2) ~~and Appendices C and D~~ for annual reporting requirements);
- (3) Developing procedures to identify and resolve, if possible, conflicts between a faculty member's or other appointee's commitment to the University and a faculty member's or other appointee's outside professional activities; and
- (4) Establishing a deadline for submission of annual reports based on a fiscal-year calendar.

**b. Faculty**

It is the responsibility of the individual faculty member to disclose, to the best of their ability, all known relevant information regarding the nature of their outside professional activities and the business/agency/organization/group/individual for whom the services are performed.

Faculty are responsible for complying with this policy, including:

- (1) Obtaining prior written approval for engagement in all Category I activities (including I.A. and I.B) and Category II.B activities (see APM - 025-10 for descriptions of Categories I, II, and III activities and APM - 025-10-b-(1) ~~and Appendix B~~ for prior approval requirements);
- (2) Submitting annual reports of all Category I (including I.A and I.B) and Category II (including II.A and II.B) activities (or the lack thereof) to the Department Chair (see APM - 025-10-b-(2) ~~and Appendices C and D~~ for annual reporting requirements);
- (3) Attesting to adherence with the requirements of this policy in the annual report;

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- (4) Disclosing any current or prospective outside professional activity to the Department Chair if in doubt as to whether there is a conflict of commitment; and,
- (5) Obtaining prior approval from the Department Chair before involving a student in an outside professional activity (see APM - 025-8-d).

**c. Designated Other Academic Appointees**

It is the responsibility of the individual appointee to disclose to the best of their ability all known relevant information regarding the nature of their outside professional activities and the business/agency/organization/group/individual for whom the services are performed. Appointees subject to this policy are responsible for complying with this policy, including:

- (1) Obtaining prior written approval for engagement in Category I.B and Category II.B activities (see APM - 025-10 for descriptions of Categories I and II activities and APM - 025-10-b-(1) for prior approval requirements);
- (2) Submitting annual reports of Category I.B and Category II.B activities (or the lack thereof) to the Department Chair or equivalent (see APM - 025-10-b-(2) for annual reporting requirements);
- (3) Attesting to adherence with the requirements of this policy in the annual report;
- (4) Disclosing any current or prospective outside professional activity to the Department Chair or equivalent if in doubt as to whether there is a conflict of commitment; and,
- (5) Obtaining prior approval from the Department Chair or equivalent before involving a student in an outside professional activity (see APM - 025-8-d).

**025-8 General Principles**

**a. Obligations to the University**

**(1) Faculty**

Outside professional activities must be undertaken in a manner consistent with the faculty member's professional obligations to the University. Outside activities must not conflict with the faculty member's obligations to students, colleagues, or to the University as a whole. In order to

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fulfill those obligations, faculty members must maintain a significant presence on campus, meet classes, keep office hours, hold examinations as scheduled, be accessible to students and staff, be available to interact with University colleagues, and share service responsibilities throughout every quarter or semester of active service.

**(2) Designated Other Academic Appointees**

Outside professional activities must be undertaken in a manner consistent with the appointee's professional obligations to the University. Outside activities must not conflict with the appointee's obligations to colleagues, student employees, student mentees, or to the University as a whole. In order to fulfill those obligations, appointees must maintain a significant presence on campus; be accessible to student employees, student mentees, and staff; be available to interact with University colleagues, and; if appropriate to their series, share service responsibilities throughout every quarter or semester of active service.

**b. Time Limits**

**(1) Faculty**

(a) Faculty may engage in Category I (including I.A and I.B) and II (including II.A and II.B) outside professional activities for up to 39 days per year for academic-year faculty and 48 days per year for fiscal-year faculty. It is expected that the use of days will be allocated evenly across service periods.

(b) For faculty appointed at less than 100 percent time, the number of days allowed for outside professional activities during the faculty member's normal University working hours shall be prorated based on the percentage of appointment, provided that the faculty member had otherwise fulfilled obligations to the University. In addition, the faculty member could engage in additional outside professional activities during the time not committed to University service.

(c) ~~For faculty, e~~Even distribution of days is encouraged; however, no more than 39 days in one academic year or 48 days in one fiscal year are permitted.

(d) Days not used in one year may not be carried forward to the next year.

**(2) Designated Other Academic Appointees**

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The participation of full-time and part-time appointees in outside professional service activities is not subject to time limits.

c. **Summer Months**

**(1) Faculty**

There are no restrictions on the number of days of Category I and II activity for academic-year faculty during the summer months unless an academic-year faculty member receives additional University compensation for the summer. If an academic-year faculty member receives additional University summer compensation, the time limit on compensated and uncompensated outside professional activities is the equivalent of one day per week during the period in which University summer compensation is received. For faculty receiving University summer compensation at less than 100 percent time, hours shall be prorated, and faculty may engage in additional OPA during time not committed to University service. (See APM - 600, Appendix 1). The 39-day maximum during the academic year is distinct and separate from the equivalent of one day per week during the period in which University summer compensation is received. The 39 days may not be averaged into the summer service period.

**(2) Designated Other Academic Appointees**

There are no restrictions on the number of days of Category I and II activity for academic-year appointees during the summer months.

d. **Students**

**(1) Faculty**

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 learning consistent with the goals and ideals of the University (The Faculty Code of Conduct, [APM - 015](#)). 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 Department Chair before involving a student in an outside professional activity regardless of

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whether the faculty member 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 other context.

**(2) Designated Other Academic Appointees**

Involvement of students in the outside professional activities of an appointee may, under certain conditions, offer the student potential career or educational benefits. However, the relationship between the appointee and student must be protected from influences or activities that may interfere with student learning and professional development consistent with the goals and ideals of the University. An appointee 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 appointee has, or expects to have responsibility (supervisory or evaluative) for the student, the appointee must obtain prior written approval from the Department Chair or equivalent before involving a student in an outside professional activity regardless of whether the appointee 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 an appointee must not affect, positively or negatively, the appointee's evaluation of the student's performance as a student or employee.

**e. Use of University Resources**

The use of University resources in connection with outside professional activities is subject to limitations. The Faculty Code of Conduct ([APM - 015](#), Part II, C) defines the unauthorized use of University resources or facilities on a significant scale for personal, commercial, political or religious purposes as a type of unacceptable conduct. The Standards of Ethical Conduct, as adopted by The Regents, state that University resources may only be used for activities that are undertaken on behalf of the University. The University's resources may not be used for private gain or for personal purposes except in limited circumstances that are permitted by existing policy.

**f. Liability Coverage**

The University's liability and workers compensation coverage does not extend to activity that is outside the course and scope of University employment. Some outside professional activities, particularly certain consulting and expert witness testimony, would generally be considered

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outside the course and scope of University employment, depending on the facts and circumstances of any given case. Questions about University liability coverage in connection with a specified activity or exposure should be discussed with the Office of Risk Services at the Office of the President.

### 025-10 Guidelines

Professional activities are separated into three categories in the management of this policy. For faculty, Categories I and II include activities that must be reported and -- in the case of Categories I.A, I.B, and II.B -- must receive prior approval before the faculty member engages in the activity. For other appointees, Category I.B and Category II.B activities must be reported and receive prior approval before engagement in the activity. Category III activities are those that are within the course and scope of employment at the University and need not be approved or reported, either by faculty or other appointees. When an activity falls into more than one category, it should be assigned to the category that requires more stringent reporting and prior approval, as applicable.

#### a. Types of Outside Professional Activity

Outside professional activities are categorized based on the extent to which they are likely to constitute conflict of commitment:

##### (1) Category I

Category I activities are outside professional activities that are most likely to create a conflict of commitment because: 1) they are activities related to the training and expertise that is the individual's qualification for University appointment, but performed for a third party, and/or 2) they require significant professional commitment.

Category I activities include two subsets of activities: Category I.A activities involve U.S.-owned entities or occur within the U.S.; Category I.B activities involve foreign-owned entities or occur outside the U.S. Faculty must receive prior approval and submit annual reports for engagement in both Category I.A and I.B activities. Other appointees must receive prior approval and submit reports for engagement in only Category I.B activities.

For faculty members, Category I.A and I.B activities require prior approval by the Chancellor, count toward the faculty member's maximum 39/48 days of outside professional activities (see APM - 025-8-b and ~~Appendix C~~ for definition of time limits),

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and require disclosure in annual reporting. For other appointees, Category I.B activities require prior approval by the Chancellor and disclosure in annual reporting. Approvals for both faculty and other appointees are generally for one fiscal year but may be granted for a longer term, not to exceed five years.

**Category I.A**

Examples of Category I.A activities, which apply only to faculty and involve U.S.-owned entities or occur within the U.S. and include, but are not limited to:

- (a) Teaching, research, or administration of a grant<sup>3</sup> at an educational institution, trust, organization, government agency, foundation, or other entity outside of the University;
- (b) Employment outside of the University;
- (c) Assuming a founding or a co-founding role of a company;
- (d) Assuming an executive or managerial position outside of the University.<sup>4</sup>

**Category I.B**

Examples of Category I.B activities, which apply to both faculty and other appointees and involve foreign-owned entities or occur outside the U.S. and include, but are not limited to:

- (a) Teaching, research, or administration of a grant<sup>5</sup> at an educational institution, trust, organization, government agency, foundation, or other entity outside of the University;
- (b) Employment outside of the University;

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<sup>3</sup> Grants submitted on behalf of a professional society are exempt from this restriction, i.e., are not considered Category I activities.

<sup>4</sup> This does not include positions with professional societies.

<sup>5</sup> Grants submitted on behalf of a professional society are exempt from this restriction, i.e., are not considered Category I activities.

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(c) Assuming a founding or a co-founding role of a company;

(d) Assuming an executive or managerial position outside of the University.<sup>6</sup>

**(2) Category II**

Category II activities are typically shorter-term outside professional activities that are outside the course and scope of University employment. Category II activities have a lesser potential for a conflict of commitment than do Category I activities.

Category II activities include two subsets of activities: Category II.A activities involve U.S.-owned entities or occur within the U.S.; Category II.B activities involve foreign-owned entities or occur outside the U.S.

For faculty, Category II.A activities require disclosure in annual reporting under this policy, but do not require prior approval. For both faculty and other appointees, Category II.B activities require prior approval, as well as disclosure in annual reporting. Category II.A and II.B activities count toward the faculty member's maximum 39/48 days of outside professional activities (see APM - 025-8-b and Appendix C for definition of time limits).

**Category II.A**

Examples of Category II.A activities, which apply only to faculty, involve U.S.-owned entities or occur within the U.S. and include, but are not limited to:

- (a) Additional University-compensated teaching, including teaching for UNEX courses and programs (see APM - 662, Additional Compensation: Additional Teaching), other continuing education programs run by the University, and self-supporting UC degree programs;<sup>7</sup>
- (b) Consulting or testifying as an expert or professional witness;

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<sup>6</sup> This includes positions with professional societies.

<sup>7</sup> These are teaching activities outside of the assigned teaching load. If the department assigns the teaching activity, it is not considered an outside activity.

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- (c) Providing outside consulting services or referrals or engaging in professional practice as an individual or through a single- member professional corporation or sole proprietorship;
- (d) Serving on a board of directors outside of the University;
- (e) Providing or presenting a workshop for industry;
- (f) Providing outside consulting or compensated professional activities performed for entities such as the Los Alamos and Lawrence Livermore National Laboratories.<sup>8</sup>

**Category II.B**

Examples of Category II.B activities, which apply to both faculty and other appointees, involve foreign-owned entities or occur outside the U.S. and include, but are not limited to:

- (a) Consulting or testifying as an expert or professional witness;
- (b) Providing outside consulting services or referrals or engaging in professional practice as an individual or through a single- member professional corporation or sole proprietorship;
- (c) Serving on a board of directors outside of the University;
- (d) Providing or presenting a workshop for industry;
- (e) Providing outside consulting or compensated professional activities performed for foreign-owned entities or that occur outside the U.S.

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<sup>8</sup> Because of the nature of their relationship to the University, consulting specifically for the Board of Governors Science and Technology Committee of Los Alamos National Security, LLC and Lawrence Livermore National Security, LLC does not require disclosure in annual reporting or prior approval and does not count toward the faculty member's maximum of 39/48 days of outside professional activities.

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**(3) Category III**

Category III activities, which apply only to faculty, are within the course and scope of University employment. As such, they are unlikely to raise conflict of commitment issues.

Category III activities do not require disclosure in annual reporting or prior approval under this policy and do not count toward the faculty member's maximum of 39/48 days of outside professional activities. Nevertheless, these activities must not interfere with a faculty member's obligations to the University (see APM - 025-8-a).

Examples of Category III activities include, but are not limited to:

- (a) Serving on government or professional panels or committees or as an officer or board member of a professional or scholarly society;
- (b) Reviewing manuscripts; acting in an editorial capacity;
- (c) Attending and presenting talks at university/academic colloquia and conferences;
- (d) Developing scholarly or creative works;
- (e) Accepting honoraria for scholarly, intellectual, educational, outreach work within the course and scope of employment; and,
- (f) Receiving prizes, defined as gifts in recognition of personal achievements and not for services rendered.

**b. Disclosure Rrequirements**

Faculty and other appointees are responsible for disclosing situations that may raise conflict of commitment issues in the following manner:

**(1) Prior Approval Rrequirements**

- (a) Reporting requirements for faculty

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For faculty, aAll Category I.A, I.B, and II.B activities and requests to exceed the maximum number of days permitted require prior written approval from the Chancellor in advance of performing the activity.

(b) Reporting requirements for Designated Other Academic Appointees

For other appointees, all Category I.B and II.B activities require written approval from the Chancellor in advance of performing the activity.

**(2) Reporting Rrequirements**

(a) Reporting requirements for faculty

All faculty must file an annual report of outside professional activities each fiscal year, even if the faculty member did not engage in outside professional activities during the year. Faculty must report annually all Category I (including I.A and I.B) and Category II (including II.A and II.B) outside professional activities conducted during the prior 12 months, including activities that were conducted during normal service periods, ~~and~~ during periods of leave with and without pay, and during summer months when receiving University compensation. The requirement for annual reporting begins ~~after the faculty member's first full year of continuous employment on the date of hire.~~

(b) Reporting requirements for Designated Other Academic Appointees

All appointees subject to APM - 025 must file an annual report of engagement in Category I.B and Category II.B outside professional activities each fiscal year, even if the appointee did not engage in outside professional activities in these categories during the year. Appointees must report annually all Category I.B and Category II.B outside professional activities conducted during the prior 12 months, including activities that were conducted during normal service periods, during periods of leave with and without pay, and during summer months when receiving University compensation. The requirement for annual reporting begins on the date of hire.

**025-14 Eligibility**

**a. Faculty Titles Subject to APM - 025**

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All faculty holding appointments above 0% time in the following title series are subject to this policy,<sup>9</sup> including the annual reporting requirements for Category I (including I.A and I.B) and Category II (including II.A and II.B) activities, as well as the prior approval requirements for Category I.A, I.B, and II.B activities: however, faculty holding appointments of less than 50 percent time are not subject to the annual reporting and prior approval requirements:

- (1) Professor, including Acting titles
- (2) Professor in Residence
- (3) Adjunct Professor
- (4) Professor of Clinical (e.g., *Medicine*)\*
- (5) Health Sciences Clinical Professor\*
- (6) Clinical Professor of Dentistry\*
- (7) Lecturer with Security of Employment, including Acting titles

\*Faculty holding titles in these series are subject to APM - 025 if not participating in the Health Sciences Compensation Plan. Faculty participating in the Health Sciences Compensation Plan are subject to [APM - 671](#) and are not subject to APM - 025.

**b. Designated Other Academic Titles Subject to APM – 025**

Individuals holding appointments above 0% effort in the following title series are subject to the annual reporting and prior approval requirements for Category I.B and II.B activities. For appointees in the following title series who are covered by a Memorandum of Understanding, reporting requirements are governed by the applicable Memorandum of Understanding:

- (1) Academic Administrator Series
- (2) Academic Coordinator

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<sup>9</sup> School of Veterinary Medicine faculty participating in the Veterinary Medicine Salary Scale are subject to both APM - 025 and [APM - 675](#).

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- (3) Agronomist Series
- (4) Astronomer Series
- (5) Coordinator of Public Programs
- (6) Professional Research Series
- (7) Project Scientist Series
- (8) Specialist Series
- (9) Specialist in Cooperative Extension Series
- (10) Postdoctoral Scholar

c. **Recalled Faculty and Designated Other Academic Appointees**

Faculty and other appointees who have retired and are recalled to active service for appointments exceeding 0% but at or less than 43 percent time are **not** subject to ~~this policy, the disclosure, prior approval and annual reporting requirements for Category I.B and Category II.B activities,~~ but are not subject to the time limits in APM - 025-8-b. Faculty members recalled to the Health Sciences Compensation Plan are subject to the provisions of [APM - 671](#).

d. **Faculty on leave**

(1) **Leave ~~W~~without ~~P~~pay**

Faculty and other appointees on an approved leave without pay are subject to disclosure, prior approval, and annual reporting requirements but are not subject to the time limits in APM - 025-8-b.

(2) **Sabbatical or ~~O~~ther ~~L~~eaves ~~w~~With ~~p~~Pay (~~o~~Other than ~~v~~Vacation)**

Faculty and other appointees on approved sabbatical or other leaves with pay are subject to the disclosure, prior approval, annual reporting requirements, and time limits in APM - 025-8-b, regardless of the funding source for salary.

(3) **Vacation**

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Faculty and other appointees on approved vacation are not subject to the disclosure, prior approval, annual reporting requirements, or time limits described in APM - 025-8-b for outside professional activity performed during the vacation period.

**(4) Faculty Administrators**

Faculty administrators are covered by this policy, but they are also subject to the provisions in [APM - 240](#), Deans, [APM - 241](#), Faculty Administrators (Positions Less Than 100%), and [APM - 246](#), Faculty Administrators (100% Time).

**025-16 Restrictions**

- a. A faculty member or other appointee shall not engage in any outside professional activity that creates a conflict of commitment.
- b. Faculty or other appointees receiving extramural funding may not exceed limitations on outside professional activities imposed by the funding sources, including effort rules.

**025-24 Authority**

The Chancellor shall issue campus procedures implementing APM - 025 and has the authority to approve Category I.A, I.B, and II.B requests and individual exceptions under this policy. In accordance with APM - 100-6-d, the Chancellor may redelegate authority to a designee for implementing APM - 025.

**025-26 Non-compliance**

**a. Monitoring and Compliance**

Department Chairs or their equivalents shall monitor compliance with this policy by collecting and reviewing annual reports and shall consult with the Dean about any concerns. The Dean shall review the Department Chairs' annual reports of outside professional activities each year.

**b. Consequence for Non-compliance**

**(1) Faculty**

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Situations where faculty will be considered out of compliance include, but are not limited to, failure to obtain prior written approval to engage in Category I (including I.A and I.B) and Category II.B activities, failure to obtain prior written approval tofor involving a student in outside professional activity (see APM - 025-8-d), failure to comply with time limits for Category~~Categories~~ I (including I.A and I.B) and Category II (including II.A and II.B) activities, and/or failure to accurately disclose and describe the nature and scope of ~~Categories~~ Category I and II outside professional activities.

**(2) Designated Other Academic Appointees**

Situations where appointees will be considered out of compliance include, but are not limited to, failure to obtain prior written approval to engage in Category I.B and II.B activities, failure to obtain prior written approval to involve a student in outside professional activities, and/or failure to accurately disclose and describe the nature and scope of Category I.B and II.B outside professional activities.

Failure to comply with this policy may subject a faculty member or other appointee to discipline, corrective action, or administrative remedies pursuant to APM - 016, University Policy on Faculty Conduct and the Administration of Discipline, and APM - 150, Non-Senate Academic Appointees/Corrective Action and Dismissal, and collective bargaining agreements.

**c. Grievance Rights**

Senate faculty members may grieve pursuant to Senate Bylaw 335, Privilege and Tenure: Divisional Committees – Grievance Cases. Non-Senate faculty members and other appointees may grieve pursuant to APM - 140, Non-Senate Academic Appointees/Grievances.

**Revision History**

Month XX, 2021:

- Substantive revisions to address recommendations in the University of California Ethics, Compliance, and Audit Services Systemwide Foreign Influences Audit Report (February 2021): (1) Expand population subject to APM - 025 to include ten Designated Other Academic Appointee titles; (2) expand applicability to appointments above 0%; (3) establish subcategories I.A and II.A for domestic activities and I.B and II.B for foreign activities; (4) remove Appendices B, C, and D.

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January 15, 2020:

- Technical revisions: (1) correct inadvertent omission of language regarding uncompensated outside professional activities during summer months in APM - 025-8-c; (2) remove gendered language; (3) conform with recent updates and revisions to other APM policies; (4) correct minor grammatical and formatting inconsistencies; and (5) add links to referenced documents.

[For details on prior revisions, please visit the Academic Personnel and Programs website.](#)

### RELATED UNIVERSITY POLICIES

- ~~Regents Policy 7303: Policy on Service Obligations and Leaves of Absence~~ ~~Standing Order of The Regents 103.1(b)~~
- University Regulation No. 3 – [APM - 005](#)
- University Regulation No. 4 – [APM - 020](#)
- The Faculty Code of Conduct – [APM - 015](#) Standards of Ethical Conduct
- University Policy on The Faculty Code of Conduct and the Administration of Discipline – [APM - 016](#)
- [University of California Policy on Disclosure of Financial Interests and Management of Conflicts of Interest in Private Sponsors of Research](#)
- [University of California Policy on Disclosure of Financial Interests and Management of Conflicts of Interest, Public Health Service Research Awards](#)
- [Guidelines for Disclosure and Review of Principal Investigator’s Financial Interest in Private Sponsors of Research](#) – [APM - 028](#)
- [University of California Policy on the Requirement to Submit Proposals and to Receive Awards for Grants and Contracts through the University](#)
- [Regents Policy 7707, Senior Management Group Outside Professional Activities](#)
- [Conflict of Interest Code – Disqualification Requirement](#)
- [Conflict of Interest Policy and Compendium of Specialized University Policies – BFB-G-39](#)
- [Health Care Vendor Relations Policy](#)
- [Health Sciences Compensation Plan](#) – [APM - 670](#)
- [Conflict of Commitment and Outside Activities of Health Sciences Compensation Plan Participants](#) - [APM - 671](#)
- [Veterinary Medicine Salary Administration](#) - [APM - 675](#)
- [Deans](#) – [APM - 240](#)

GENERAL UNIVERSITY POLICY  
REGARDING ACADEMIC APPOINTEES  
Conflict of Commitment and Outside Activities of Faculty Members

APM - 025  
APPENDIX A

- Faculty Administrators (Positions Less Than 100%) – [APM - 241](#)
- Faculty Administrators (100% Time) – [APM - 246](#)
- [University of California Patent Policy](#)
- [University of California Policy on Disclosure of Financial Interests and Management of Conflicts of Interest, National Science Foundation Awards](#)
- [University of California Policy on Accepting Equity When Licensing University Technology](#)

**PRIOR APPROVAL FORM  
FOR OUTSIDE ACTIVITIES (CATEGORY I)**

Name: \_\_\_\_\_ Faculty Title: \_\_\_\_\_  
Last First M.I. Academic or Fiscal Year Appointment: \_\_\_\_\_

Department: \_\_\_\_\_ College/School: \_\_\_\_\_

For each Category I outside professional activity in which you wish to engage in outside professional activities, answer the following questions. Attach separate sheets, if necessary.

Type of activity in which you will be involved:

Category I Activities

Executive/managerial role: \_\_\_\_\_

Salaried employee: \_\_\_\_\_

Outside teaching or research activity: \_\_\_\_\_

Other potential conflict of commitment: \_\_\_\_\_

General description of the business/agency/organization/group/individual: \_\_\_\_\_

Activities/products/services of entity described above: \_\_\_\_\_

Nature of your relationship to entity named above (check all that apply):

Founder/co-founder: \_\_\_\_\_

Owner: \_\_\_\_\_

Consultant: \_\_\_\_\_

Board member: \_\_\_\_\_

Salaried employee: \_\_\_\_\_

Stockholder/partnership interest: \_\_\_\_\_

Equity/royalty interest: \_\_\_\_\_ Other, please explain: \_\_\_\_\_

Description of the nature of your participation in this activity, including, if you wish, possible beneficial outcomes to areas of research, industry, and public service:

Beginning/ending month/year you could be involved in this activity: \_\_\_\_\_

Fiscal year(s) for which seeking approval: \_\_\_\_\_ (Approvals are generally for one fiscal year but may be granted for a longer term not to exceed five years. Compliance reports must be submitted annually.)

Estimated number of days involvement during academic or fiscal year appointment: \_\_\_\_\_

Will you be requesting a full or part time leave without pay while engaged in this activity? \_\_\_\_\_

Approval granted through fiscal year  
ending June 30, \_\_\_\_\_

Request denied: \_\_\_\_\_

\_\_\_\_\_  
Department Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Dean

\_\_\_\_\_  
Date

\_\_\_\_\_  
Faculty Member Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chancellor or Chancellor's Designee

\_\_\_\_\_  
Date

DRAFT 10/21/2021

**REPORT OF CATEGORY I AND II OUTSIDE ACTIVITIES  
AND ADDITIONAL TEACHING ACTIVITIES  
FOR THE FISCAL YEAR ENDING JUNE 30, \_\_\_\_\_  
EXPLANATIONS FOR INFORMATION REQUESTED**

Academic/Fiscal Year Faculty Appointment: Enter whether you held an academic or fiscal year appointment. An *Academic Year Appointment* is an appointment in which the faculty member renders services to the University during the academic year, from the beginning of the fall term through the end of the spring term (APM-600-4-c), or the equivalent of an academic year should the campus operate year-round. A *Fiscal Year Appointment* is an appointment in which the faculty member renders service to the University throughout the calendar year as opposed to the academic year (APM-600-4-f). Fiscal year faculty accrue vacation time in accordance with APM-730.

Terms of Leave, if any: A faculty member may be permitted to go on full or part-time leave in order to pursue certain compensated outside professional activities. If you were on such leave during any part of the pertinent fiscal year, provide information here about the percentage of time and inclusive months.

Category: For each activity, enter I, II or AT (for additional teaching as defined in APM-662).

*Category I* activities include: teaching, research, or administration of a grant at an educational institution, trust, organization, government agency, or foundation outside of the University; employment outside the University; assuming a founding/co-founding role of a company; assuming an executive or managerial position outside of the University. You must receive prior approval to engage in Category I activities, which always count toward the 39/48-day limit and must be reported annually.

*Category II* activities include: additional University compensated teaching, including teaching in accordance with APM-662, Additional Compensation: Additional Teaching, for UNEX courses and programs, other continuing education programs run by the University, and self-supporting UC degree programs if the teaching is outside the normal teaching load; consulting or testifying as an expert or professional witness; providing outside consulting services or referrals or engaging in professional practice as an individual or through a single member professional corporation or sole proprietorship; serving on the board of directors outside of the University; providing a workshop for industry; providing outside consulting or compensated professional activities performed for entities such as the Los Alamos and Lawrence Livermore National Laboratories. Category II activities are counted within the 39/48-day limit and must be reported annually.

Number of Days: A full-time faculty member on an academic year appointment normally may engage in outside professional activities for up to 39 days from the start of the fall term through the end of the spring term (including intersession). There are no restrictions on the number of days of outside professional activity for academic year faculty during the summer months unless an academic year faculty member is receiving University compensation for the summer. If an academic year faculty member is receiving University summer compensation, then the applicable time limit on outside professional activities is the equivalent of one day per week during the period in which University summer compensation is received (unless a funding agency specifies otherwise). A fiscal year faculty member is permitted a maximum of 48 days per fiscal year.

Enter the approximate number of days you worked on this activity during your period of active service to the University. For outside professional activities, a *Day* is defined using common sense and customary practice. This definition may vary by campus and/or discipline. For additional teaching activities, the general rule is that every six contact or "podium" hours spent with students equals one day. See APM-662 for details.

Nature of Relationship: Use one or more of the following terms to describe your relationship to the entity identified in the last column: Founder/co-founder, owner, board member, consultant, recipient of equity or royalty interest, stockholder or partnership interest, salaried employee, or other (explain).

**ANNUAL REPORTING FORM**

**FOR CATEGORY I & II OUTSIDE ACTIVITIES AND ADDITIONAL TEACHING ACTIVITIES**

**REPORTING PERIOD: \_\_\_\_\_ THROUGH \_\_\_\_\_**

*Instructions:* In accordance with APM-025, this form must be completed, signed, and submitted to the department chair each year by all eligible faculty for the time your academic year or fiscal year appointment was effective during the identified fiscal year. See Explanations (Appendix B) for further guidance. If you engaged in no Category I and Category II outside activities during the identified fiscal year, and did not perform additional teaching as defined in APM-662 (i.e., teaching in UNEX courses or programs, other continuing education programs run by the University, or self-supporting UC degree programs), write "NONE" across the grid below and check the box below. Attach additional sheets if necessary.

|   |                         |                 |
|---|-------------------------|-----------------|
| Name (Print):   | Academic Title:         | Department:     |
| Appointment: _____ Academic year or _____ Fiscal year | Terms of leave, if any: | College/School: |

| Category I or II    | Number of Days | Leave Without Pay Y/N (When?) | Description of Activity | Nature of Relationship | General Description of Business/Agency/Organization/Group/Person |
|---------------------|----------------|-------------------------------|-------------------------|------------------------|--|
|                     |                |                               |                         |                        |  |
|                     |                |                               |                         |                        |  |
|                     |                |                               |                         |                        |  |
|                     |                |                               |                         |                        |  |
|                     |                |                               |                         |                        |  |
|                     |                |                               |                         |                        |  |
|                     |                |                               |                         |                        |  |
|                     |                |                               |                         |                        |  |
| <i>Total # Days</i> |                |                               |                         |                        |  |

|   |      |
|---|------|
| <input type="checkbox"/> I did not engage in Category I or II activities during the reporting period.                                   |      |
| I certify that I have complied with the provisions of APM-025 and have reported all Category I and II activities as required by policy. |      |
| Faculty Member Signature  | Date |

|   |      |
|---|------|
| The department chair's signature affirms the form was received and reviewed. Corrective actions should be implemented for time reports (days) that are above the annual limit and for unapproved Category I activities. |      |
| Department Chair Signature  | Date |
| Dean Signature  | Date |

DRAFT 10/21/2021