

## ***General Policy - Consulting and Public Service***

### **Policy:**

The North Dakota State Board of Higher Education recognizes that teaching, research and public service are the primary responsibilities of faculty and staff members. It is, therefore, considered reasonable for employees of the Board to engage in consulting activities so long as such activities do not interfere with the employee's fulfillment of his or her responsibilities to the employing agency.

"Consulting" is defined in Board Policy 611.5 as any professional activity beyond duties assigned by the institution, for which an employee receives additional personal compensation.

Policy 611.5 states that each university, college and other activity governed by the Board shall adopt rules governing consulting practices by faculty and staff.

Bismarck State College recognizes its responsibility to engage in teaching, research and public service. It further recognizes that the responsibilities extend beyond the boundaries of the campus and beyond the parameters of a normal eight-hour work day or forty-hour work week. The primary responsibility of employees is to BSC, and personnel must not engage in consulting for remuneration when such activity is in competition with BSC or its services.

### **Rules for Bismarck State College Employees:**

1. No employee shall engage in consulting practices which would constitute a conflict of interest.

*Conflict of interest is defined as a consulting practice that would compete with the education or services offered by the College.*

2. Facilities, equipment and support services shall not be used for other than institutional purposes unless payment is made in accordance with rates charged to commercial concerns or other outside groups or persons.
3. Employees engaging in consulting or outreach instruction must obtain authorization from their supervisor in advance of the activity.
4. If employees involve students in a consulting, research or outreach activity, authorization

from the Dean/Director of the division in which the students are enrolled is required.

5. Classified and professional staff engaging in professional consulting outside of the institution is required to take annual leave for time away from their regular work responsibilities. Flexible scheduling may be utilized in certain cases to facilitate the consulting and also meet regular work responsibilities. Faculty may consult up to a total of five (5) teaching days per calendar year - with no more than one (1) teaching day taken in any given month. Arrangements to cover classes need to be made in advance and approved by the appropriate Academic Dean.
6. Faculty, classified, professional and administrative staff engaging in instruction and consulting administered through the Continuing Education (CE) department may have these responsibilities built into their regular workload; however, if the responsibilities are over and above their regular workload, they are entitled to negotiated payment for these services. Consulting fees should commensurate with those normally receive for the particular service(s) rendered. Absence from regular work responsibilities will be governed by rules outlined in statement #5 above.
7. Any exception or deviations from this policy require permission from the appropriate vice president in consultation with the college president.

### **Responsibilities:**

1. Individual Employee
  - a. Obtain prior approval, completing Consulting Authorization Request form prior to initiation of consulting activity.
  - b. Ensure that activity does not conflict with primary responsibilities.
  - c. Ensure that activity does not pose an actual or potential conflict-of-interest.
  - d. Maintain appropriate records of consulting activities.
  - e. Do not use College endorsement without prior endorsement by the College.
  - f. Secure advance approval to use College equipment, and make any necessary payments.
2. Department Chair, Director
  - a. Evaluate all Consulting Authorization Requests.
  - b. Identify and resolve any actual or potential conflicts-of interest.
  - c. Review requests to determine that they meet policies of the College.
  - d. Forward recommendation to the Dean or Vice President as appropriate.
  - e. Ensure activities are reviewed annually.
3. Dean or Director
  - a. Review recommendation from Chair.
  - b. Review any special circumstances.
  - c. Forward recommendation to the appropriate Vice President for final approval.

The above policy will be maintained and reviewed by the President's Cabinet in consultation with the Staff Senate and Faculty Senate for future revisions and changes.

**History of This Policy:**

First policy draft July 1, 1998.

Revision – January 12, 2004; July 31, 2013; October 20, 2016.

Name \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

Department \_\_\_\_\_

Name/Address of Sponsor \_\_\_\_\_

Date(s) of Activity \_\_\_\_\_ Estimated Duration of Service \_\_\_\_\_

Nature of professional activity (describe in detail, use extra sheets if necessary.)

Remuneration: Will you be paid a retainer fee or other form of remuneration for this professional activity?  YES  NO

Time: Please give an estimate of how much time per week will be spent on this activity. \_\_\_\_\_ hr/wk prep \_\_\_\_\_ hr/wk consulting activity

Is this during normal working hours?  YES  NO

Facilities: Will this professional activity involve use of College facilities or resources?  
 YES  NO

If yes, please explain your needs and provide an estimate of the fee(s) to be paid.

Conflict-of-Interest: Will this activity constitute a conflict-of-interest?  
 YES  NO

If yes, please explain. If you are not sure, contact the Vice President in your division.

I affirm that the proposed external professional activity will not interfere with my regular college duties.

Approval Requested-Applicant \_\_\_\_\_ Date \_\_\_\_\_

Approval Recommended:

Chair \_\_\_\_\_ Date \_\_\_\_\_

Dean/Director \_\_\_\_\_ Date \_\_\_\_\_

Approved: Vice President \_\_\_\_\_ Date \_\_\_\_\_

Approval of this application covers only the external professional activity you have described in this form. If you intend additional professional activities other than those described above, you should submit a subsequent application and obtain the requested approval.

**Bismarck State College**  
Bismarck, North Dakota 58501

**Request to Train during Normal Working Hours**

Date \_\_\_\_\_

Name \_\_\_\_\_

Permission is hereby requested to Consult or Train during the following normal working hours.

Date(s) \_\_\_\_\_

Time \_\_\_\_\_

Client \_\_\_\_\_

My normal duties will be handled in the following way:

Annual leave \_\_\_\_\_

Additional hours worked outside normal working hours \_\_\_\_\_

Date(s) \_\_\_\_\_

Time \_\_\_\_\_

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Signature of Supervisor \_\_\_\_\_ Date \_\_\_\_\_

**Please return a copy of this form to Continuing Education.**