APM 025: Conflict of Commitment and Outside Professional Activities
Allegiance

- Faculty owe their primary professional allegiance to the University of California.
- Primary activities: Teaching, research or other creative activities, and the cultivation of scholarly or creative competence.
- These activities should receive the majority of time and energy.
Outside Professional Activities

Outside Professional Activities

- Within a faculty member’s area of professional academic expertise and that advance or communicate that expertise through interaction with industry, the community, or the public
- May be compensated or uncompensated

Non-Professional activities

- Part of the faculty member’s private life and are *not expressly governed* by University regulations or by the guidelines on outside professional activities
Conflict of Commitment (COC)

- Occurs when a faculty member’s outside activities interfere with their professional obligations to the University of California

Outside professional activities are categorized:

- **Category I** – most likely to create a conflict of commitment
- **Category II** – typically shorter and lower risk activities
- **Category III** – generally within course and scope of University employment

When an activity falls into more than one category, it should be assigned to the category that requires more stringent reporting and prior approval, if applicable.
Faculty subject to APM 025

- applies to appointments in the following title series at 50% time or more:
  1. Professor, including Acting titles
  2. Professor in Residence
  3. Adjunct Professor
  4. Lecturer with Security of Employment (also known as Professor of Teaching Series)

*Faculty holding titles in these series are subject to APM – 025 if not participating in the Health Sciences Compensation Plan*

Recalled Faculty

- not subject to this policy

Faculty Administrators

- At UCI, Deans (APM 240) and Faculty Administrators 100% time (APM 246) are subject to those specific APM provisions
- Routed directly to the Office of Academic Personnel for review and approval by the Vice Provost
## Faculty on Leave

<table>
<thead>
<tr>
<th>If you are participating in Outside Activities while on Leave</th>
<th>Leave without Pay</th>
<th>Sabbatical/Other Leave with Pay (other than vacation)</th>
<th>Vacation (applicable for only those who accrue)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advance approval required by Vice Provost for Academic Personnel</td>
<td>Yes</td>
<td>Yes, regardless of the salary funding source</td>
<td>No</td>
</tr>
<tr>
<td>Counts toward annual time limit?</td>
<td>No</td>
<td>Yes, regardless of the salary funding source</td>
<td>No</td>
</tr>
<tr>
<td>Annual disclosure</td>
<td>Yes</td>
<td>Yes, regardless of the salary funding source</td>
<td>No</td>
</tr>
</tbody>
</table>
Outside Professional Activities

Employment Agreement

- Personal agreements between the faculty member and the outside organization
- The Regents are not a party to the agreement
- Subject to review to ensure compliance with University policy, responsibilities and rights of the faculty member
## Conflict of Commitment or Conflict of Interest?

<table>
<thead>
<tr>
<th>Conflict of Commitment (COC)</th>
<th>Reporting</th>
<th>Conflict of Interest in Research (COI)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Faculty who engage in outside professional activities</td>
<td>Who files?</td>
<td>Researchers with extramural funding and human subjects research</td>
</tr>
<tr>
<td>Prior approval requests for new Category I activities; annual COC disclosures (each fiscal year) detailing how many days spent on each outside professional activity</td>
<td>What is filed?</td>
<td>Depends on funding type; generally file annual disclosures and grant-specific disclosures (Form 700U) detailing income, equity, and other financial interest amounts</td>
</tr>
<tr>
<td><strong>APM-025</strong> (non-HSCP) and <strong>APM-671</strong> (HSCP)</td>
<td>Authority</td>
<td>Funding agency (PHS/NIH, NSF); California Political Reform Act</td>
</tr>
<tr>
<td>Identify and manage outside professional activities to avoid conflicts of commitment</td>
<td>Purpose</td>
<td>Protect the objectivity of the research and comply with policies and regulations</td>
</tr>
<tr>
<td><strong>Office of Academic Personnel</strong></td>
<td>Responsible Office</td>
<td><strong>Office of Research</strong></td>
</tr>
</tbody>
</table>
Conflict of Commitment

Category I

Most likely to create a conflict of commitment

- training and expertise for which the individual has a University appointment, but are performed on behalf of a third party, and/or
- require significant professional commitment

Requires

- Prior approval by the Vice Provost for Academic Personnel through the OATS system
- Annual Disclosure through the OATS system

Time Limits

- Full-time Academic-Year Faculty: limited to 39 days
- Full-time Fiscal-Year Faculty: limited to 48 days
Category I

Examples

- Teaching, research, or administration of a grant at an educational institution, trust, organization, government agency, foundation, or other entity outside of the University
  - Grants submitted on behalf of a professional society are not considered Category I activities
- Employment outside of the University
- Assuming a founding/co-founding role of a company
- Assuming an executive or managerial position outside of the University
Conflict of Commitment

Category II

- Typically a shorter term activity outside of the course and scope of University employment
- Lower risk of conflict than Category I activities
- Does not require prior approval for the activity UNLESS exceeds the time limit
- Time Limits:
  - Full-time Academic-year Faculty: limited to 39 days
  - Full-time Fiscal-year Faculty: limited to 48 days
- Requires Annual Disclosure through the OATS system
Category II
Examples

- Additional University compensation teaching including UNEX courses/program and self-supporting degree programs
- Consulting or testifying as an expert or professional witness
- Providing consulting services for outside organizations
- Serving on a board of directors outside of the University
- Providing or presenting a workshop for industry
Conflict of Commitment

Category III

- Generally within course and scope of University employment
- Unlikely to raise conflict of commitment concerns
- Must not interfere with obligations to University
- Even if compensated, Category III activities do not:
  - require prior approval
  - require annual disclosure
  - require time limits
Examples

- Serving on government or professional panel or committee
- Developing scholarly or creative works
- Reviewing manuscripts; acting in an editorial capacity
- Attending and presenting talks at university or academic colloquia and conferences
- Accepting honoraria for scholarly, intellectual, educational, outreach work within the course and scope of employment
Conflict of Commitment
Prior Approval

Prior Approval is required *at least 30 days before* engaging in:

- Category I activities, includes exceeding the time limit
- Category II activities that exceed the time limit
- Final authority for prior approval is Vice Provost for Academic Personnel
- Activity in any Category that involves students for whom you have or expect to have academic responsibility
  - Requires prior approval of Department Chair
Conflict of Commitment

Annual Disclosure

- Must report all Category I and II outside professional activities
- If no outside professional activities were performed the previous year, annual disclosure via certification of non-participation in any outside professional activities will still be required

Annual Disclosure are due on January 15 to the Office of Academic Personnel and should be submitted through the OATS system
Time Limits

Category I and II
- Full-time Academic-year Faculty: limited to 39 days
- Full-time Fiscal-year Faculty: limited to 48 days

Category III
- Even if compensated, are not subject to time limits
OATS system will be tracking hours instead of days

- A day = 8 hours
- When teaching, every 6 contact or “podium” hours spent with students is equivalent of one day (APM 662-17-b-(1))
Student Involvement in Outside Professional Activities

For the purpose of this policy, “student” includes:

- undergraduate and graduate students, trainees professional students, and medical residents

Prior approval is required when:

- The faculty member has, or expects to have instructional, evaluative or supervisory responsibility for the student
- The student’s participation in the activity is substantive, whether compensated or uncompensated
- It is the faculty member’s responsibility to determine if student involvement is substantive
Conflicts of Commitment
Summer Months

Academic Year Faculty

- No restrictions on number of days of Category I and II activity

UNLESS

- Faculty receives *additional summer compensation*, then the following limits apply:
  - 1 day a week during the period in which they are compensated
  - This is distinct and separate from the regular academic year time limit of 39 days
Additional Resources

Policies and Guidelines:

- APM 025 and APP 1-15

For policy questions, please contact:

- Your Department Chair or Department Manager
- Your School’s Chief Personnel Officer
- oats@uci.edu

OATS training and additional resources:

- UCI OATS
UC OATS Team

Angelique Juarez,
Senior Training Specialist

Christy Forte,
Program Manager

Learn more at http://info.ucoats.org
Project Overview

The UC Outside Activity Tracking System is a multi-campus collaboration used by faculty, deans, and faculty administrators to report and track Outside Professional Activities. The UC OATS application is based on an application of the same name that was developed for the DGSOM in 2016.

There are nine campuses currently engaged in the UC OATS initiative.

Learn more at http://info.ucoats.org
Project Team and Governance

**Governance Board**
- Provides UC-oriented support structure
- 2 representatives per campus
- 1 vote per campus
- Approves scope, budget, and timeline

**Working Group**
- Defines requirements and performs user acceptance testing
- 1-2 representatives per campus
- Serves as the partner for implementation

**Technical Partner**
- Responsible for the build, development, maintenance, and implementation of UC OATS
- 4 developers, 3 directors, 1 business analyst, 1 trainer, and 1 project manager
Learning Objectives

At the end of this training, you will be able to,

1. Describe how UC OATS determines the category type and prior approval requirement(s) of an activity.
2. Describe the approval workflow for prior approval forms and annual certification reports.
3. Demonstrate how to report an outside professional activity in UC OATS.
4. Demonstrate how to track the status of a prior approval form in UC OATS.

Learn more at http://info.ucoats.org
UC OATS Roles

UC OATS is a role-based system. In UC OATS,

**Faculty can:**
- Report and manage outside professional activities
- Submit and view the status of prior approval forms
- Track time spent on outside professional activities
- Complete annual disclosures

**Reviewers/Approvers can:**
- Review/Approve prior approval forms
- Review/Approve annual certification reports

Learn more at http://info.ucoats.org
Prior Approval Forms

There are 6 forms available in UC OATS:
1. Category 1
2. Student Involvement
3. Request to Exceed Time Threshold
4. Request to Exceed Earnings Threshold
5. Request to Retain Earnings
6. Annual Certification

The faculty’s title will determine the routing for each request.
Prior Approval Workflows

Category I Forms:

Student Involvement Forms:

- Request to Exceed Time Threshold
- Request to Exceed Earnings Threshold
- Request to Retain Earnings Threshold
Prior Approval Workflows

Annual Certification Reports:

[Diagram showing workflow: Faculty → Department Reviewer, Department Chair → School Reviewer, Dean]
Resources

UCI OATS Website

UC OATS Training Website
https://info.ucoats.org/pages/training