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3 **ARTICLE 19**
4 **CONFLICT OF INTEREST/OUTSIDE ACTIVITY**

5 19.1 Policy.

6 (a) A faculty member is bound to observe, in all official acts, the highest
7 standards of ethics consistent with the code of ethics of the State of Florida (Chapter 112,
8 Part III, Florida Statutes), the advisory opinions rendered with respect thereto, and
9 University rules.

10
11 (b) Nothing in this Article is intended to discourage a faculty member from
12 engaging in outside activity in order to increase the faculty member's professional
13 reputation, service to the community, or income, subject to the conditions stated herein.

14 19.2 Definitions.

15 (a) "Outside Activity" shall mean any private practice, private consulting,
16 additional teaching or research, or other activity, compensated or uncompensated, which
17 is not part of the faculty member's assigned duties and for which the University has
18 provided no compensation.

19
20
21 (b) "Conflict of Interest" shall mean

22 (1) any conflict between the private interests of the faculty member and the
23 public interests of the university, or the State of Florida, including conflicts of interest
24 specified under Florida Statutes; or

25 (2) any activity which interferes with the full performance of the faculty
26 member's professional or institutional responsibilities or obligations.

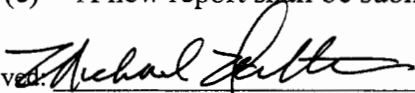
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28 19.3 Conflicts of Interest Prohibited. Conflicts of interest, including those arising from
29 University or outside activities, are prohibited. Faculty members are responsible for
30 resolving such conflicts of interest, working in conjunction with their supervisors and
31 other University officials.

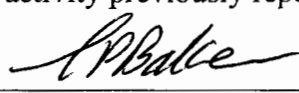
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33 19.4 Report of Outside Activity.

34 (a) A faculty member who proposes to engage in any outside activity which the
35 faculty member should reasonably conclude may create a conflict of interest, or in any
36 outside compensated professional activity, shall report to the faculty member's
37 supervisor, in writing, the details of such proposed activity prior to engaging therein.

38
39 (b) The report, as described in paragraph 19.4(a) shall include where applicable,
40 the name of the employer or other recipient of services; the funding source; the location
41 where such activity shall be performed; the nature and extent of the activity; and any
42 intended use of University facilities, equipment, or services.

43
44 (c) A new report shall be submitted for outside activity previously reported at:

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Board of Trustees

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Date: 2-4-2005

Date: 40 Feb 2004

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2 (1) the beginning of each academic year for outside activity of a continuing
3 nature; and

4
5 (2) such time as there is a significant change in an activity (nature, extent,
6 funding, etc.)

7
8 (d) The reporting provisions of this section shall not apply to activities performed
9 wholly during a period in which the faculty member has no appointment with the
10 University.

11
12 (e) Any outside activity which falls under the provisions of this Article and in
13 which the faculty member is currently engaged but has not previously reported, shall be
14 reported within sixty (60) days of the execution of this Agreement and shall conform to
15 the provisions of this Article.

16
17 19.5 Expedited Grievance Procedure.


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19 (a) In the event the proposed outside activity is determined to constitute a conflict
20 of interest, and the faculty member disagrees with that determination, the faculty member
21 may file a grievance under the expedited grievance procedure contained in Article 20,
22 Section 20.15.

23
24 (b) The faculty member may engage in such outside activity pending a resolution
25 of the matter pursuant to Section 19.5(a).

26
27 (c) If the resolution of the matter is that there is a conflict of interest, the faculty
28 member shall cease such activity immediately and may be required to turn over to the
29 University all or part of compensation earned there from.

30
31 19.6 Use of University Resources. A faculty member engaging in any outside activity
32 shall not use the facilities, equipment, or services of the University in connection with
33 such outside activity without prior approval of the President or representative. Approval
34 for the use of University facilities, equipment, or services may be conditioned upon
35 reimbursement for the use thereof.

36
37 19.7 No University Affiliation. A faculty member engaging in outside activity shall take
38 reasonable precautions to ensure that the outside employer or other recipient of services
39 understands that the faculty member is engaging in such outside activity as a private
40 citizen and not as an employee, agent, or spokesperson of the University.

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