

## Kennesaw State University Guidelines and Procedures Related to Outside Activities and Conflicts of Interest

1. **Background.** These guidelines provide direction on how Kennesaw State University (KSU) implements our policies regarding Conflicts of Interest and Conflicts of Commitment. These policies are vital to our ability to carry out the university's mission, to ensure we are good stewards of the university's resources and to maintain the public's trust. The University System of Georgia's policy can be found here:

[https://www.usg.edu/policymanual/section8/C224/#p8.2.18\\_personnel\\_conduct](https://www.usg.edu/policymanual/section8/C224/#p8.2.18_personnel_conduct)

Kennesaw State University's policies may be found in this document:

[http://cul.kennesaw.edu/docs/Policies\\_Guidance\\_on\\_COI\\_and\\_OA.pdf](http://cul.kennesaw.edu/docs/Policies_Guidance_on_COI_and_OA.pdf)

2. **Conflicts of Interest.**

Each KSU employee shall make every reasonable effort to avoid actual or apparent conflicts of interests and also the appearance of a conflict of interest. An appearance of a conflict exists when a reasonable person would conclude from the circumstances that the employee's ability to protect the public interest, or perform public duties, is compromised by a personal, financial, or business interest.

**Required Disclosures.** Each KSU employee has an ongoing responsibility to report and fully disclose any personal, professional, or financial interests, relationships, or activities that have the potential to compromise an employee's objectivity in fulfilling the employees' responsibilities. Each KSU employee must also report and fully disclose any financial and business interests that the employee or the employee's spouse, partner, parent, child, sibling, and any in-laws of any of the foregoing may have that relate to the employee's expertise or responsibilities as a KSU employee.

**Form for Disclosures.** These required disclosures should be made using the online form available here:

<http://coi.kennesaw.edu/>

**Management Plans.** Once disclosed, the university will approve a management plan for the conflict of interest. The default management plan for a conflict of interest will be to avoid it. In other words, for the faculty and staff member to arrange their affairs so that there is no conflict of interest. However, with KSU's prior written permission, certain conflicts may be able to be managed in other ways. This depends greatly on the individual facts of each case, but management plans can include elements such as:

- disclosure and transparency to everyone affected by the conflict;

- monitoring of the conflict by an impartial party;
- limiting an employee's involvement in certain decisions (i.e., recusal);
- requiring additional approvals before certain actions can be taken;
- obtaining informed consent from affected parties;
- reporting and auditing of facts surrounding the conflict;
- divestiture of certain assets, or the use of blind trusts.

**Authority to Approve Management Plans.** Management plans for conflicts of interest must be approved in writing by the President, or by the Provost for all faculty and other employees that report up to the Provost.

KSU's Institutional Review Board and Institutional Animal Care and Use Committee retain their authority regarding conflicts of interest with researchers under their jurisdiction. Accordingly, researchers operating under the jurisdiction of those committees must abide by the stricter provisions of the management plans issued by those committees and the plans issued by the President or Provost.

3. Conflicts of Commitment (Outside Activities and Outside Work).

**Prior Approval Required to Engage in Outside Activities.** KSU employees are expected to devote their full efforts towards their KSU responsibilities, and they should avoid outside obligations that could interfere with that. However, employees may engage in appropriate outside activities with prior written approval.

**Form to Request Permission to Engage in an Outside Activity.** Requests to engage in an outside activity should be submitted using the online form available here:

<http://coi.kennesaw.edu/>

**Authority to Approve Requests to Engage in Outside Activities.** Requests to engage in an outside activity must be approved in writing by the President, or by the Provost for all faculty and other employees that report up to the Provost.

**Authority to Engage in Certain Outside Activities.**

*Part-time faculty and staff.* All part-time faculty and staff who have less than a half-time KSU work commitment (i.e., less than .5 FTE) are hereby given authorization to engage in outside activities, whether compensated or not, if all of the following are true:

- The outside activity does not create a conflict of interest. If a conflict may be created, then that conflict must be disclosed and managed, and the outside activity will require approval.
- The outside activity will not interfere with their KSU duties.
- The outside activity will not use any KSU resources, including KSU intellectual property.

- The outside activity does not otherwise violate KSU or University System of Georgia policies.

*Faculty engaging in Secondary Responsibilities.* All faculty are hereby given authorization to engage in outside activities that fall within their Secondary Responsibilities (as defined below), provided that all of the following are true:

- The outside activity does not create a conflict of interest. If a conflict may be created, then that conflict must be disclosed and managed, and the outside activity will require approval.
- The outside activity will not interfere with their KSU duties.
- The outside activity will not use any KSU resources, including KSU intellectual property.
- The compensation, if any, received for the activity does not exceed reasonable reimbursement of travel and other actual expenses, or a reasonable honorarium. The reasonableness of expense reimbursement should be benchmarked against KSU's expense reimbursement policies. The reasonableness of an honorarium should be benchmarked against equivalent honoraria paid by KSU for a similar activity, or the general rate for an honorarium from a non-profit or governmental organization for a similar activity.
- The outside activity does not otherwise violate KSU or University System of Georgia policies.

For KSU faculty, "Primary Responsibilities" are teaching, research, clinical practice, service, administrative duties, and other appropriate duties assigned by the university to the faculty member.

"Secondary Responsibilities" are professional activities or affiliations traditionally undertaken by KSU faculty outside of their immediate university employment context, but where the faculty member represents their affiliation with KSU. These secondary responsibilities or activities, which demonstrate active participation in a profession, are encouraged provided they do not conflict or interfere with the timely and effective performance of the faculty member's primary responsibilities or KSU or University System of Georgia policies. Secondary Responsibilities may or may not entail the receipt of honoraria, remuneration, or the reimbursement of expenses. Secondary Responsibilities will often be listed in a faculty member's annual faculty performance planning documents, and/or a faculty member's annual review. Secondary Responsibilities are typically performed for another academic or professional organization, and they do not include paid consulting for an individual or a for-profit entity. A list of common Secondary Responsibilities or activities includes, but is not limited to, the following:

- Membership in and service to professional associations and learned societies

- Membership on professional or scientific review or advisory panels
- Presentation of lectures, papers, concerts, or exhibits
- Participation in seminars and conferences
- Reviewing or editing scholarly publications and books
- Providing for credit or non-credit distance learning courses and continuing education programs pre-approved by the university
- Service to national or international associations, foundations, or on governing boards closely aligned with or related to faculty work
- Work or service required to maintain credentials or board certifications related to the university faculty position
- Participation in review of grants and policies for governmental or professional organizations
- Participation as a director or trustee of a Cooperative Organization (i.e., The KSU Foundation, KSU Alumni Association, KSU Athletic Association, KSU Research and Service Foundation, etc.)

**Taking Leave for Outside Activities.** KSU employees who earn paid leave must take leave when they engage in an approved outside activity during their normal KSU working hours. “Normal working hours” include any work hours assigned by a supervisor, and any time when an employee has a specific commitment to a KSU activity (e.g., a class, a meeting, or an event).

Faculty on an academic-year contract do not earn leave, but their approval (if granted) to engage in an outside activity is their approval to do so during normal working hours (if applicable). Such approvals for academic-year faculty will not be given for outside activities which will take more than one day a week of the faculty member’s time, on average.

**Outside Activities When Faculty are Off-Contract.** Faculty do not need approval to engage in outside activities during the summer gap between academic year contracts. Approval is required throughout the effective dates of a faculty member’s contract (i.e., there is no exception for holidays or weekends). If a faculty member has a summer contract, then approval is required during the effective dates of that contract. The requirement to disclose conflicts of interest applies throughout employment at KSU, including the gaps between academic-year faculty contracts.

**Use of KSU Resources.** Generally, KSU employees should not use KSU resources to support an outside activity. However, KSU employees may request to use KSU resources through a written contract that provides that the university will be paid for the use of any KSU personnel, facilities, equipment or materials at a rate which is at least the rate KSU charges to outside entities. Approval of such a contract must be obtained pursuant to KSU's contracting policies, and is in addition to the approval required to engage in the outside activity.

**Required Statements.**

1. Any agreement for an outside activity executed between an outside entity and a KSU faculty or staff member must include the following statement:

“The consultant has certain obligations to Kennesaw State University as a faculty member as described in the Intellectual Property Policy of Kennesaw State University (IP Policy). In the event that there is any conflict between the consultant's obligations to the IP Policy and their obligations to the entity for whom they consult, the obligations to the IP Policy shall control.”

2. Any presentations or reports written, signed, or prepared by a KSU faculty or staff member for an outside entity as part of an outside activity must state:

“This content represents the opinions of the consultant. It carries no endorsement by Kennesaw State University.”