31.05.02.O0.01 External Professional Activities Disclosure

TEXAS A&M UNIVERSITY
SAN ANTONIO

Approved: 10/1/2026
Next Scheduled Review: 9/30/2029

Procedure Statement

It is the goal of Texas A&M University-San Antonio to provide a transparent system of disclosure of all its employees' activities, external to the university, which might otherwise raise concerns about conflicts of commitment. The procedure provides the institutional responsibilities to protect the credibility and reputation of the university and its faculty and staff when those employees are engaged in external activities, ensures compliance with state ethics laws and The Texas A&M University System Policies and Regulations, and addresses conflicts between external professional and non-professional activities and university responsibilities.

Definitions

Conflict of Interest (COI) Official: The President appoints the Vice President of Research or designee as the Conflict-of-Interest Official (COI Official) for Texas A&M University-San Antonio as the person responsible for implementing Texas A&M University System Regulation 15.01.03.01, *Financial Conflicts of Interest in Sponsored Research*, and this procedure.

External activity (paid or unpaid): involvement with any person, trust, organization, enterprise, government agency, or other entity that is not an entity associated with or under the control of The Texas A&M University System (A&M System). University appointment or assignment of an employee to an external board or committee does not constitute an "external activity" for the employee. External activity for the purpose of this procedure also does not mean to reference family activities or authorized professional development activities.

Good Standing: being in a regular, non-probationary position, having a positive performance record, including the absence of active formal disciplinary actions (e.g., written reprimands, suspensions), and complying with all university policies.

Other Support / Current & Pending Support: Any financial, in-kind, or time commitments from external entities that support an individual's research or scholarly activities, and which must be disclosed to sponsors per award terms.

Supervisor: means the applicable department head, director, dean, provost, vice president, or president, who has direct management responsibilities for supervising the employee.

University: means Texas A&M University-San Antonio.

University Resources: are items or tools provided by the university or the A&M System for purposes of satisfying normal business activities, including but not limited to salaries and fringes, facilities, internet access, e-mail addresses, facsimiles, telephone and personal computing services, procurement and credit cards, and all other organizational assets, including cash.

Reasons for Procedure

The participation of employees in external activities that enhance their professional skills and constitute public service can be beneficial to Texas A&M University-San Antonio as well as the individual employee. Employees are encouraged to participate and provide leadership in professional organizations, panels, committees, and other broadly defined public and professional service opportunities. These interactions can enhance relationships with a wide variety of governmental, business and not-for-profit entities that enhance the university's academic and research missions.

Conflict of interest normally involves issues regarding the individual's time and effort. External activities can lead to conflicts beyond financial conflicts of interest regarding an employee's university responsibilities, along with the misuse of university resources. As such, this procedure is intended to outline the requirements for recognizing and managing employee conflicts of interest, and whenever possible, to prevent even the appearance of conflicts of interest. Violations of this procedure can lead to disciplinary actions, including dismissal.

Official Procedure/ Responsibilities/ Process

1. **GENERAL**

The university is committed to basic values of transparency, integrity of scholarship, and independence as it pursues its mission to create, preserve, and disseminate knowledge through teaching, research, and public service. This procedure is in addition to Texas A&M University System Policies 07.01 *Ethics*, 31.05, *External Employment and Expert Witness*, and System Regulations 31.05.01, *Faculty Consulting and External Professional Employment;* 31.05.02, *External Employment* [staff]; *and* University Rule 15.01.03.01, *Financial Conflicts of Interest in Sponsored Research*.

2. **GENERAL RESPONSIBILITIES**

University employees are required to devote their university work activities to official functions of the university. Employees may engage in external activities with prior approval provided that such activities do not detract from the performance of their university duties and responsibilities; for nonexempt staff this also means that external activities must be performed outside of the employee's work time. Employees in good standing, with supervisory approval and in accordance with University Rules and Procedures, may take paid time off or leave without pay to engage in external activities. If those external activities include the performance of duties similar to any portion of the individual's employment responsibilities, except as enumerated in Section 3.3, disclosure and approval is required, regardless of whether any requirements related to financial conflicts of interest apply.

3. **DISCLOSURE AND APPROVAL**

3.1. Approval requirements shall apply to the following employees:

3.1.1. Full-time members of the faculty with a 9-month or greater appointment, including activities conducted outside their appointment periods.

3.1.2. Full or part-time members of the faculty holding 50 percent or greater appointments.

3.1.3. Part-time members of the faculty holding less than 50 percent appointments only if the activity reasonably appears to create a conflict of commitment to their appointment.

3.1.4. Full-time professional and administrative employees.

3.1.5. Part-time professional and administrative employees only if the activity

reasonably appears to create a conflict of interest; and

3.1.6. Graduate student academic employees include, but not limited to, teaching assistants, instructional assistants and research assistants.

3.2. Approval from the COI Official after review through the normal administrative channels is required for the following activities, except as provided in 3.3 below:

3.2.1. External employment or other compensated activities, including reimbursement of travel and other expenses, related to the employee's university responsibilities or professional expertise.

3.2.2. Providing services as a voluntary or paid expert witness in the employee's individual capacity in any civil or criminal case.

3.2.3. Providing private lessons in art, music or any field of study.

3.2.4. Providing private counseling for financial aid, career development, and academic considerations.

3.2.5. All service on external boards (except as included in 3.3.6. below); and

3.2.6. Any uncompensated activity that reasonably appears to create a conflict of commitment to the primary employment.

3.3. Some voluntary and uncompensated activities are so integral to the mission of the university that it is encouraged, so long as the amount of time committed does not interfere with the employee's university duties and responsibilities. The following activities typically do not require disclosure or approval for conflict of interest prior to engaging in the activity:

3.3.1. Serving on a committee, panel or commission of a U.S. federal, state or local government agency, court, or as an appointee thereof, or U.S. non-profit organization operating under a charter therefrom.

3.3.2. Acting in an editorial capacity for a professional journal, unless compensated.

3.3.3. Reviewing journal manuscripts, book manuscripts, grant or contract proposals.

3.3.4. Attending and presenting talks at scholarly U.S. colloquia, conferences, and other academic and professional venues.

3.3.5. Developing scholarly communications in books, journal articles, movies, television productions and similar works, even when such activities result in financial gain, consistent with intellectual property and other applicable

A&M System and university policies and guidelines; and

3.3.6. Serving as a volunteer committee member, board member, or an officer of a professional or scholarly organization.

3.4. Employees cannot serve as a Principal Investigator for work for another institution or organization that could be performed at Texas A&M University-San Antonio. Collaborations with other institutions or organizations can be achieved via subawards or subrecipient agreements between Texas A&M University-San Antonio and the organization or institution.

3.5. Employees shall not use any university resource (facilities, supplies, equipment or other resources) for external activities that result in additional costs to the university, except as provided in System Policy 33.04 and System Regulations 33.04.01 and 33.04.02 governing the use of System resources for external employment.

External activities that require the use of university research resources (facilities, equipment, data, staff, or student effort) must be governed by a written agreement such as an MOU or contract approved by the Vice President of Research (or other designated officials). The agreement shall specify financial arrangements, supervision responsibilities, intellectual property rights, and protections for human subjects and confidential data. Use of graduate students, postdoctoral scholars, or staff on external work must be documented and must not diminish effort commitments to university-administered sponsored projects.

3.6. Except as approved in advance by the employee's Supervisor and University Marketing and Strategic Communications, employees shall not use the university's name or trademark in such a manner to suggest institutional endorsement or support of an external activity or non-university product or service, nor use university business cards or stationery in such a manner to suggest institutional endorsement or support of an external activity or non-university product or service.

3.7. Employees involved in external relationships or activities described above or any external activities that include the performance of duties substantially similar to any portion of the individual's employment responsibilities, except as enumerated in Section 3.3, must submit a Conflict of Interest/Disclosure Form through the normal administrative channels to the COI Official for approval on an annual basis and whenever new external activities described in 3.2 arise.

4. EMPLOYEE RESPONSIBILITIES

4.1. Employees shall make clear, when engaging in external activities, that they are acting and speaking in their individual capacity and not as representatives or agents of the university.

4.2. Employees shall not disclose any non-public or confidential information

concerning the university's operations, employees, or students, except that this provision shall not affect any person's right to report suspected illegal activity under applicable law.

4.3. Prior to engaging in the external activities described in Section 3.2, employees must disclose such activities and receive approval for engaging in such activities. For external activities which span more than one fiscal year, employees must disclose and receive approval for the activities on an annual basis.

4.4. Each employee, covered by 3.1 above, is required to disclose the following:

4.4.1. A description of the nature and extent of the external activity.

4.4.2. Employees who teach must provide a description of the nature and extent of any external (onsite or distance) teaching that is in, or related to, the same discipline as the faculty member's area of university teaching responsibilities.

4.4.3. A description of the nature and extent of the external research activity or supervision.

4.4.4. The range of total annual compensation received for any compensated activity related to the employee's university responsibilities or professional expertise, or total annual compensation from a single entity.

4.4.5. A description of the nature and extent of external board service, regardless of compensation (except as described in 3.3.1. or 3.3.6. above).

4.4.6. A description, including the range of compensation or interest, of any substantial interest in a business entity as defined in A&M-San Antonio Rule 15.01.03.O1, that reasonably appears to create a conflict of interest, which should be provided no later than 30 days after acquiring the interest.

4.4.7. External activity disclosed under A&M-San Antonio Rule 15.01.03.O1, need not be re-disclosed. However, this does not alter the requirement to disclose and obtain approval prior to engaging in the activities described in 3.2 above. The requirements enumerated in 4.4.1 through 4.4.4 may be met by supplying the COI Official with completed and approved reports of consulting and external professional employment under System Policy 31.05.01. Employees must disclose any COI related to a covered family member [Investigator's spouse and dependent children, consistent with 42 CFR § 50.603.]

4.5. If there is any question about an external activity representing a conflict of commitment or interfering with the fulfillment of university responsibilities, then the employee should consult with his or her supervisor for directions. If the employee's supervisor is not available within a reasonable period of time, then the employee should contact the associated supervisor for directions.

5. MANAGEMENT AND APPROVAL PROCESS

For purposes of clarity, unless otherwise specified, the review, routing, management, and approval of COI disclosures and resolution will follow those for financial disclosure statements and resolution required by A&M-San Antonio Rule 15.01.03.O1, *Financial Conflicts of Interest in Sponsored Research*.

6. SUPERVISOR RESPONSIBILITIES

6.1. Supervisors should ensure that all new employees are informed of this procedure and direct all employees to file disclosures on an annual basis (or whenever the supervisor becomes aware of an activity potentially falling under this procedure).

6.2. Supervisors are responsible for reviewing and approving disclosures that are above the approved threshold as referenced in 15.01.03.O1

6.3. Supervisors shall ensure there is appropriate monitoring and oversight to ensure that an employee's university responsibilities are fulfilled and that university resources are used in accordance with System and university Policies, Regulations, Rules and Procedures.

6.4. If a supervisor has any question about an external activity representing a conflict of commitment, then he or she should consult with the next higher level of university management.

7. ENFORCEMENT

7.1. Violations of this procedure must be brought to the attention of the employee by the COI Official. The employee will be given an opportunity to comply. The employee must present a proposal for compliance to the supervisor and to the COI Official for review and action within 10 business days of the notification of noncompliance. Failure to comply will constitute an intentional violation as discussed in the following section.

7.2. Repeated or intentional violations of this procedure may be reported to the CEO by the COI Official. Sanctions may be imposed by the CEO or designee and may range from a letter of reprimand to termination.

7.3. Employment actions taken for violation of this procedure must comply with System policies and regulations and university rules and procedures.

Related Statutes, Policies, or Requirements

System Policy 07.01 *Ethics*
http://policies.tamus.edu/07-01.pdf

System Policy 31.05 *External Employment and Expert Witness*
http://policies.TAMU-SA-SA-SAs.edu/31-05.pdf

System Policy 31.05.01 *Faculty Consulting and External Professional Employment*
http://policies.TAMU-SA-SA-SAs.edu/31-05-01.pdf

System Regulation 31.05.02 *External Employment*
http://policies.TAMU-SA-SA-SAs.edu/31-05-02.pdf

System Regulation 15.01.03 *Financial Conflicts of Interest in Sponsored Research*
http://policies.TAMU-SA-SA-SAs.edu/15-01-03.pdf

Contact Office

Division of Research and Innovation (210) 784-1260