

**THE UNIVERSITY OF TEXAS AT EL PASO
REQUEST FOR PRIOR APPROVAL OF OUTSIDE EMPLOYMENT /
CONSULTATION / APPOINTMENT / POSITIONS,
INCLUDING SELF-EMPLOYMENT**

Name: _____

Title: _____

Department: _____

EID or ID Number: _____

Approval is requested for permission to engage in the following outside employment activity.

Employing Firm, Person, or Agency: _____

Address: _____

City: _____ State: _____ Zip: _____

Are you, your family members, or any individual with whom you reside, on the governing board or owners of any interest in this company? _____ Yes _____ No

Briefly describe the work to be performed: _____

Amount of time to be spent in outside employment per week: _____

Proposed employment will begin _____ and continue through _____

If employment is with state or federal government, please complete:

Compensation to be received is: \$ _____

University equipment may not be used for consulting purposes by any member of the faculty or staff without express written approval as outlined below. In unusual cases where a very unique piece of equipment is not otherwise available, such usage may be authorized, assuming availability of the equipment and adequate compensation to the University. In such cases, the faculty or staff member making the request must describe the University equipment to be used and justify their request. In no case, is the rate of compensation to be negotiated by the faculty or staff member. Such negotiations will be between the Office of the Vice President for Finance and Administration and the entity contracting with the faculty or staff member to consult. Negotiations for use of equipment and rate of compensation will not occur until final approval has been given to the Request for Prior Approval of Outside Employment / Consultation / Appointment / Positions, Including Self-Employment.

I acknowledge that I have read and will abide by the applicable Regents' *Rules and Regulations* (Series 30103) outlined on the reverse side of this form.

Signed: _____ Date: _____

Department Chair/Director Date

Dean/Other Administrative Official Date

Provost or appropriate Vice President Date

Vice President for Business Affairs Date

President Date

Original – Human Resource Services

Copies – President's Office, VPBA, Department, Provost or Appropriate VP, Employee

The University of Texas System
Rules and Regulations of the Board of Regents Series: 30103

1. Title

Standards of Conduct

2. Rule and Regulation

- Sec. 1 **Statutory Compliance.** Every employee is expected to obey all federal, State, and local laws, and particularly [Texas Penal Code Chapter 42 and Section 46.03](#) and [Texas Education Code Section 51.935](#). Any employee who violates any provision of these statutes is subject to dismissal, notwithstanding any action by civil authorities on account of the violation.
- Sec. 2 **Disruption of Activities.** Any employee who, acting singly or in concert with others, obstructs, disrupts or interferes with any teaching, educational, research, administrative, disciplinary, public service, or other activity, meeting, or event authorized to be held or conducted on campus or on property or in a building or facility owned or controlled by The University of Texas System or any of its institutions is subject to disciplinary action, including dismissal. Obstruction or disruption includes but is not limited to any act that interrupts, modifies, or damages utility service or equipment, communication service or equipment, university computers, computer programs, computer records, or computer networks accessible through University computer resources.
- Sec. 3 **Channel for Communication.** The Board of Regents is the only proper channel through which recommendations concerning the administration of the System or any of its institutions, as a whole or in any of its parts, should reach the Legislature or other State agencies or officials.
- Sec. 4 **Advisory Positions.** Employees should not be discouraged from accepting appointments of a consultative or advisory capacity with governmental agencies, industry, or other educational institutions. The consideration to the System and the component institutions of such activity is the improvement of the individual by virtue of his or her continuing contact with nonacademic problems in the nonacademic world.
- Sec. 5 **Primary Responsibility.** The primary responsibility of employees of the U. T. System or any of its institutions is the accomplishment of the duties and responsibilities assigned to one's position of appointment; external consulting or other outside employment that interferes with those duties and responsibilities should not be accepted. In connection with any outside employment, employees must comply with State laws governing the conduct of State employees, including ethics standards and provisions prohibiting conflict of interest and use of State resources.
- Sec. 6 **Free Advice.** Even in the case of employees specifically engaged only in residence work, there exists an obligation, usually intermittent, to furnish expert knowledge and counsel for public benefit free of charge, provided that the meeting of this obligation by an employee does not interfere with his or her regular duties, and provided further that in meeting this obligation an employee shall avoid undue competition with legitimate private agencies.
- Sec. 7 **Separation of Activities.** No employee engaged in outside remunerative activities shall use in connection therewith the official stationery of the System, give as a business address any building or department of the U. T. System or any of its institutions, or any University telephone extension.
- Sec. 8 **Opinions for Advertising Purposes.** Every employee who gives professional opinions must protect the U. T. System or any of its institutions against the use of such opinions for advertising purposes. If the employee does work in a private capacity, the employee must make it clear to those who employ him or her that the work is unofficial and that the name of the U. T. System or any of its institutions is not in any way to be connected with the employee's name, except when used to identify the member as the author of work related to the employee's academic or research area as more fully described in Series 90101 of the Regents' *Rules and Regulations* concerning general rules for intellectual property.
- Sec. 9 **Use of U. T. System Property.** No employee shall accept pay from private persons or corporations for tests, assays, chemical analyses, bacteriological examinations, or other such work that involves the use of property owned by the U. T. System or any of its institutions, unless advance permission has been obtained from the Chancellor or the president of an institution and provision has been made for compensation to System Administration or the institution.
- Sec. 10 **Filing Requirement.** No full-time employee employed by the U. T. System or any of its institutions on a 12-month or nine-month basis shall be employed in any outside work or activity or receive from an outside source a regular retainer fee or salary until a description of the nature and extent of the employment has been filed with and approved by appropriate administrative officials as set forth in the policies of the U. T. System or the *Handbook of Operating Procedures* of each institution. For special provisions relating to other State or federal employment, see Sections 11 of this Series.
- Sec. 11 **Public Office.** Subject to the other provisions of this Series, an employee of the U. T. System or any of its institutions may hold other non-elective offices or positions of honor, trust, or profit with the State of Texas or the United States if holding the other offices or positions is of benefit to the State of Texas or is required by State or federal law and if there is no conflict between holding the office or position and holding the office or position with the U. T. System or any of its institutions for which the employee receives salary or compensation.

11.1 Before an employee of the U. T. System or any of its institutions may accept an offer to serve in other non-elective offices or positions of honor, trust, or profit with the State of Texas or the United States, the employee must obtain from the appropriate administrative officials and the Board a finding via the Docket that the requirements of this Section have been fulfilled. The docket entry shall also record any compensation the employee is to receive from the non-elective office or position, including salary, bonus, or per diem payment.

Sec. 12 **Outside Boards.** It is recognized that the Chancellor and other Executive Officers of the System Administration and the presidents of institutions of the U. T. System may be asked to serve on the boards, councils or other governing or advisory bodies ("outside boards") of various business, civic, professional, and social organizations, both for profit and not-for-profit, and in compensated and non-compensated positions. Such service is generally deemed to be in the best interest of the U. T. System or any of its institutions because it broadens the experience of the individuals involved and exposes the U. T. System or any of its institutions to a larger audience of business, civic, professional, and social leaders.

Sec. 13 **Political Activities.** The Board of Regents recognizes the right of employees to participate in political activities provided such activities are not conducted during work hours unless the employee uses accrued compensatory or vacation leave; are in compliance with the Constitution and laws of the State of Texas; do not interfere with the discharge and performance of an employee's duties and responsibilities; do not involve the use of equipment, supplies, or services of the U. T. System or any of its institutions; do not involve the impermissible use of University facilities; do not involve the attempt to coerce students, faculty, or staff to participate in or support the political activity; and do not involve the U. T. System or any of its institutions in partisan politics. With the interest of the U. T. System and any of its institutions being given first consideration, a leave of absence without pay pursuant to Regents' *Rules and Regulations Series 30201 Number 2, Section 3.1*, may but need not be granted to an employee to participate in political activities. However, a leave of absence without pay shall not be granted to an employee of the U. T. System or any of its institutions for the purpose of being a candidate for an elective public office, holding an elective public office, or directing the political campaign of a candidate for an elective public office. An employee who wishes to engage in political activity that will interfere with the performance of his or her duties and responsibilities should voluntarily terminate employment. If the president of the institution, the Chancellor, an Executive Vice Chancellor, or the Board of Regents finds that the employee's political activity interferes with the performance of his or her duties and responsibilities or does not comply with the requirements of this subsection, the employee shall be subject to appropriate disciplinary action, including termination.

3. Definitions

None

4. Relevant Federal and State Statutes

Texas Penal Code Section 42 – Disorderly Conduct and Related Offences

Texas Penal Code Section 46.03 – Places Weapons Prohibited

Texas Education Code Section 51.935 – Disruptive Activities

5. Relevant System Policies, Procedures, and Forms

Regents' *Rules and Regulations Series 31008* – Termination of a Faculty Member

Regents' *Rules and Regulations Series 30601* – Discipline and Dismissal of Employees (Does not apply to faculty member or police)

Regents' *Rules and Regulations Series 30602* – Employee Grievance

Regents' *Rules and Regulations Series 30104* – Conflict of Interest

6. Who Should Know

Administrators
Employees

7. System Administration Office(s) Responsible for Rule

Office of General Counsel
Office of Human Resources

8. Dates Approved or Amended

December 10, 2004

9. Contact Information

Questions or comments regarding this rule should be directed to:

- bor@utsystem.edu