

ARTICLE 26  
CONFLICT OF INTEREST/OUTSIDE ACTIVITY

26.1 Policy.

(a) A faculty member is bound to observe, in all official acts, the highest standards of ethics consistent with the code of ethics of the State of Florida (Chapter 112, Part III, Florida Statutes), the advisory opinions rendered with respect thereto, Board rules, and University rules. Other provisions of State law govern obligations and responsibilities of faculty members who receive State compensation in addition to their annual salary.

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

26.2 Definitions.

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

(b) "Conflict of Interest" shall mean

- (1) any conflict between the private interests of the faculty member and the public interests of the University, the Board of Trustees, or the State of Florida, including conflicts of interest specified under Florida Statutes; or
- (2) any activity which interferes with the full performance of the faculty member's professional or institutional responsibilities or obligations.

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

26.4 Report of Outside Activity.

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

UNF – UFF Collective Bargaining Agreement 2017-2020

47 (b) The report, as described in paragraph 26.4(a), above, shall include where  
48 applicable, the name of the employer or other recipient of services; the funding  
49 source; the location where such activity shall be performed; the nature and extent  
50 of the activity; and any intended use of University facilities, equipment, or  
51 services.

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

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55 (1) The beginning of each fiscal year for outside activity of a continuing  
56 nature<sup>27</sup>; and

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58 (2) Such time as there is a significant change in an activity (nature, extent,  
59 funding, etc.).

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

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65 26.5 Expedited Grievance Procedure.

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67 (a) In the event the proposed outside activity is determined to constitute a conflict of  
68 interest, and the faculty member disagrees with that determination, the faculty  
69 member may file a grievance under the expedited grievance procedure contained  
70 in the Grievance Article, Section 31.12.

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72 (b) The faculty member may engage in such outside activity pending a resolution of  
73 the matter pursuant to Section 26.5(a), above.

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

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79 26.6 Use of University Resources. A faculty member engaging in any outside activity shall  
80 not use the facilities, equipment, or services of the University in connection with such outside  
81 activity without prior approval of the President or representative. Approval for the use of  
82 University facilities, equipment, or services may be conditioned upon reimbursement for the use  
83 thereof.

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85 26.7 No University Affiliation. A faculty member engaging in outside activity shall take  
86 reasonable precautions to ensure that the outside employer or other recipient of services  
87 understands that the faculty member is engaging in such outside activity as a private citizen and  
88 not as an employee, agent, or spokesperson of the University.

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<sup>27</sup> Those faculty members not physically present at the start of the fiscal year (July 1) shall promptly complete and file a new form for each outside activity upon returning to campus.