

General University Policy Regarding Academic Appointees: APM - 020 - Special Services to Individuals and Organizations

020-0 Policy

University of California Regulation No. 4, set forth in the following pages, makes the statement of general policy.

This policy was originally written in 1958. Where this policy uses the words “he” and “his” it refers to “the faculty member” or “the faculty member’s”.

Revision History

September 23, 2020:

- Technical revision to add language to add language clarifying the use of gendered language in 1958 policy.

For details on prior revisions, please visit the [Academic Personnel and Programs website](#).

University of California

**University Regulations
Revised No. 4**

Special Services to Individuals and Organizations

In order that there may be a clear understanding both by members of the University and by the public concerning special services by the University or by members of its faculty to individuals or organizations (business, industrial, governmental, educational, etc.), the President of the University, after consultation with a widely representative faculty committee, makes the following statement of general policy:

I

Special Services by Members of the Faculty

1. Members of the faculty may render professional or scholarly services for compensation, unless they are prohibited by the terms of their appointment from accepting such compensation; but in no case may such employment be solicited or interfere with regular University duties.
2. Within such limits teachers of professional subjects may engage in the practice of their professions for the purpose of maintaining professional competency, and members of the faculty in general may engage in research or other scholarly activities for compensation under private arrangement.
3. * No member of the faculty on Full-Time appointment shall receive additional compensation from University sources for services directly related to his recognized University duties during the academic year (9 or 11 months as provided in his contract); nor shall he be paid for additional employment during periods of academic recess in excess of three months total per year for 9-month appointees (or one month in the case of 11-month appointees) or at a higher rate than his regular annual salary (one ninth and one eleventh of annual salary per month in the cases of 9- and 11- month appointees respectively); and no contract between the University and an organization or individual shall include provision for a higher rate.
4. * Subject to the approval of the President or his authorized representative, any member of the faculty may act occasionally as a professional consultant in connection with a research project under the auspices of the University, and in which such member is not otherwise regularly engaged. Such approval will be given only when the professional service is considered essential to the project and does not interfere with University duties. Such service is considered to be unrelated to the member's recognized University duties and appropriate compensation may be received.
5. * Members of the faculty are at times called on to serve the University in activities not directly related to their recognized University duties. Such services may be as a professional consultant (see paragraph 4) or in administration or teaching outside the member's regular department, school, or college. Extra compensation for services not directly related to recognized University duties may be permitted only if relief from regular duties is not feasible and upon approval of the President or his authorized representative.

6. When consultations or outside services are such as to interfere with recognized University duties, they may be undertaken only on the basis of a leave of absence, without University salary, for the period involved.

II

Services Involving the Use of University Facilities or Conducted Through University Bureaus or Other Organizations, and Under Contracts Between Such Organizations and The Regents

1. Presidential Approval

Research for the benefit of Federal, State, industrial or other projects is to be undertaken only under conditions approved in advance by the President. Prior to execution of a contract, expenditures or commitments of any kind are prohibited except as may be authorized by specific regulations of The Regents of the University.

2. Character of Undertakings

University participation in tests and investigations shall be limited to activities which lead to the extension of knowledge or to increased effectiveness in teaching. Routine tasks of a commonplace type will not be undertaken.

University laboratories, bureaus and facilities are not to be used for tests, studies, or investigations of a purely commercial character, such as mineral assays, determination of properties of materials, the performance efficiencies of machines, analyses of soils, water, insecticides, fertilizers, feeds, fuels, and other materials, statistical calculations, etc., except when it is shown conclusively that satisfactory facilities for such services do not exist elsewhere. Those requiring such tests or services should apply to business firms or to such public agencies as the State Division of Mines, the State Department of Agriculture, or the State Food and Drug Laboratory, etc.

Commercial tests or investigations involving controversial elements may be undertaken only at the direct and unanimous request of representatives of all parties to the controversy.

3. Expenses Incurred by the University

For all tests and investigations made for agencies outside the University, a charge shall be made sufficient to cover all expenses, both direct and indirect.

4. * Participation by Members of the Faculty

Within the limits established under Section I, members of the faculty may render service in connection with research undertaken for the benefit of Federal, State, industrial or other projects, and may receive compensation therefor, in periods of academic recess up to a total of three months per year for 9-month appointees (or one month in the case of 11-month appointees), unless

prohibited from accepting compensation by the terms of their University appointment. All persons other than members of the faculty, to be engaged in such research, must be approved by the University. All payments made to members of the faculty or to other persons for their services in connection with such research shall be made solely by the University, except in case of any Full-Time, permanent employee of the sponsoring agency. Acceptance of responsibilities by members of the faculty with reference to such research must not interfere with regular University duties, or be of a routine character undertaken primarily to supplement personal income.

5. Publicity of Results

All such research shall be conducted so as to be as generally useful as possible. To this end, the right of publication is reserved by the University. The University may itself publish the material or may authorize, in any specific case, a member or members of the faculty to publish it through some recognized scientific or professional medium of publication. A report detailing the essential data and presenting the final results must be filed with the University. Notebooks and other original records of the research are the property of the University.

6. Use of the Name of the University

The use of the name of the University for advertising purposes shall not be permitted.

7. Patent Agreements

For those projects in which patentable ideas may result, in the opinion of the President or of the chairman of the department concerned, patent agreements between the sponsor and the University shall be made. Employees of the University will be required to execute agreements, before the work begins, in which the position of the employee, the University, and the sponsor shall be clearly set forth.

8. Appropriate arrangements will be made by the President for the administration of the policy herein set forth.

Robert G. Sproul
President of the University

June 23, 1958

* Paragraphs marked with an asterisk may have been superseded by Academic Personnel Manual policy.

Office of the President

June 23, 1958

Principles Underlying Regulation No. 4

Faculty Service

To accomplish its aims of providing higher education, of advancing knowledge and of contributing to the welfare of the State, the University invites to its faculty scholars whose interests, learning, and accomplishments give promise of continued effective service to these ends. The service of the individual member of the faculty may include varied types of activities, such as classroom teaching, conference with students, writing, research, committee work, administrative service, and public service. To these various activities the relative time allocations will vary with individuals, and for the same individual at different periods. It is not desirable or feasible to arrange them in a fixed regimen applicable to all persons at all times. Teaching is one of the essential functions of the faculty and the teaching "load" is intended to be moderate to provide time for fulfilling other obligations, the most evident of which are professional improvements and scholarly activity.

Certain commitments directly affecting other persons, as, for example, classroom teaching and administrative engagements, will naturally involve specific schedule and other obligations, but the University in general leaves the time allocations of such activities as study, writing, research, and public service to the discretion of the individual. It is assumed that Full-Time members of the faculty are devoting their time and energies (full "working" time) to the services of the University. (See further, Regulation No. 3)

Regulation No. 4 deals with services to individuals and organizations outside the University. In the spirit of the above-outlined principles, such service may be justified if it does not interfere with University commitments and if 1) it gives the individual experience and knowledge of value to his teaching or research; 2) it is suitable research through which the individual may make worthy contributions to knowledge; or 3) it is appropriate public service.

Contract Research

The University enters into certain contracts to carry out research projects for outside agencies when it is convinced that the project is an appropriate University activity, that conditions of space, etc., are adequate, and that faculty personnel is available, competent, and interested in undertaking the work. No one is required to undertake such work, but it may present a welcome opportunity to one who is interested in the research problems involved, as supplying the necessary assistance and equipment which he otherwise might be unable to obtain. In general, the time which the regular member of the faculty gives to the work is that which he would normally have available for study and research.

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The University has had the policy for many years of giving added compensation to faculty members who undertake scheduled obligations in the summer period (summer sessions), and on that analogy has, with the concurrence of contracting agencies, allowed compensation for summer contract work.

The point is sometimes raised that a faculty member may undertake individual work for an outside agency at a rate higher than that allowed by the University; also, that certain contract agencies would be willing that higher payments be made from the funds they supply. Nevertheless, it would be a very unsatisfactory policy for the University, in dealing with its regular staff, to set up for individuals two rates of pay for different parts of the year, or to compensate for some of the projects it undertakes at higher proportional rates than for others.

General

It is expected that those administering or otherwise taking part in projects, or rendering service covered by University Regulation No. 4, will act in the spirit of the principles of service to the University, and interpret any detailed statement of the regulation in the light of these principles.

Robert G. Sproul