

SECTION: 3.0 PERSONNEL

SUBJECT: PROFESSIONAL CONSULTING AND ADDITIONAL WORKLOAD

Title: Professional Consulting and Additional Workload

Background: Outlines policies pertaining to faculty and staff members performing consulting services

Point of Contact: Provost, Human Resources Services

Other LCSC (LC State) offices directly involved with implementation of this policy, or significantly affected by the policy: Administrative Services

Date of approval by LC State authority: February 23, 2023

Date of State Board Approval: N/A

Date of Most Recent Review: 02/2023

Summary of Major Changes incorporated in this revision to the policy: Updates include differentiation of faculty and staff for data classification purposes.

Introduction

LC State recognizes the need for faculty and staff to maintain or increase competence in their professional fields and to provide consultation for individuals or organizations. As used in this policy, “consulting” is defined to include any professional activity for which the person is paid that is external to LC State or clearly beyond the assigned duties for which the employee is appointed and paid by the college. Refer to State Board of Education Policy V.O.

Policy

Faculty and staff on full-time appointment owe their primary employment responsibility to LC State. They are expected to fulfill, to the best of their abilities, the responsibilities established in their respective job/position descriptions. Full time employment requires a work effort of at least 40 hours a week. No employee is to receive additional compensation from any source for work performed as a part of his or her regular full-time LC State employment.

1. Private Consulting

When engaged in private consulting, clients must always be informed that the faculty or staff member is acting as a private consultant and that LC State is not a party to the contract, nor liable, nor responsible for the performance thereof. Private consulting activity must be approved annually by the employee’s supervisor and the appropriate vice president after it has been determined that the proposed activity satisfies the following criteria:

- A. It is compatible with the employee’s professional competence.
- B. It does not constitute unfair competition with a similar LC State service already available.
- C. It will not impair, in quality or quantity, the performance of the employee’s assigned duties.
- D. It does not involve the use of any LC State supplies, equipment, or facilities, except as provided in a current agreement.
- E. It is not contrary to LC State’s best interests.

2. Consulting Performed for LC State

- A. Consulting services performed for LC State as a part of the employee’s regularly assigned duties are not a basis for additional compensation. Under special circumstances, with each instance subject to advance approval by the appropriate vice president or president in the case of direct

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reporting units, extra compensation may be authorized for services to LC State that are clearly beyond the employee's assigned duties and are performed outside of normal working hours.

- B. In addition, prior approval by the employee's departmental administrator must include a written statement that the work to be performed is an overload, work schedules cannot be rearranged to include the work in the employee's regular duties, and, no other qualified personnel are available to do the work as a part of their regular duties.

3. Teaching Overloads During the Regular Academic Year

- A. An LC State faculty may teach courses as an overload during the regular academic year with the written approval of their departmental administrator and the provost, vice president for academic affairs, or president.
- B. An LC State employee may teach courses as an adjunct (see policy 2.126) during the regular academic year with the written approval of their departmental administrator and the appropriate vice president or president in the case of direct reporting units. No adjunct teaching commitment is to impose a total requirement on the employee's time that is greater than approximately one additional day a week (exclusive of periods of vacation leave or legal holidays), which is approximately equivalent to one three credit lecture course. Employees may teach one course per semester, unless otherwise approved by their appropriate vice president and the provost.

4. Teaching Overloads During the Summer

- A. An LC State faculty may teach courses during summer session with the written approval of their departmental administrator and the appropriate dean, or the provost, vice president for academic affairs or president in the case of direct reporting units. No summer teaching load will exceed six (6) credits. LC State staff may also teach courses during summer session.
- B. An LC State employee may teach courses during summer session as an adjunct (see policy 2.126) with the written approval of their departmental administrator and the appropriate dean or vice president or president in the case of direct reporting units. No summer teaching load will exceed six (6) credits without additional approval from the provost, vice president for academic affairs.

5. Procedures and Requirements

- A. Administrative approval for consulting by LC State employees may be granted only when the proposed activity satisfies the conditions outlined above.
- B. In requesting approval, employees are to supply the following information to the departmental administrator annually on the Professional Consulting/Conflict of Interest Statement; (a) an estimate of the time that will be required, (b) the subject and scope of the consulting services, (c) the extent of the use of LC State facilities.
- C. If LC State supplies, equipment, or facilities (other than library and assigned office space) are to be used, the consultant must enter into an official agreement with LC State through the vice president for finance and administration.
- D. Compensation in addition to salary that is paid for service rendered through consulting performed for LC State, adjunct or overload teaching is paid through the LC State payroll system.
- E. The name "Lewis-Clark State College" is the exclusive property of LC State and consequently should not be used in support of claims, advertisements, or the contents of any private consulting reports. LC State stationery or letterhead may be used only for official LC State business.