

## Procedures for Reviewable Cases Within 912.2

These procedures apply to outside activities documented according to the requirements of 912.2.3.1. Undocumented activities should be addressed as specified in 912.2.3.1.1.

When there is a concern regarding the faculty member's performance of the duties described in Section 310, the performance concern(s) should be addressed using existing faculty performance evaluation procedures.

In the event that a Chairperson, Dean, or Provost wishes to review and/or prohibit one or more of a faculty member's documented outside activities on the basis that they are Prohibited Activities defined in 912.2.3.2.1 or that they constitute a Conflict of Interest as defined in 912, the following procedures will be used.

**Informal Resolution.** A review of outside activities under these procedures may be terminated by mutual agreement at any point.

**Notification.** The lowest ranking administrator that wishes to assert a prohibited activity or conflict of interest shall inform the faculty member that one or more of their outside activities will be reviewed. The communication shall copy the non-author administrators. Within the notice, the faculty member will be advised of the specific outside activities under review and that failure to terminate an outside activity determined to fall within Prohibited Activities or to constitute a Conflict of Interest could result in discipline or dismissal (as per 146.3.3). If the activity is asserted to fall within Prohibited Activities, the type of prohibited activity as described in 912.2.3.2.1 shall be identified. If the activity is asserted to constitute a Conflict of Interest, the type of conflict of interest as described in 912 shall be identified.

**Faculty Member Response.** The faculty member will have 5 working days to submit a written response to the author and all recipients of the notice. The faculty member may terminate the investigation by terminating the activity with a written pledge not to resume it without consulting the Chairperson, Dean, and Provost.

**Basis for Review.** Review at all levels shall weigh the potential benefits and likely costs of the outside activity. Elements that, if present, favor allowing the faculty member to continue the outside activity include:

- 1) The activity allows the faculty member to bring real-world experience to ISU students.
- 2) The activity allows the faculty member to bring curricular (or other) insights to the department.
- 3) The activity advances a recognized University goal.
- 4) The activity brings credit to the University.
- 5) The activity is not available to the faculty member at ISU.
- 6) The activity does not substantially interfere with or detract from the faculty member's assigned responsibilities to ISU
- 7) The activity is unlikely to compromise the faculty member's judgment, decisions, or actions in the workplace.

Elements that, if present, favor prohibiting the outside activity include:

- 1) The activity brings substantial and obvious discredit to the University.

- 2) The activity substantially interferes with or detracts from the faculty member's assigned responsibilities to ISU
- 3) The activity has significant potential to compromise the faculty member's judgment, decisions, or actions in the workplace due to the faculty member's personal interests in the outside activity.

**Department Review.** If the matter is not resolved within 5 working days, the author of the notice will inform the Department Personnel Committee and will provide copies of the original notification to the faculty member and any faculty member response. The Department Personnel Committee shall, within 5 working days, submit a statement regarding their view of the applicability of policy 912 to the Department Chairperson. The Chairperson will immediately submit their own statement on the matter to the Dean.

**Dean Review.** The Dean may seek a conference with the faculty member, the Department Personnel Committee, and/or the Chairperson (in any combination). Within 10 working days, the Dean shall submit a recommendation to the Provost and attach the statements of the faculty member, Department Personnel Committee, and Chairperson.

**Provost Consultation and Decision.** Within 10 working days the Provost shall advise the Officers of the Faculty Senate of the matter and seek their input. Within 5 working days of consultation, the Provost may

- 1) Forbid the activity in perpetuity.
- 2) Forbid the activity for a limited period of time.
- 3) Forbid the activity until such time as the activity is approved in advance by the Chairperson, Dean, and Provost.
- 4) Compel a reduction in the activity to mitigate its consequences.
- 5) Allow the activity under conditions.
- 6) Allow the activity without conditions.

A directive to terminate or reduce the outside activity should allow a reasonable timeline for compliance that minimizes damage to the reputation of the faculty member and ISU.

**Failure to Comply.** A faculty member who does not comply with the Provost's directive to terminate or reduce an outside activity may be referred for Discipline and Dismissal under 146.3.3.

**Appeals.** The faculty member may appeal any outcome of this process through the regular grievance process.