

1       **Incompatible Activities**

2       (Senate: 5/6/65, 2/26/85, 2/28/89, 6/2/15; President: 5/27/65; 3/22/85; 8/31/89,  
3       10/13/15; Editorial Amendment: 9/00, 8/01)

4       A faculty member must not engage in incompatible activities, which are defined below.  
5       Engagement in such activities shall be regarded as unprofessional conduct:

- 6       1. Activities which are pursued chiefly for economic value are not specifically prohibited  
7       but are nevertheless discouraged, except as such activities are involved in the  
8       management of private affairs. The discretion and judgment of appropriate  
9       department/division/school committees and department/division chairs or school  
10      directors shall prevail on these points, subject to review as provided below. In addition,  
11      a faculty member must not engage in any outside activity in which there is a conflict of  
12      interest with primary responsibilities as a university professor.
- 13      2. Other activities are incompatible only when conducted excessively, as defined below.  
14      Activities such as part-time teaching at other NON-CSU institutions, consultation or  
15      research performed outside the University, the sale of creative efforts, and public  
16      lecturing are examples. Faculty members must not engage in outside activities of any  
17      kind to the extent that these conflict with their primary obligations to the University by  
18      affecting their performance adversely.

19      It shall be the responsibility of the appropriate department/division/school committee and  
20      the department/division chair or school director to assure that all faculty members meet  
21      their responsibilities to the University as outlined above.

22      All faculty members appointed full-time at the University shall be required to provide a  
23      written statement to the appropriate admininstator ADMINISTRATOR of all outside  
24      employment, where such outside employment is expected to amount to more than one  
25      hundred sixty (160) hours per semester for faculty holding academic year or ten (10) month  
26      appointments; one hundred ten (110) hours per quarter for faculty holding academic year  
27      or ten (10) month appointments; or one hundred twenty (120) hours per three (3) month  
28      period for faculty holding twelve (12) month appointments.

29      Interpretation of "an excess level of outside activity" will be operational, defined as "that  
30      level of activity which conflicts with a faculty member's obligation to the University by  
31      affecting performance adversely." Inquiries in writing regarding the nature or level of a  
32      faculty member's activities may be directed to the department/division/school committee  
33      and department/division chair or school director by the dean of the college, the college  
34      Faculty Affairs Committee, or the President.

35      Any faculty member whose outside activities are considered incompatible by that faculty  
36      member's department/division/school will be apprised orally of this judgment by the  
37      department/division chair or school director so that the individual may take appropriate  
38      remedial action. If such action is not taken by the faculty member after a reasonable period

39 of time, it is the obligation of the department/division/school committee and  
40 department/division chair or school director to initiate proceedings according to the policy  
41 then in force for the handling of cases involving unprofessional conduct.

42 The above statements are an interpretation of the state policy concerning activities which  
43 are inconsistent, incompatible, or in conflict with duties as an employee of the State of  
44 California. The general statement concerning state policy follows. In protecting the integrity  
45 of the California state service, the law includes standards of conduct with which state  
46 officers and employees are expected to comply. Section 19990 of the Government Code  
47 requires that: "A state officer or employee shall not engage in any employment,

48 activity, or enterprise which is clearly inconsistent, incompatible, in conflict with, or inimical  
49 to his duties as a state officer or employee or with the duties, functions or responsibilities of  
50 his appointing power or the agency by which he is employed.

51 "Each appointing power shall determine, subject to approval of the board, those activities  
52 which, for employees under his jurisdiction, are inconsistent, incompatible or in conflict  
53 with their duties as state officers or employees. Consideration shall be given to  
54 employment, activity, or enterprise which:

- 55 a. involves the use for private gain or advantage of state time, facilities, equipment and  
56 supplies; or the badge, uniform, prestige or influence of one's state office or  
57 employment, or
- 58 b. involves receipt or acceptance by the officer or employee of any money or other  
59 consideration from anyone other than the state for the performance of an act which  
60 the officer or employee, if not performing such act, would be required or expected to  
61 render in the regular course of hours of his state employment to render in the regular  
62 course of hours of his state employment or as a part of his duties as a state officer or  
63 employee, or
- 64 c. involves the performance of an act in other than his capacity as a state officer or  
65 employee which act may later be subject directly or indirectly to the control,  
66 inspection, review, audit or enforcement by such officer or employee or the agency  
67 by which he is employed, or
- 68 d. involves such time demands as would render performance of his duties as a state  
69 officer or employee less efficient.

70 "Each state officer and employee shall during his hours of duty as a state officer or  
71 employee and subject to such other laws, rules or regulations as pertain thereto, devote his  
72 full time, attention, and efforts to his state office of employment."

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A faculty member must not engage in incompatible activities, which are defined below. Engagement in such activities shall be regarded as unprofessional conduct:

1. Activities which are pursued chiefly for economic value are not specifically prohibited but are nevertheless discouraged, except as such activities are involved in the management of private affairs. The discretion and judgment of appropriate department/division/school committees and department/division chairs or school directors shall prevail on these points, subject to review as provided below. In addition, a faculty member must not engage in any outside activity in which there is a conflict of interest with primary responsibilities as a university professor.
2. Other activities are incompatible only when conducted excessively, as defined below. Activities such as part-time teaching at other non-CSU institutions, consultation or research performed outside the University, the sale of creative efforts, and public lecturing are examples. Faculty members must not engage in outside activities of any kind to the extent that these conflict with their primary obligations to the University by affecting their performance adversely.

It shall be the responsibility of the appropriate department/division/school committee and the department/division chair or school director to assure that all faculty members meet their responsibilities to the University as outlined above.

All faculty members appointed full-time at the University shall be required to provide a written statement to the appropriate administrator of all outside employment, where such outside employment is expected to amount to more than one hundred sixty (160) hours per semester for faculty holding academic year or ten (10) month appointments; or one hundred twenty (120) hours per three (3) month period for faculty holding twelve (12) month appointments.

Interpretation of "an excess level of outside activity" will be operational, defined as "that level of activity which conflicts with a faculty member's obligation to the University by affecting performance adversely." Inquiries in writing regarding the nature or level of a faculty member's activities may be directed to the department/division/school committee and department/division chair or school director by the dean of the college, the college Faculty Affairs Committee, or the President.

Any faculty member whose outside activities are considered incompatible by that faculty member's department/division/school will be apprised orally of this judgment by the department/division chair or school director so that the individual may take appropriate remedial action. If such action is not taken by the faculty member after a reasonable period of time, it is the obligation of the department/division/school committee and

department/division chair or school director to initiate proceedings according to the policy then in force for the handling of cases involving unprofessional conduct.

The above statements are an interpretation of the state policy concerning activities which are inconsistent, incompatible, or in conflict with duties as an employee of the State of California. The general statement concerning state policy follows. In protecting the integrity of the California state service, the law includes standards of conduct with which state officers and employees are expected to comply. Section 19990 of the Government Code requires that: "A state officer or employee shall not engage in any employment,

activity, or enterprise which is clearly inconsistent, incompatible, in conflict with, or inimical to his duties as a state officer or employee or with the duties, functions or responsibilities of his appointing power or the agency by which he is employed.

"Each appointing power shall determine, subject to approval of the board, those activities which, for employees under his jurisdiction, are inconsistent, incompatible or in conflict with their duties as state officers or employees. Consideration shall be given to employment, activity, or enterprise which:

- a. involves the use for private gain or advantage of state time, facilities, equipment and supplies; or the badge, uniform, prestige or influence of one's state office or employment, or
- b. involves receipt or acceptance by the officer or employee of any money or other consideration from anyone other than the state for the performance of an act which the officer or employee, if not performing such act, would be required or expected to render in the regular course of hours of his state employment to render in the regular course of hours of his state employment or as a part of his duties as a state officer or employee, or
- c. involves the performance of an act in other than his capacity as a state officer or employee which act may later be subject directly or indirectly to the control, inspection, review, audit or enforcement by such officer or employee or the agency by which he is employed, or
- d. involves such time demands as would render performance of his duties as a state officer or employee less efficient.

"Each state officer and employee shall during his hours of duty as a state officer or employee and subject to such other laws, rules or regulations as pertain thereto, devote his full time, attention, and efforts to his state office of employment."