



## **UNIVERSITY OF PITTSBURGH REQUIREMENTS FOR FACULTY CONSULTING ACTIVITIES AND AGREEMENTS**

**The terms of consulting and non-disclosure agreements between faculty and external organizations must be consistent with all of the applicable University of Pittsburgh policies, and School of Medicine faculty with UPMC appointments must also comply with applicable UPMC policies. This memorandum is a summary of the most common issues that arise, but faculty should consult the Conflict of Interest website for full details of the applicable policies:**

1. **The University of Pittsburgh** is not a party to consulting or non-disclosure agreements between faculty and external organizations, shall have no obligations or potential liability under the agreements, and its rights may not be impaired in any way by the agreement. The university does not provide indemnity insurance for these activities.
2. **Consultant's Obligations to the University of Pittsburgh**
  - Consulting is permitted provided the faculty member's full-time obligation to the University is met, the activity is a permissible activity for consulting, and the prospective approval of the responsible department chair or dean is given. Consulting is a discretionary activity, and deans in some schools have adopted more formal approval processes.
  - University of Pittsburgh faculty members owe their primary professional allegiance to the University of Pittsburgh, and their primary commitment of time and intellectual energies should be to the education, research, and scholarship programs of the institution. Outside professional activities must not detract from a faculty member's full-time obligation to these duties.
3. **Limitations on time spent as a consultant and type of responsibilities**
  - The maximum number of consulting days permissible for faculty on a full-time appointment is 1 day per week, on the average.
  - A faculty member must not have outside managerial responsibilities and may not have titles that imply management responsibilities, e.g. Chief Scientific Officer, Chief Technical Officer, Director of Research, regardless of actual consulting duties.
4. **Restrictions concerning students and research staff**

- The academic activities of students and postdoctoral scholars must be free from the personal commercial and consulting interests of the faculty member.
- The work of students, staff, postdoctoral scholars and collaborators must not be exploited in the course of a faculty member's outside obligations.
- Faculty may not hire or directly supervise a University of Pittsburgh student in employment activities outside the University while serving as the student's advisor or as a participant on the student's dissertation committee without written approval.

**5. Restrictions on use of University Resources**

- University of Pittsburgh facilities, personnel and equipment may not be used except in a purely incidental way, as part of outside consulting activities.
- Preferential access to research results, materials or products generated from University teaching or research activities may not be provided to an outside entity for personal financial gain.
- Confidential information acquired through conduct of University business or research activities may not be used for personal gain, or to grant unauthorized access to others; confidential information includes any information that comes into your possession as a result of your employment by the University of Pittsburgh that is not broadly available to the general public.

**6. Ownership of intellectual property**

- The University claims ownership and control of the worldwide patent and intellectual property rights, which result from the academic activities of its faculty, staff, and students. University "faculty and staff" includes all persons who hold any official faculty or staff relationship to the university, with the exception of those persons who render their services to the University on a gratuitous basis. Consulting contracts shall not convey ownership of intellectual property that may be subject to the University's Patent Rights and Technology Transfer Policy (11-02-01), unless the Technology Transfer Committee has released the technology. Conditions for release of technologies generally relate to activities that are done on the faculty member's own time, do not make use of any University resources and are not the subject of ongoing, funded research in the faculty member's laboratory.

**7. Use of the University of Pittsburgh name**

- Faculty member cannot publicize their affiliation with the University of Pittsburgh in any manner that states or implies that s/he completed their consulting work as an employee of the University or that the Company's products or activities are being endorsed by Pitt. The faculty member cannot use the University's logo in any of his or her outside consulting activities.

**8. Authorship, speaking and marketing activities**

- Faculty should make clear that any opinions or advice given are not given in their role as University of Pittsburgh faculty.

- University of Pittsburgh Schools of the Health Sciences faculty are prohibited from publishing articles under his/her own name that are written in whole or in part by company employees (so-called “Ghost Written”).
- University of Pittsburgh Schools of the Health Sciences faculty are not permitted to participate in programs designed solely or predominantly for sales or marketing purposes. Faculty are prohibited from performing any sales, marketing, or promotional services for the company requesting consulting services. This includes promotional marketing activities to academic colleagues, clinical colleagues, the media, the public or as an exhibitor.
- University of Pittsburgh School of Medicine faculty are prohibited from being members of “Speakers Bureaus”.

### **Links to University Policies and Procedures**

Industry Relationship Policy

<http://www.coi.pitt.edu/IndustryRelationships/policy.htm>

Copyrights

<http://www.bc.pitt.edu/policies/policy/11/11-02-02.html>

Conflict of Interest for Faculty, Scholars, Researchers, Research Staff/Coordinators

<http://www.bc.pitt.edu/policies/policy/11/11-01-03.html>

Outside Employment

<http://www.bc.pitt.edu/policies/policy/02/02-06-01.html>

Patent Rights and Technology Transfer

<http://www.bc.pitt.edu/policies/policy/11/11-02-01.html>