

Policy 1304
Outside Employment of Faculty

Date of Current Revision: April 2026

Responsible Officer: Provost and Vice President for Academic Affairs

Secondary Responsible Officer: AVP, Human Resources, Training and Performance

1. PURPOSE

This policy provides procedures for the reporting, monitoring, and approval of employment outside of the university by faculty members.

2. AUTHORITY

The Board of Visitors has been authorized by the Commonwealth of Virginia to govern James Madison University. See Code of Virginia section § 23.1-16900; § 23.1-1301. The board has delegated the authority to manage the university to the president.

3. DEFINITIONS

Administrative and Professional (A & P) Faculty

Administrative faculty and professional faculty are normally referred to collectively, as both require advanced learning acquired by prolonged formal instruction and/or specialized training and work experience. However, the university recognizes administrative faculty and professional faculty as distinct position types.

Administrative Faculty positions are generally senior administrators who perform work related to the management of the educational and general activities of the university, for at least fifty percent of their work. Typically, administrative faculty serve in executive leadership roles such as vice president, provost, vice provost, dean, assistant or associate vice president, assistant or associate vice provost, or assistant or associate dean. Other administrative faculty roles can include (1) those responsible for the administrative direction of separately designated divisions or departments of institutional activity; (2) positions whose primary responsibility is to attract external funds; or (3) positions that are characterized by active, continuing involvement in formulating, interpreting and implementing institutional policy, and exercise substantial independence, authority and discretion in areas such as program planning, design and allocation of resources. The organizational reporting relationship for administrative faculty is normally not lower than three levels below Executive Council positions.

Professional Faculty require advanced learning and experience acquired by prolonged formal instruction and/or specialized work experience. Typical professional faculty positions are librarians, counselors, coaches, physicians, lawyers, engineers and architects. Other professional positions may support education, research, university life and other such activities. Professional faculty positions must require the incumbent to regularly exercise professional discretion and judgment and to produce work that is intellectual and varied and is not standardized.

Conflict of Commitment

Situations in which a faculty member devotes a significant amount of time or focus to outside employment activities such that they detract from their primary responsibilities to the university.

Conflict of Interest

A conflict of interest occurs when a university employee or a member of the employee's immediate family has a personal interest, or benefits or suffers from the employee's participation in a contract or transaction considered by JMU.

Faculty Member

For this policy, faculty member refers to all full-time instructional faculty on 10-month or 12-month contracts and all full-time administrative and professional faculty members.

Instructional Faculty

A faculty member whose primary responsibility includes teaching, scholarly achievement and professional qualifications, and professional service.

Outside Employment

Work performed by a faculty member outside of any relationship with the university. Work of this nature includes employment by any other entity, as well as all self-employment and self-initiated professional services such as consulting, workshops, seminars, conferences, institutes, or short courses, if such employment or services are compensated by a funding source other than the university.

4. APPLICABILITY

This policy applies to all full-time instructional and A&P faculty members throughout their employment with the university. The employment relationship between the university and a faculty member remains in effect continuously, including periods when no duties are assigned—such as summer terms for those on continuing academic year appointments or during approved leaves. Accordingly, the provisions of this policy remain applicable during those times. It applies to all forms of external employment or work performed for any type of compensation.

5. POLICY**5.1 General**

Faculty members may engage in outside employment, provided it does not result in unresolved conflicts of interest or commitment that compromise their university responsibilities. In accordance with this policy, certain types of outside employment must be reported or approved to evaluate potential conflicts and ensure that such activities do not interfere with university obligations.

5.2 Pre-approved Outside Employment

Pre-approved outside employment activities do not require reporting or approval. These activities typically support professional development, enhance professional expertise, or align with the university's mission. If a faculty member is uncertain whether an activity qualifies as pre-approved, they should consult their direct supervisor for guidance. Please refer to the list of [pre-approved outside employment activities](#) for examples.

5.3 Prompt Reporting of Outside Employment

Faculty members must notify their direct supervisor (e.g., Academic Unit Head (AUH)) within 30 days of engaging in any outside employment that may conflict with their institutional responsibilities. These activities generally do not require prior approval unless they have the potential to create a conflict of commitment. If a faculty member believes an activity only requires reporting, but their direct supervisor disagrees and believes it requires approval, the faculty member and their direct supervisor should consult the second-level supervisor (e.g., a dean), who will make the final decision. Examples include, but are not limited to:

- a. Consulting services;
- b. Testifying as an expert witness;
- c. Serving on a board of directors outside of the university;
- d. Engaging in a professional or clinical practice;
- e. Providing or presenting a workshop for industry.

5.4 Prior Approval of Outside Employment

Faculty members must obtain approval before engaging in outside employment that has the potential of creating a conflict of commitment or interest. Required signatory approvals vary depending on the type of outside employment and are outlined below. Approvals are valid for one year and must be renewed annually if the outside employment continues. Examples of activities requiring approval include, but are not limited to:

- a. Continuing existing employment upon hire: Faculty members must disclose any outside employment they intend to continue upon initial appointment and obtain approval from their direct supervisor (e.g., AUH) and second-level supervisor (e.g., dean).
- b. Teaching at another institution: Full-time faculty members must obtain prior approval from their direct supervisor, second-level supervisor, and the appropriate vice president before engaging in part-time or full-time teaching at another institution during their contract period.
- c. Employment with another state agency: Faculty members must obtain prior approval from their direct supervisor, second-level supervisor, and the appropriate vice president before accepting employment with another state agency.
- d. Use of university resources for outside employment: Faculty members must obtain prior approval from their direct supervisor, second-level supervisor, and the appropriate associate vice president (AVP) before using university equipment, technology platforms, supplies, services, personnel, or facilities for outside employment, and must pay any applicable fees or charges.
- e. Involvement in external businesses: Faculty members must obtain prior approval from their direct supervisor, second-level supervisor, and the appropriate vice president before owning, managing, or being employed by any external business, whether related or unrelated to their professional interests.

5.5 Conditions for Approval

Outside employment will only be approved if all of the following conditions are met:

- a. The activity is conducted in addition to the faculty member's regular assignments and responsibilities;
- b. It does not interfere with the performance of assigned university duties;
- c. It does not present a conflict of interest or commitment;
- d. It does not compete with the university's educational, research, or public service missions;
- e. The time commitment is reasonable; and
- f. The faculty member clearly communicates to the external employer that they are engaging in the outside employment in a personal capacity, independent of their role at the university.

5.6 Denial and Revocation

Faculty members whose requests for outside employment are denied may not engage in such activities. The university reserves the right to revoke previously granted approvals at any time if the employment no longer complies with this or other applicable university policies. A faculty member whose request is denied, or who is directed to discontinue previously approved outside employment, may request a review of the decision by the appropriate vice president. The decision of the vice president (or the president, in cases involving a vice president) is final.

5.7 Concurrent Employment and Automatic Resignation

Any faculty member who begins a permanent full-time position at another institution while concurrently employed by the university will be considered to have voluntarily resigned from their JMU position, effective immediately, regardless of the remaining term of their current contract.

6. PROCEDURES

The following establishes university standards and guidelines for reporting outside employment.

6.1 Approval Form

If a faculty member's outside employment activity requires approval, they must complete an ["Outside Employment Request and Approval"](#) form. This form requires a detailed description of the proposed external activity and must be submitted to all approving authorities listed in section 5.4. Any changes to the originally submitted information must be reported to and approved by the faculty member's supervisor before modifying the outside employment arrangement.

6.2 Documentation Storage

All outside employment request and approval forms must be stored in the faculty member's personnel file maintained by their supervisor. A copy of the form must also be provided to the faculty member for personal reference. These agreements must be reviewed annually, based on the effective date listed on the form, to ensure the information remains current and accurate.

6.3 Contracts with State Agencies

Faculty members who enter into contracts with another state agency must comply with § 2.2-3100 of the Virginia Conflict of Interests Act. This provision requires that employees disclose any significant financial interest by providing written notice in advance to both their current agency and the agency with which they intend to contract.

7. RESPONSIBILITIES

All departments, offices and employees that generate, receive, or maintain public records under the terms of this policy are also responsible for compliance with Policy [1109](#) – Records Management.

8. SANCTIONS

Sanctions will be commensurate with the severity and/or frequency of the offense and may include termination of employment.

9. EXCLUSIONS

Participation in paid military reserve drills and other military activities are not to be construed to be outside employment under this policy.

This policy does not apply to investment income or ownership in a venture in which the faculty member performs no work.

Faculty members with academic year appointments do not need prior approval to teach at another institution during the summer months, nor are they restricted from consulting, provided they are not receiving compensation from the university during that time. “Compensation from the university” includes any payments from grants administered through the university. See Policy [1306](#) – Extra Employment for Faculty and Exempt Classified Staff Members Within the University.

10. INTERPRETATION

The authority to interpret this policy rests with the president, and is generally delegated to the Provost and Vice President for Academic Affairs.

Responsible Executive: Provost and Vice President for Academic Affairs

Previous version: March 2013

Approved by the President: April 2026