

**POLICY FOR USE OF UNIVERSITY RESOURCES IN
SUPPORT OF ENTREPRENEURIAL
ACTIVITIES BY FACULTY**

**The University of North Carolina at Greensboro
Approved by the Chancellor , March 12, 2018**

Purpose

The University of North Carolina at Greensboro is the recipient of public resources that are vested in our institution for the purposes of meeting our specified mission. This investment comes with the responsibility to ensure that these resources are used appropriately. At the same time, the University values and supports entrepreneurial activity by faculty that also supports the mission and goals of the University. Consistent with the University's goal to support the economic development of the State of North Carolina, entrepreneurial activities as defined below may be considered part of faculty workload. As such, university resources may be appropriately used in support of these activities as outlined in this policy and related guidelines.

Scope

Because entrepreneurial activities can be an extension of the research, teaching, and service components of faculty members, this policy governs the use of university resources in support of the entrepreneurial activities of faculty only. EHRA non-faculty staff and SHRA staff whose positions contain responsibilities where entrepreneurial activity as defined below is an extension of their work should consult with their supervisors regarding their pursuit of entrepreneurial activities on behalf of the university and the use of any university resources as part of those endeavors.

Policy

Definitions

Entrepreneurial activities: activities performed by a member of the university faculty that 1) contribute to the university's economic development, technology transfer or other teaching, research, or public service goals through the development, testing, or dissemination of intellectual property (e.g., curricula, new methodologies, novel product) **and** 2) are part of a Covered Individual's University Employment Responsibilities. Examples include early stage activities associated with forming a nonprofit organization focused on health care, environmental or educational issues, a startup company in which the university expects to acquire an equity position through licensing university intellectual property, or activities in

support of the development of a licensing agreement with an established company. As they evolve, these activities typically have promise of resulting in financial gain for both the faculty member and the University. The promise for financial gain often comes as the result of relationships with third-party, external entities (including spin-off companies) that further develop, license, and/or disseminate the resulting product on the commercial market. At the point at which the Covered Individual's engagement with the activity is primarily through an external, third-party entity (e.g., the University enters into a licensing agreement with an external entity), any further engagement on the part of the faculty member is no longer considered part of University Employment Responsibilities but instead an External Professional Activity for Pay. **Though External Professional Activities for Pay may be considered 'entrepreneurial' from the perspective of employees, they are not considered to be entrepreneurial from the perspective of the University because they are not being conducted on behalf of the University, but instead on behalf of and to the primary benefit of the individual.** Any activity undertaken purely for an employee's personal gain is not included in this category for purposes of this policy.

External Professional Activities for Pay: activities that are 1) **not** included within one's University Employment Responsibilities; 2) performed for any entity, public or private, other than the university; 3) undertaken for compensation outside the University; and 4) based upon the professional knowledge, experience and abilities of the employee.

University Employment Responsibilities: Primary Duties and Secondary Duties. "Primary Duties" consist of assigned teaching, scholarship, research, institutional service requirements, administrative duties and other assigned employment duties. "Secondary Duties" means professional affiliations and activities traditionally undertaken by Covered Individuals outside of the immediate University employment context. Secondary Duties may or may not entail the receipt of honoraria, remuneration (see additional regulations, *UNC Policy Manual*, 300.2.2.2 [R]) or the reimbursement of expenses, include membership in and service to professional associations and learned societies; membership on professional review or advisory panels; presentation of lectures, papers, concerts or exhibits; participation in seminars and conferences; reviewing or editing scholarly publications and books without receipt of compensation; and service to accreditation bodies. These activities, which demonstrate active participation in a profession, are encouraged and often valued in promotion and tenure and other performance reviews, provided they do not conflict or interfere with the timely and effective performance of the individual's Primary University Duties or with related University policies.

Use of University Resources in the Context of Entrepreneurial Activities

Faculty use of university resources in support of appropriate entrepreneurial activities as defined above may be allowed provided these activities do not conflict with applicable state policies regarding use of public facilities or resources for private gain. Incidental and minimal use of office, library, machine shop, computers, storage servers, communication

devices, or clerical staff is permitted. Any use of resources pursuant to this Policy must be consistent with the **Guidelines on Policy for Use of University Resources for Entrepreneurial Activities**.

Where activities are undertaken purely for a faculty member's personal gain without connection to the faculty member's University Employment Responsibilities, use of University resources in support of such activities is not appropriate except as otherwise allowed by University policy (see **Acceptable Use of Computing and Electronic Resources** and **Request for Use of University Buildings or University Property**).

While this policy is meant to clarify and encourage such activity, faculty should be aware that other current University policies (e.g., policies relating to **Intellectual Property**, **the Conflict of Interest and Commitment Policy**, and other University Policies and Regulations) remain in place and are thus applicable to certain aspects of entrepreneurial activity.

Enforcement

The Provost and the Director of the Office of Research Integrity provide general oversight of this policy, and work with deans, department heads/chairs, Information Technology Services, the Office of General Counsel, and applicable Business Affairs units to monitor compliance with this policy.

Any violation of this policy may be considered "misconduct" under EHRA faculty and non-faculty employee policies. It should be noted that violation of this policy may also implicate violations in related federal regulations and state statutes as discussed in this policy and could result in penalties outside the auspices of the University.

Related Policies

UNC System

UNC Policy on Conflict of Interest and Commitment (330.2.2, 300.2.2[G], 300.2.2.1[R], 300.2.2.2[R])

UNC Policy on University Research Relations with Private Enterprise (500.1)

UNC Policy on Patent and Copyright Policies (500.2)

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UNCG Patent and Invention Policy

UNCG Copyright Ownership and Use Policy

UNCG Promotion, Tenure, Academic Freedom, and Due Process Regulations

UNCG Policy on External Professional Activities for Pay by Faculty and EHRA Non-Faculty Employees

UNCG Policy on Acceptable Use of Computing and Electronic Resources

UNCG Request for Use of University Buildings or University Property

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