Penn State Dickinson Law  
Unit Guidelines for AD77  

(adopted by the faculty April 19, 2019, revised by the faculty on November 10, 2020)

AD77 is the administrative policy that addresses “Engaging in Outside Professional Activities (Conflict of Commitment).” This AD’s purpose is “to set forth policies and principles that permit University employees to engage in activities outside the University while preserving their primary professional duties and responsibilities to the University.” The AD prohibits University employees “from teaching at another institution in a manner inconsistent with each unit’s guidelines.”

Pursuant to AD77, each unit of the University is required to “promulgate its own set of Guidelines for the implementation of AD77” which “should at a minimum, identify a representative set of teaching activities that do, and do not, require [administrative] approval.” The unit Guidelines may also: identify types of teaching activity that require approval only from a Dean or Department Chair; identify specific teaching activities that will not be approved under any circumstances; and provide other clarifications the unit deems appropriate.

The following are the Unit Guidelines adopted by Penn State Dickinson Law for implementation of AD77, and adopted in conjunction with AC80 (Outside Business Activities and Private Consulting) with reference notes to AC80 provided in *italics* below:

Faculty activities **requiring** prior approval from the Dean or Associate Dean for Academic Affairs:

1) Teaching semester long courses (resident or online) for credit at another post-secondary institution of higher education during the appointment period.
2) Research or teaching that involves intellectual property agreements.
3) Chairing a Ph.D. committee at another institution.

**NOTE:** AC80 requires prior approval of a department head or unit head before “Teaching for an Entity other than the University,” which is defined as “teaching engagements for semester length courses at a post-secondary institution of higher education other than the University.” Teaching engagements shorter than semester length courses are not subject to this policy.

Faculty activities **not requiring** prior approval from the Dean or Associate Dean for Academic Affairs:

1) Teaching courses shorter than semester length for credit at another post-secondary institution of higher education during the appointment period.
2) Teaching that is not for academic credit, including professional education courses or workshops.
3) Teaching that is not in the general area of expertise of one’s appointment.
4) Presentations at professional meetings or other similar gatherings.
5) Serving on a master’s or doctoral committee at another institution.
6) Serving on peer review boards.
7) Serving as a referee for a scholarly journal.
8) Visiting other sites in connection with accreditation/audits.

NOTE: AC80 provides that outside business activities and private consulting do not require approval of a department head or unit head so long as:
   a. they do not exceed the monthly or annual time limits provided in AC80;
   b. they do not involve undergraduate or graduate students, or University staff;
   c. they do not involve “starting a company”;
   d. they do not involve teaching for an entity other than the University during the faculty member’s appointment period; and
   e. they do not involve assuming “an executive or management position for a third party (e.g., as President, Chief Scientific Officer, etc.).

Teaching activities not approved under any circumstances:

1) Teaching for another exclusively online institution of higher education during the appointment period.
2) Receiving tenure at another post-secondary institution of higher education during the appointment period.

Examples of outside business activities and private consulting that do not require prior approval from the Dean or Associate Dean for Academic Affairs include:

1) Serving as an expert witness in litigation and other legal proceedings or providing a written legal opinion, for compensation or on a pro bono basis, subject to the provisions of both AD77 and AC80.
2) Serving as co-counsel or consulting attorney with another attorney or law firm, for compensation or on a pro bono basis, in a legal case or proceeding, subject to the provisions of both AD77 and AC80.
3) Serving as a compensated or uncompensated consultant or advisor to a governmental body or commission, private for-profit entity, or nonprofit organization, subject to the provisions of both AD77 and AC80.
4) Serving as a compensated or uncompensated member of the board of directors or similar advisory or policy-making body for a private for-profit entity or a nonprofit organization, subject to the provisions of both AD77 and AC80.

FINAL NOTE: AC80 provides that any outside business activities engaged in by the faculty:
   a. shall not interfere with the performance of his/her University duties or other contractual obligations to the University (including non-classroom and non-research responsibilities expected of all faculty members);
   b. should strive to be consistent with his/her professional status or academic proficiency; and
   c. shall not adversely affect the University’s interests or mission or violate this Policy or any other University policies or regulations including, but not limited to, policies or regulations related to intellectual property, conflict of interest, use of University’s name, logo, letterhead, or other resources, etc.