



Review of the University of Maryland Policy on Consulting (II-3.10[E])
(Senate Document #22-23-13)
Research Council | Chair: Andrew Harris

The Senate Executive Committee (SEC) and Senate Chair Newman request that the Research Council review the University of Maryland Policy on Consulting (II-3.10[E]), approved by the President on October 14, 2022, on an interim basis pending University Senate review.

The Research Council should:

1. Review the [University of Maryland Policy on Consulting \(II-3.10\[E\]\)](#).
2. Review the [Proposal for Review of the Interim University of Maryland Consulting Policy \(II-3.10\[E\]\)](#).
3. Review the [Presidential Memorandum on United States Government-Supported Research and Development National Security Policy \(National Security Presidential Memorandum – 33\)](#) and [Guidance for Implementing National Security Presidential Memorandum 33 \(NSPM-33\)](#).
4. Review [University System of Maryland Policy on Professional Commitment of Faculty \(II-3.10\)](#).
5. Review [University of Maryland Policy on Professional Commitment of Faculty \(II-3.10\[A\] – II-3.10\[C\]\)](#).
6. Review the [Maryland General Code, Title 5, Public Ethics Law § 5-525 \(2021\)](#).
7. Review University System of Maryland member institutions' and Big 10 peer institutions' policies on professional commitment and consulting to identify best practices and principles.
8. Consult with the Vice President for Research or a designated representative.
9. Consult with the Office of Research Administration.
10. Consult with the Office of Faculty Affairs.
11. Consult with representatives of the Working Group that developed the Interim Consulting Policy, which included Division of Research staff, faculty and research staff subject-matter experts, Chair of the Conflict of Interest Committee, Provost Office and Office of General Counsel representatives.
12. Consult with a representative group of faculty and staff, including BIPOC representatives, in a variety of positions and employment classifications who provide Consulting Services and Professional Services in various disciplines and subject-matter expertise.
13. Consult with a representative group of Deans and other affected administrative, research, and teaching units on the impact of the Policy on Consulting on their workload, including assessing the impact based on the size of units.
14. Consult with an Office of General Counsel representative to assess legal implications and exposure for Unit Heads imposed by the Policy on Consulting.

15. Consult with the Senate Faculty Affairs Committee.
16. Consult with the Senate Staff Affairs Committee.
17. Consider whether the Policy on Consulting complies with federal and state regulations and laws and University policies in the least restrictive and bureaucratic means without compromising employees' professional development and benefits to the University.
18. Consider whether the definition of Consulting specifically and the Policy on Consulting generally adequately consider that the nature of consulting relationships differs significantly across fields and provides sufficient flexibility to address those considerations.
19. Consider whether the Policy on Consulting affects the current terms and conditions of employment for faculty and staff and its potential effect on recruiting and retaining faculty and staff.
20. Consider whether the Policy on Consulting affects the University's ability to meet its strategic goals of partnering with outside organizations to advance the common good and taking on humanity's grand challenges.
21. Consider whether the public institutions listed as examples of entities that may receive Professional Services should include approved international organizations of which the United States is a member and approved non-governmental organizations that are chartered to provide service to the state or federal government.
22. Consider whether Banking of Consulting Days should be defined differently to provide more flexibility for clustering consulting days before prior approval from the Unit Head and the next-level administrator is required.
23. Consider whether the paid and unpaid Consulting days limitation of up to one (1) day per calendar week for a maximum number of days based on the length of a faculty member's and staff member's appointment provided in the interim policy is appropriate.
24. Consider whether University employees performing non-research Consulting activities should be precluded from performing activities or holding titles that include Fiduciary Role(s) or Management Role(s), unless otherwise approved under a Conflict of Interest management plan.
25. Consider best practices for reviewing research-related conflicts of interest, including whether there should be a procedure similar to the Conflict of Commitment Review Board approval processes for outside activities unrelated to research endeavors.
26. Consider whether the Policy on Consulting should indicate whether there are restrictions on faculty or staff (full-time or part-time) who have additional career-related jobs.
27. Consider whether the Policy on Consulting should address part-time faculty with multiple appointments that accumulate to more than 50% of full-time, graduate students, and post-doctoral associates.
28. Consider the impact of excluding from the policy adjunct faculty and faculty below 50% of full-time and whether those faculty should have a pro-rated limit on their Consulting time commitment.
29. Consider whether the [interim Policy on Consulting](#) webpage should include additional information and implementation guidance.
30. Consult with a representative of the Office of General Counsel on proposed revisions to the University Policy on Consulting.

31. If appropriate, recommend revisions to the University of Maryland Policy on Consulting (II-3.10[E]).

We ask that you submit a report to the Senate Office no later than **May 3, 2024**. If you have questions or need assistance, please contact the Senate Office at senate-admin@umd.edu.