HRM-045

Faculty External Consulting and Internal Overload

Effective Date Tuesday, August 11, 2015

Status Final

Last Revised Wednesday, September 10, 2025

Policy Type University

Contact Office Executive Vice President and Provost (Office of the)

Oversight Executive
Executive Vice President and Provost

Applies To Academic Division.

Table of Contents

1. General Statement of Policy
2. Eligibility of Academic Faculty Members who Hold Administrative Appointments
3. Eligibility of Administrative and Professional Non-Tenure Track Faculty Members
4. Internal Overload Responsibilities Undertaken for Supplemental Compensation
5. Limits on Consulting Privileges
6. Implementation of the Policy
7. Compliance with Policy

Procedures

Reason for Policy

The University recognizes that its faculty's involvement in external organizations and industry may contribute to the public welfare, offer the faculty member an opportunity for professional growth, and enhance the faculty member's expertise in his/her chosen discipline. To this end, the University permits faculty members to engage in Consulting.

Definition of Terms

Academic Faculty

Description All tenure-line faculty members and academic general faculty members.

Administrative and Professional Non–Tenure–Track Faculty

Description

Those positions that provide services to faculty, students and staff in order to support the institution's primary missions of instruction, research and public service. Administrative faculty require the performance of work

directly related to the management of the education and general activities of the institution, department or subdivision thereof, and are normally within three reporting steps of the president. Professional faculty require advanced learning and experience acquired by prolonged formal instruction and/or specialized work experience and are normally limited to librarians, counselors and other professional positions serving education, research, medical, student affairs and other such activities. (See policy HRM-003: Employment of Administrative or Professional General Faculty Members.)

Consulting

Description

Professional activities for which faculty members receive compensation, including external consulting and internal overload.

External Consulting

Description

A professional activity related to an individual's area of expertise, where that individual receives compensation from a third party and is not acting as an agent of the University. The guiding principle is that, in consulting, an individual agrees to use their professional capabilities to further the agenda of a third party in return for an immediate or prospective gain. Consulting is not considered outside employment which may or may not directly relate to an individual’s professional discipline.

Internal Overload

Description

A University-approved agreement between a unit that is part of the University and a full-time University faculty member, under which, due to exceptional circumstances, the faculty member receives a payment, in addition to his/her salary for duties beyond those normally assigned and which occur in a time interval during which the faculty member is receiving salary from the University.

Internal Overload Compensation

Description Compensation for approved Internal Overload activities.

Professional Service

Description

Activities related to University or public service including service on national commissions, governmental agencies and advisory boards, granting agency peer-group review panels, philanthropic organizations or charities, visiting committees or advisory groups to other universities, professional associations, and analogous bodies. The fundamental difference between these activities and consulting is that they are public or University *service*. Although an honorarium or equivalent may be received, these Professional Service activities are not undertaken for personal financial gain. Professional Service does not qualify as Consulting.

Policy Statement

1. **General Statement of Policy:**
   Persons holding full-time academic faculty appointments at the University of Virginia are expected to devote their professional time and energies serving in their primary University roles. In addition, the University permits faculty members to consult for entities outside of the University, including University-related foundations and, under exceptional circumstances, to receive supplemental compensation for responsibilities assumed on an overload basis within the University. Permissible Consulting responsibilities undertaken for supplemental compensation (external or internal) may not jeopardize the ability of the individual to fulfill the obligations that he/she has assumed by accepting an appointment to the faculty. Professional Service is not considered Consulting, nor is work related to a professional practice that a faculty member is required to maintain for state or professional licensure that is directly connected with the faculty member's academic discipline.

   Faculty members' Consulting must also be in compliance with the "State and Local Government Conflict of Interests Act" (Va. Code Title 2, Chapter 31, Section 2.2-3100, *et seq.*) of the Commonwealth of Virginia, which comprehensively prohibits conflicts of interest, including using confidential information of the University for personal economic benefit or accepting service that "reasonably tends" to influence the performance of official duties. A conflict may also arise when a faculty member has a personal interest in a contract with another state agency that has not been competitively awarded or supported by appropriate authority of the agency head or has a personal interest in a transaction or contract involving the University. An exemption may be provided by the University for research and development contracts under certain circumstances. For more information, see these policies: FIN-054: Employee Obligation to Report Potential Conflicts of Interest, PROV-007: Faculty Conflicts of Interest maintained by the Office of the Executive Vice President and Provost (EVPP), and RES-005: Financial Conflicts of Interest for Research Investigators maintained by the Office of the Vice President for Research.

2. **Eligibility of Academic Faculty Members Who Hold Administrative Appointments:**
   Members of the academic faculty who hold administrative appointments may undertake Consulting only with the approval of their dean, unit head, or, in the case of the dean of a school, the executive vice president and provost. If a greater percentage of the faculty member's assignment is devoted to administrative than to academic responsibilities, both the dean and the provost should grant approval before the Consulting activities begin.
3. **Eligibility of Administrative and Professional Non-Tenure Track Faculty Members:**
   An administrative and professional non-tenure-track faculty member may engage in Consulting provided such activity does not interfere with duties owed to the University and is in compliance with the terms of this policy, the University's Conflict of Interests Policy, and the Faculty Conflict of Interest Policy. Such Consulting, whether external or internal, must be approved in advance in writing by the appropriate supervisor and the dean or unit head.

4. **Internal Overload Responsibilities Undertaken for Supplemental Compensation:**
   The Office of the Executive Vice President and Provost (EVPP) recommends conservative use of Internal Overload Compensation. Internal Overload Compensation is not allowed for performing additional duties that would normally fall within the range of ordinary faculty responsibilities.

   Faculty members, including administrative and professional non-tenure-track faculty members, will be compensated for teaching on an overload basis only in exceptional, one-time circumstances, such as the

sudden illness of an instructor at the start of a semester. In order to support the academic outreach mission of the University, however, teaching in the School of Continuing and Professional Studies (SCPS) may be compensated as overload, provided all approvals (including the written approval of the faculty member's dean) have been given prior to the teaching assignment and the assignment does not conflict with the faculty member's regularly assigned responsibilities.

Internal Overload may be approved only when:

- the intended task is clearly outside the normal responsibilities of the faculty member as determined by the appropriate academic dean,
- the conduct of the task is clearly in the best interest of the University, and
- the faculty member is eminently qualified to undertake the task.

In each instance of Internal Overload, the University contracting unit and the faculty member should arrive at a joint recommendation and should use the Authorization for Internal Overload form in conveying the recommendation to the faculty member's supervisor and to the dean. This form must be signed by both the dean of the school of employment and the dean of the overload school before the individual begins any Internal Overload activity. Once signed, a copy of the form should be sent to EVPP. Deans and other senior administrators (those reporting directly to a vice president or the president) are not eligible for Internal Overload. Faculty members may not earn Internal Overload Compensation for teaching in Summer Session.

Continuing projects or projects occupying an identifiable amount of time over the duration of a semester or more should be arranged on a release-time basis (the individual's existing responsibilities are reduced to allow for the additional, temporary responsibilities and the individual receives no additional compensation). Only a task or series of tasks of shorter duration can be approved for Internal Overload Compensation (for example, short courses or workshops).

Teaching in SCPS is normally considered Consulting for faculty who are employed full-time in another school of the University. However, a faculty member's dean may waive the requirement that teaching through SCPS count toward the Consulting limits defined in Section 1.5 of this policy. Such waiver must be provided in writing and in advance of the faculty member engaging in the teaching activity.

Departments considering Internal Overload Compensation for faculty on non-immigrant visas (H1B, O-1, etc.), should consult with Human Resources Compliance and Immigration Services. Schools are responsible for maintaining documentation related to Internal Overload for their faculty members.

5. **Limits on Consulting Privileges:**
Faculty members who are paid nine months of the year (nine-month faculty) are not limited with regard to Consulting in the summer months when they are not receiving compensation from the University ("compensation from the University" includes grants administered through the University). Faculty members employed on a part-time basis are limited with regard to Consulting only for the portion of their time that is compensated by the University.

In general, faculty members may engage in Consulting (external or internal) for up to 52 days per fiscal year (July 1 to June 30). Each dean is responsible for determining how these limits apply to the activities of faculty members in his/her school. The dean may request approval from the provost to restrict or increase these limits for individual faculty members when, in the dean's determination, such exceptions are in the best interest of the school and the University and are conducive to the faculty member's success

at the University. Such exceptions (including the provost's approval) must be documented in writing in advance of the consulting activity and retained in the faculty member's personnel record with University Human Resources.

When a faculty member is paid for teaching on an overload basis at the University, each academic credit taught in a fall/spring semester equals 5 consulting days and counts toward the faculty member's consulting privileges for that year.

Faculty members may receive up to 33% of their base salary in a fiscal year as Internal Overload Compensation. Faculty members who reach this limit may not engage in additional Consulting (external or internal) for the rest of the fiscal year. The University does not limit the amount of compensation faculty members receive for External Consulting.

6. **Implementation of the Policy:**
   The primary responsibility for implementation of and accountability under this policy rests with the deans of the schools or unit heads.

   Faculty members are required to disclose their Consulting activities as part of their annual report, including the number of days of Consulting while on salary (including External Consulting and Internal Overload), the clients/units for whom the Consulting was done, and any other information requested by their school as part of the annual reporting process.

   Additional approval may be required through the Office of Sponsored Programs from any sponsoring agency to which a faculty member has an obligation that is more restrictive than this policy allows.

7. **Compliance with Policy:**
   Failure to comply with the requirements of this policy may result in disciplinary action up to and including termination in accordance with relevant University policies.

   Direct questions about this policy to the Office of the Executive Vice President and Provost.

Procedures

Faculty Internal Overload Authorization Form

Schools that implement school-specific policies related to Consulting (including limits on External Consulting and Internal Overload) must submit their policies to the Office of the Executive Vice President and Provost for approval prior to implementation.

Related Information

Wage Authorization for the Academic Areas
FIN-054: Employee Obligation to Report Potential Conflicts of Interest
PRM-011: Use of Working Time and University Equipment for Personal or Commercial Purposes
RES-005: Financial Conflicts of Interest for Research Investigators (Office of the Vice President for Research)
PROV-007: Faculty Conflicts of Interest
Faculty Internal Overload Authorization Form

Policy Background

This policy was first stated in a letter from the provost to the faculty concerning faculty consulting, dated December 8, 1972. Revised policy posted by the Office of the Vice President and Provost, February 28, 1994.

Major Category Human Resource Management

Next Scheduled Review Sunday, September 10, 2028

Revision History

Confirmed 9/10/25; Added Compliance section 7/21/21.

Supercedes Policy Text

Consulting and Internal Overload, XI.A.1, Faculty Overload Responsibilities for Supplemental Compensation.

Approved By Policy Review Committee

Approved Date Tuesday, August 11, 2015