

University of Colorado Denver – 1/6 Rule

Frequently Asked Questions

1. What is the 1/6th Rule?

The 1/6th Rule is the Regental Law and Policy that permits a faculty member to participate in outside consultation, research, clinical and other work up to 1/6th of their time and effort with the prior approval of the respective Dean. Under the 1/6th Rule, a faculty member shall ensure that the work will “not interfere with the faculty member’s performance of assigned university responsibilities” and that the activities do not involve large amounts of consecutive time. The applicable Regent Law and Policy are:

- a. [CU Regent Law Article 5, Part B.3.D.](#)
- b. [CU Regent Policy 5e](#)

2. What schools, colleges and libraries are governed by the 1/6th Rule?

The Schools of Medicine and Public Health are not governed by the University’s “1/6th Rule” because of professional service plans.

The School of Dental Medicine faculty clinical practice is governed by a practice plan. Some clinical faculty members were “grandfathered” and do not participate in the practice plan, but are governed by the 1/6th Rule. School of Dental Medicine non-clinical work is governed by the 1/6th Rule.

Most School of Pharmacy faculty members are governed by a professional services plan. Some faculty members were ‘grandfathered’ and do not participate in the professional services plan. The ‘grandfathered’ faculty members are governed by the 1/6th rule.

All other UC Denver schools, colleges and libraries are governed by the 1/6th Rule.

3. I am a part-time faculty member (less than 100%), does the 1/6th Rule apply to me?

No. Per Regent law, the 1/6th Rule only applies to full-time faculty members. However, part-time faculty members are subject to the Conflict of Interest and Commitment Policy and may be required to submit an annual disclosure form.

4. I am a full-time, non-tenure track faculty member, does the 1/6th Rule apply to me?

Yes. Per Regent law, the 1/6th Rule applies to all full-time faculty members.

5. Does the 1/6th Rule limit the amount of time I may consult?

Yes. It has been calculated that approximately 15 days per semester equals 1/6th of the time for 9-month appointments and 39.6 days per year for 12-month appointments. However, the Dean/Director of the Library has the final approval on the amount of days that a faculty member may engage in an outside activity and may not approve more than

1/6th of the time. Additionally, the activities may not involve large amounts of consecutive time. "

6. What outside activities does the 1/6th Rule apply to?

The 1/6th Rule applies to professional activities for pay or other form of remuneration. Regent law states that these professional activities include, but are not limited to, outside consultation, research, clinical work, and other work which keeps faculty in contact with real problems in their profession and which expands their expertise. While the 1/6 Rule does not apply to volunteer activities in your profession, you should consult with your Dean/Director of the Library as s/he may need to know of activities that may be a potential conflict of interest or commitment.

7. What is the process for submitting a request under the 1/6th Rule?

After completing the "Request for Prior Approval of Outside Consultation, Research, Clinical or Other Work", the faculty member submits the form to the Dean of the school or college or to the Director of the Library for which the faculty member has a primary appointment. We recommend that forms be submitted as early as possible to allow sufficient time for review by the Dean/Director of the Library.

Upon reviewing the Request, the Dean/Director of the Library will notify the faculty member of the decision.

If a faculty member's request is approved, the faculty member may proceed with initiating the outside activity.

A request must be submitted and approved prior to the outside activity beginning, to commitments being made or to any agreements for the outside activity being signed.

During the course of the semester or academic year, the faculty member will need to submit additional requests if the faculty member wants to engage in an outside activity that was not previously submitted and approved and the faculty member has not exceeded 1/6th of the time and effort for the semester in which the activity will occur.

8. Does the 1/6th Rule apply over breaks/leave?

The 1/6th Rule applies to faculty members during the applicable academic calendar period, including student breaks and intersessions. For faculty members with 9 month appointments, the activities conducted outside of the contract period do not require submission of the 1/6th form or approval by the respective Dean/ Director of the Library. However, the activities will need to be disclosed on the annual Conflict of Interest and Commitment Disclosure Form.

9. How does this form relate to the annual Conflict of Interest and Commitment (COIC) Disclosure Form?

Under the 1/6th Rule, a faculty member completes and submits to the appropriate Dean "Request for Prior Approval of Outside Consultation, Research, Clinical or Other Work" Form. This review and approval process is managed within each school or college.

On an annual basis, a faculty member completes and submits a Conflict of Interest and Commitment Disclosure form to the Office of Regulatory Compliance. The COIC review and management program is a centralized function for UC Denver with information going back to the respective school or college. The COIC review and management program addresses potential conflicts of interest and commitment that may arise between a faculty member's outside activities and their institutional role or responsibilities. These potential conflicts are reviewed and managed on a case-by-case basis.

While there are two distinct processes for faculty members to complete, the information provided through the annual COIC review process should reconcile with the activities that have been approved for a faculty member under the 1/6th Rule. While the faculty member does not need to submit for review and approval of activities that occur outside the period of the annual contract with the 1/6th Rule process, the faculty members must include those activities on their annual COIC Disclosure Form.

10. Some scenarios:

Scenario #1: A full-time faculty member who is also a licensed professional, such as an architect, an accountant, a therapist, has been offered an opportunity to consult with a commercial firm/business during the fall semester. May the faculty member accept? If so, how?

The faculty member may accept the consulting opportunity provided that:

- the Dean has approved the activity prior to it beginning;
- the activity will not exceed 1/6th of the faculty member's time;
- the activity will not interfere with the faculty member's performance of assigned university responsibilities;
- the activity will not involve large amounts of consecutive time;
- the activity will not involve the use of institutional resources; and
- the activity does not otherwise create a conflict of interest or commitment that campus is not able to eliminate, mitigate or manage.

Scenario #2: A full-time faculty member has been offered an opportunity to teach a course at another university/college. May the faculty member accept? If so, how?

The faculty member may accept the teaching opportunity provided that:

- the Dean has approved the activity prior to it beginning;
- the activity will not exceed 1/6th of the faculty member's time;
- the activity will not interfere with the faculty member's performance of assigned university responsibilities;
- the activity will not involve large amounts of consecutive time;
- the activity will not involve the use of institutional resources; and
- the activity does not otherwise create a conflict of interest or commitment that campus is not able to eliminate, mitigate or manage.

Please note that this example has a potential conflict of interest or commitment since teaching a course that is comparable to a course offered within the school or could be offered within the school. The Dean will need to address if the potential conflict of interest and commitment can be managed or mitigated while preserving the School's mission and ensuring that such activity does not interfere with the educational processes of the University.

Scenario #3: A full-time 9-month faculty member has been offered an opportunity to teach English abroad while they are on summer break (outside the contract window). May the faculty member accept? If so, how?

The 9-month faculty member may accept the teaching opportunity without submitting for approval through the 1/6th Rule process since it is for time outside of the contract window. However, the faculty member shall still report the activity on the annual COIC disclosure form.

Scenario #4: I am a tenured/tenure track faculty member in one of the design disciplines (architecture, landscape architecture urban design) in CAP. I am required for tenure and acceptable performance ratings to undertake research/creative work for 40% of my time. Creative work in my field means designing buildings/landscape designs, and hopefully winning awards for the work. But I cannot afford to build houses or landscapes on my own; I need a client who has resources for a project, and a contract to compensate me for the professional design services. I need additional compensation to cover, in part, my required professional liability insurance. Also, the professional community would soon come after any professional offering free design services. A project cannot be undertaken on 1 day a week (roughly what is allowed by the 1/6th rule), and my contract stipulates 40% time for research/creative work anyway. Does this work fall under the 1/6 rule restrictions, and can I use this work to count as approved research/creative work for my tenure and annual evaluations?

To determine if this work can count as approved research/creative work for your tenure and annual evaluations, you should consult with the Dean of the school to ensure the review adheres to the academic bylaws of the school. To manage the 1/6th Rule time restrictions, there are several options:

- a. Conduct the activity outside the contract or applicable academic calendar period, such as over summer break for a 9 month faculty member;
- b. The School can arrange a consulting services or research agreement to cover the 40% of your research activities for a set period of time;
- c. Request from your School an approved leave of absence or reduction in your appointment for the period of the activity.

11. Who can I contact for more information about the 1/6th Rule?

Office of Faculty Affairs
303-315-2107

http://www.ucdenver.edu/faculty_staff/faculty/faculty-affairs/policies-forms/Pages/default.aspx

Office of Regulatory Compliance
303-724-1010

Office of University Counsel – Denver
303-315-6617

<https://www.cu.edu/universitycounsel>

12. Reference Links:

- a. CU Regent Law Article 5, Part B.3.D.:
<https://www.cu.edu/regents/Laws/Article5B.htm>
- b. CU Regent Policy 5e: <https://www.cu.edu/regents/Policies/Policy5E.htm>
- c. CU Administrative Policy Statement on Conflict of Interest and Commitment:
https://www.cusys.edu/policies/policies/A_Conflict-of-Interest.html
- d. University of Colorado Denver 1/6 Rule Request Form:
<http://www.cudenver.edu/Administration/Office%20of%20the%20Provost/FacultyAffairs/Documents/Faculty%20Annual%20Declaration%20of%20Outside%20Consulting.pdf>