



General Assembly

Amendment

January Session, 2007

LCO No. 8086

SB0131508086HDO

Offered by:
REP. WILLIS, 64th Dist.

To: Subst. Senate Bill No. 1315 File No. 187 Cal. No. 669

(As Amended by Senate Amendment Schedule "A")

"AN ACT CONCERNING THE FACULTY AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND REVISIONS TO VARIOUS HIGHER EDUCATION STATUTES."

1 Strike section 12 in its entirety and insert the following in lieu
2 thereof:

3 "Sec. 12. Section 1-84 of the general statutes is amended by adding
4 subsection (s) as follows (*Effective from passage*):

5 (NEW) (s) (1) Notwithstanding the provisions of subsections (b) and
6 (c) of this section, a member of the faculty or a member of a faculty
7 bargaining unit of a constituent unit of the state system of higher
8 education may enter into a consulting agreement or engage in a
9 research project with a public or private entity, provided such
10 agreement or project does not conflict with the member's employment
11 with the constituent unit, as determined by policies established by the
12 board of trustees for such constituent unit.

13 (2) The board of trustees for each constituent unit of the state system
14 of higher education shall establish policies to ensure that any such
15 member who enters such a consulting agreement or engages in such a
16 research project (A) is not inappropriately using university proprietary
17 information in connection with such agreement or project, (B) does not
18 have an interest in such agreement or project that interferes with the
19 proper discharge of his or her employment with the constituent unit,
20 and (C) is not inappropriately using such member's association with
21 the constituent unit in connection with such agreement or project. Such
22 policies shall (i) establish procedures for the disclosure, review and
23 management of conflicts of interest relating to any such agreement or
24 project, (ii) require the approval by the chief academic officer of the
25 constituent unit, or his or her designee, prior to any such member
26 entering into any such agreement or engaging in any such project, and
27 (iii) include procedures that impose sanctions and penalties on any
28 member for failing to comply with the provisions of the policies.
29 Semiannually, the internal audit office of each constituent unit shall
30 audit the constituent unit's compliance with such policies and report
31 its findings to the committee of the constituent unit established
32 pursuant to subdivision (3) of this subsection. For purposes of this
33 subsection, "consulting" means the provision of services for
34 compensation to a public or private entity by a member of the faculty
35 or member of a faculty bargaining unit of a constituent unit of the state
36 system of higher education: (I) When the request to provide such
37 services is based on such member's expertise in a field or prominence
38 in such field, and (II) while such member is not acting in the capacity
39 of a state employee, and "research" means a systematic investigation,
40 including, but not limited to, research development, testing and
41 evaluation, designed to develop or contribute to general knowledge in
42 the applicable field of study.

43 (3) There is established a committee for each constituent unit of the
44 state system of higher education to monitor the constituent unit's
45 compliance with the policies and procedures described in subdivision
46 (2) of this subsection governing consulting agreements and research

47 projects with public or private entities by a member of the faculty or a
48 member of a faculty bargaining unit of such constituent unit. Each
49 committee shall consist of nine members as follows: (A) Three
50 members, appointed jointly by the Governor, the speaker of the House
51 of Representatives, the president pro tempore of the Senate, the
52 majority leader of the House of Representatives, the majority leader of
53 the Senate, the minority leader of the House of Representatives and the
54 minority leader of the Senate, who shall serve as members for each
55 such committee; (B) one member appointed by the chairperson of the
56 constituent unit's board of trustees from the membership of such
57 board; (C) the chief academic officer of the constituent unit, or his or
58 her designee; (D) three members appointed by the chief executive
59 officer of the constituent unit, and (E) one member appointed by the
60 chairperson of the Citizen's Ethics Advisory Board from the
61 membership of such board. Members shall serve for a term of two
62 years. Any vacancies shall be filled by the appointing authority. Each
63 committee shall (i) review the semiannual reports submitted by the
64 internal audit office for the constituent unit, pursuant to subdivision
65 (2) of this subsection, (ii) make recommendations, annually, to the
66 board of trustees of the constituent unit concerning the policies and
67 procedures of the constituent unit established pursuant to subdivision
68 (2) of this subsection, including any changes to such policies and
69 procedures, and (iii) send a copy of such recommendations, in
70 accordance with section 11-4a of the general statutes, to the joint
71 standing committees of the General Assembly having cognizance of
72 matters relating to higher education and government administration.

73 (4) The provisions of subsections (b) and (c) of this section shall
74 apply to any member of the faculty or member of a faculty bargaining
75 unit of a constituent unit of the state system of higher education who
76 enters such a consulting agreement or engages in such a research
77 project without prior approval, as described in subdivision (2) of this
78 subsection."