

FAQ: What are the criteria for determining whether a faculty member's project should be undertaken under the auspices of UBC or as an external consulting arrangement?

1. Why is it important for faculty members to consider whether a project they initiate should be undertaken as a UBC project or an external project?

From the outset it is important to determine whether a project initiated by a faculty member (**Project**), such as a consulting project, should be managed:

- (a) as a UBC Project that is subject to UBC's internal governance structure and processes, including UBC policies and procedures (**UBC Project**); or
- (b) by an external entity that is entirely separate from UBC (**External Entity**) and not subject to UBC policies and procedures.

The above determination has implications for how the Project should be managed.

If the Project is a UBC Project, then:

- (a) the Project must be run through the relevant UBC Unit and subject to UBC's internal governance structure and approval processes;
- (b) the management and operation of the Project must comply with UBC policies and procedures;
- (c) subject to normal approval processes, UBC resources can be utilized in connection with the Project, including UBC office space, UBC work-time, UBC administrative support and UBC equipment; and
- (d) the Project can and should be identified as a UBC undertaking, thus benefitting from and contributing to UBC's reputation and identity, particularly through the use of UBC branding and trade-marks.

If the Project should be run outside of UBC's auspices by an External Entity, then:

- (a) the Project and the External Entity will not have any affiliation with or be endorsed by UBC; and
- (b) in order to avoid any potential for confusion or allegations of misleading conduct, we recommend that the Project and the External Entity be operated and managed in accordance with the guidelines set out in section 3.

Section 2 of this document sets out additional factors which should be considered when determining whether a Project should be managed under UBC's auspices.

2. Factors to consider when determining whether a Project should be run under UBC's auspices

The key factor in determining whether a Project should be undertaken as a UBC Project is whether it would support the UBC mandate to prepare its students for fulfilling careers through world class teaching, and engage in leading edge research (**UBC Mandate**).

Other relevant factors include:

- (a) Would the Project directly support and link in with the specific mandate and mission of the faculty member's particular Unit or Faculty?
- (b) Does the Project require any of UBC's resources in order to operate effectively?
- (c) If the Project were to be undertaken by an External Entity, would it have the potential to confuse or mislead the broader public as to UBC's involvement with the External Entity and/or Project? For example, would clients of the External Entity, and the broader public, consider that they are dealing with a UBC Unit when engaging with the External Entity?

3. If it is appropriate for the Project to be run through an External Entity, we recommend that the UBC faculty member ensures that the External Entity operates in accordance with our suggested guidelines below:

- (a) To ensure that there is no risk of confusion, the External Entity should advise all parties involved in the External Entity that the External Entity is neither affiliated with nor endorsed by UBC.

This is particularly important with respect to:

- any clients of the External Entity; and
 - any UBC students who may be employed by the External Entity. If UBC students are offered employment with the External Entity, we recommend that the students are advised that:
 - the External Entity has no connection with UBC;
 - their involvement with the External Entity will not advance their academic progression at UBC; and
 - they are under no obligation to work for the External Entity.
- (b) The External Entity cannot utilize UBC resources such as UBC workspace, UBC work-time, UBC administrative support, legal advice from UBC's Office of the University Counsel, or UBC purchased supplies or equipment.
 - (c) The External Entity cannot use UBC's name or a name associated with the UBC Unit or any of UBC's associated branding and trade-marks, including the UBC letterhead or other stationery.
 - (d) UBC faculty members and staff working for the External Entity (outside of UBC work-time), including the faculty member who initiated the Project, must disclose their involvement with the External Entity in accordance with UBC Conflict of Interest and Commitment Policy (Policy 97).

RELATED POLICIES:

- *Policy No. 16: Non-University Use of University Services and Facilities*
- *Policy No. 94: Visual Identity*

- *Policy No. 97: Conflict of Interest and Conflict of Commitment*
- *Policy No. 110: Third-Party Use of University Trade-Marks*
- *Policy No. 111: Internal Audit, Investigations, and Financial Whistleblower*