

31.05.05 Employee Service with a Non-Profit Entity

Approved June 1, 2020
Next Scheduled Review: June 1, 2025



Regulation Summary

This regulation governs the service of an employee of The Texas A&M University System (system) as a non-profit entity (non-profit) employee, officer, or governing board member.

Regulation

1. Official Capacity Service

- 1.1 A member may, at the request of or as a term of an agreement with a non-profit, designate an employee to serve in the employee's official capacity as an ex-officio, non-voting member representative on the non-profit's governing board.
- 1.2 An employee must not, in the employee's official capacity, serve as a non-profit entity's employee, officer, or as a voting member of the entity's governing board unless one of the following conditions is satisfied:
 - (a) The employee's service is expressly authorized by another system policy or regulation; or
 - (b) For service as a voting member of the non-profit entity's governing board, the employee is required in writing by the member to refrain from deliberating or voting on a contractual or financial matter involving the member.

2. Private Capacity Service

- 2.1 If a system employee, in the employee's private capacity, serves as a non-profit employee, officer, or governing board member, the employee will comply with all applicable system ethics and external employment policies and regulations.
- 2.2 The employee must promptly submit to the member chief executive officer or designee, a written disclosure of any potential conflict of interest related to the employee's private capacity service as a non-profit employee, officer, or governing board member.
- 2.3 The employee is responsible for ensuring that the non-profit understands that the employee's service is in the employee's private capacity and that the non-profit does not take actions suggesting that the member endorses the non-profit, such as publicizing the employee's title without an appropriate disclaimer that the employee is serving in the employee's private capacity.

3. An employee who fails to follow this regulation's requirements is subject to disciplinary action, up to and including dismissal.
-

Related Statutes, Policies, or Requirements

[System Policy 07.01, Ethics](#)

[System Policy 31.05, External Employment and Expert Witness](#)

[System Regulation 31.05.01, Faculty Consulting and External Professional Employment](#)

[System Regulation 31.05.02, External Employment](#)

[System Regulation 31.05.04, Outside Activities - Business Entities Having an Agreement with the System](#)

[System Policy 33.04, Use of System Resources](#)

[System Regulation 33.04.01, Use of System Resources for External Employment](#)

Member Rule Requirements

A rule is not required to supplement this regulation.

Contact Office

System Ethics and Compliance Office
(979) 458-6162