

# 温州肯恩大学文件

温肯大发〔2023〕24号

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## 关于印发《温州肯恩大学 教师创新创业管理办法（试行）》的通知

各部门、各学院：

《温州肯恩大学教师创新创业管理办法（试行）》已经 2023 年第二十八次校务会审议通过，现印发给你们，请遵照执行。  
特此通知。

附件：《温州肯恩大学教师创新创业管理办法（试行）》

温州肯恩大学

2023 年 6 月 16 日

# 温州肯恩大学教师创新创业管理办法（试行）

## 第一章 总则

**第一条** 为保证学校正常的教学、科研和管理秩序，促进教师创新创业活动，依据《中华人民共和国促进科技成果转化法》《浙江省促进科技成果转化条例》《支持和鼓励高校科研院所科研人员兼职创新创业的指导意见（试行）》（浙人社发〔2019〕33号）和《关于加强高校院所科技成果转化的实施意见》（浙科发成〔2021〕20号）等法律及文件精神，结合学校实际情况，制定本办法。

**第二条** 本办法所指的创新创业，是指教师利用与本人从事专业相关的创业项目创办企业。

**第三条** 本办法适用于学校教师（含外籍教师）。外籍教师可以股东身份入股相关企业，但不得在相关企业兼职工作。

## 第二章 审批程序

**第四条** 教师在履行岗位职责、完成本职工作的前提下，本人书面申请，按相关程序经学校审批同意后，可开展创新创业活动。创新创业活动按以下程序审批：

（一）个人申请。教师向所在学院（国情中心教师向所在部门）提出申请，填写《温州肯恩大学教师创新创业审批表》，并提交相关说明材料（如创新创业的基本情况、合作意向书等必要

的佐证材料）。

（二）学校审批。教师的创新创业活动申请须经所在学院、所在部门、分管领导、人资部、科研办（校地合作办）同意，并由科研办（校地合作办）汇总各相关部门意见提请校务会审议。经校务会审议通过的创新创业申请，由科研办（校地合作办）在学校内部进行公示，公示时间为 5 个工作日。其中涉密岗位人员，以及离开涉密岗位仍在脱密期内的人员，在审批前需提交学校办公室审核。

（三）科研办（校地合作办）备案。公示无异议后，申请人须将《温州肯恩大学教师创新创业审批表》报科研办（校地合作办）备案。

**第五条** 教师创新创业情况如有变动，须在 1 个月内更新备案材料。

### **第三章 创新创业管理**

**第六条** 学校支持和鼓励教师在满足以下基本条件的前提下开展创新创业活动：

1. 确保履行校内本职岗位职责，高质量完成本职岗位要求的工作任务和目标，不因创新创业活动影响本职工作；
2. 工作内容须与所从事学科专业密切相关且能够发挥其专业技术能力和作用，旨在推动科技成果转化、实现技术攻关，或提升学校学术影响力和服务社会能力。

**第七条** 教师开展创新创业活动不得占用工作时间。

**第八条** 教师开展创新创业活动可以获得合法收入，不纳入学校薪酬方案。教师须在每年年初如实将上一年度创新创业活动收入报所在部门及人资部备案，并按有关规定申报、缴纳个人所得税。各相关部门须将《温州肯恩大学教师创新创业收入情况汇总表》同时报科研办（校地合作办）、纪检室备案。

**第九条** 教师开展创新创业活动时，应遵守国家法律法规和学校规章制度，维护学校声誉，不得侵害国家、学校 and 他人合法权益，不得泄露国家和学校秘密。

**第十条** 开展创新创业活动时，所涉及人员、单位不得使用学校的人力(包括本科生、研究生)、设备、物资、资金、教室、场地等资源，有特殊情况确需使用者，须事先提出申请，报上述资源管理部门审批，所涉资源管理部门应按学校相关规章制度审批。

**第十一条** 教师在创新创业活动中，应注意维护温州肯恩大学的权益，不得有下列行为：

1. 允许校外单位（包括教师创办的企业）或个人使用学校名称、徽记、校训或者标志性景观等无形资产；
2. 允许校外单位（包括教师创办的企业）或个人以学校的名义或学校所属非法人单位、部门的名义对外从事活动；
3. 以温州肯恩大学教师的身份从事产品推销、广告等商业活动；

4. 未经学校同意，将学校所有的知识产权授权校外单位（包括教师创办的企业）或个人使用；

5. 其他损害温州肯恩大学权益的行为。

**第十二条** 教师开展创新创业活动，所涉及的技术、经济、法律等纠纷，由教师和其创办企业负责处理，学校不承担任何责任。对学校造成损失的，学校有权依法追偿。

## **第四章 监督管理与违规处理**

**第十三条** 创新创业人员所在部门要落实主体责任，加强对相关人员的管理和考核。学校知识产权、科研成果和资源管理部门要加强对创新创业人员的管理。创新创业人员未按要求报批、擅自在校外开展创新创业，因相关事项影响本职工作，与学校利益发生冲突，或损害社会公共利益的，所在部门、分管领导应及时约谈涉及人员并提出整改要求。经所在部门、分管领导提醒仍未整改的，学校停止对其创新创业活动的支持并保留对其追责的权利。

## **第五章 附则**

**第十四条** 本办法发布之日前已开展创新创业活动的相关人员，按照本办法要求补齐相关手续。本办法自发布之日起施行，由科研办（校地合作办）负责解释。

## 附件 1

### 温州肯恩大学教师创新创业审批表

姓名			出生年月		
所在学院 (部门)			职务/职称		
学科专业			联系电话		
创新创业单位			职务		
创新创业类型	是否在职创办企业? <input type="checkbox"/> 是 <input type="checkbox"/> 否 其他:				
创新创业内容和理由 (可附页)					
创新创业期限	年 月 至 年 月				
创新创业时间	平均创新创业时间: 每周 天 (其中工作日 天) 备注:				
是否涉密人员	<input type="checkbox"/> 是 <input type="checkbox"/> 否	是否涉及学校 知识产权、科 研成果情况	<input type="checkbox"/> 是 <input type="checkbox"/> 否	是否涉及学校 其他资源占用 情况	<input type="checkbox"/> 是 (请填写具 体情况) <input type="checkbox"/> 否
<p style="text-align: center;">本人承诺</p> <p>1.本人对以上所填内容的真实性和完整性负责, 没有瞒报、漏报, 并自愿接受组织监督和查核。</p> <p>2.如有收入, 本人承诺按规定上报收入金额。</p> <p>3.本人遵守上级及学校创新创业管理相关规定, 承诺切实履行本人的岗位职责, 把主要精力投入本职工作, 在校外的创新创业工作将不影响本人所承担的学校各项工作的正常进行。</p> <p style="text-align: right;">签名: _____</p> <p style="text-align: right;">年 月 日</p>					
所在学院意见	<p style="text-align: right;">负责人签字: (公章) 年 月 日</p>				
所在部门意见	<p style="text-align: right;">负责人签字: (公章) 年 月 日</p>				
分管领导意见	<p style="text-align: right;">负责人签字: (公章) 年 月 日</p>				

人资部意见	负责人签字： (公章) 年 月 日
科研办（校地合作办） 意见	负责人签字： (公章) 年 月 日
学校意见	负责人签字： (公章) 年 月 日

注：本表纸质版完成后报送至科研办（校地合作办）。

## 附件 2

### 温州肯恩大学教师创新创业收入情况申报表

姓名		出生年月		政治面貌	
所在（学院） 部门		职务/职称			
学科专业		联系电话			
创新创业 单位 1			担任职务		
本年度 工作期限	月 日至 月 日		收入金额	万元	
创新创业 单位 2			担任职务		
本年度 工作期限	月 日至 月 日		收入金额	万元	
注：如有多项创新创业工作收入，须逐个填报，请自行添加相应栏目。					
本年度创新 创业收入 总额	万元				
<p style="text-align: center;">本人承诺</p> <p>本人对以上所填内容的真实性和完整性负责，如实申报收入情况，并按有关规定缴纳个人所得税，没有瞒报、漏报，并自愿接受学校和相关部门监督和核查。</p> <p style="text-align: right;">签名：</p> <p style="text-align: center;">年 月 日</p>					

注：本表纸质版一式两份，分别报送至所在部门、人资部。



### 附件 3

**温州肯恩大学教师创新创业收入情况汇总表**  
**(20    年度)**

所在学院（部门）：

序号	姓名	工号	职务/ 职称	学科 专业	创新创业 单位 1	担任 职务	收入金额 (万元)	创新创业 单位 2	担任 职务	收入金额 (万元)	……	本年度创新 创业收入总 额 (万元)

注：本表纸质版一式两份，分别报送至科研办（校地合作办）、纪检室。

填报人：

填报时间：

学院负责人签字：

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温州肯恩大学办公室

2023 年 6 月 16 日印发

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## **Regulation of Wenzhou-Kean University**

### **Faculty's Innovation and Entrepreneurship (Interim)**

#### **Chapter I. General Principles**

**Article 1.** The Regulation is hereby formulated in combination with the actual situation in Wenzhou-Kean University in order to ensure the quality of regular teaching, scientific research and management, and promote faculty's innovation and entrepreneurship activities in the University, based on a series of laws and regulations including the “Law of the PRC on Promoting the Transformation of Scientific and Technological Achievements”, the "Regulations of Zhejiang Province on Promoting the Transformation of Scientific and Technological Achievements," the "Guiding Opinions on Supporting and Encouraging Research and Innovation by Research Personnel in Universities and Institutes (Interim)", the "Implementation Opinions on Strengthening the Transformation of Scientific and Technological Achievements in Universities and Institutes".

**Article 2.** The term "innovation and entrepreneurship" refers to the establishment of enterprises by faculty using entrepreneurial projects related to their specialties and fields.

**Article 3.** This regulation applies to all faculty (including faculty with foreign nationality) of the University. Faculty with foreign nationality can be the shareholder in the enterprise but shall not work in relevant enterprises on a part-time basis.

#### **Chapter II. Approval Procedures**

**Article 4.** On the premise of performing assigned duties well, faculty can carry out innovation and entrepreneurship activities after application and approval from the University. The approval process for innovation and entrepreneurship activities is as follows:

1) Individual Application: faculty shall submit the application to the college (faculty from Chinese Curricula Center shall submit it to the department), filling out the "Wenzhou-Kean University Faculty Innovation and Entrepreneurship Approval Form" and

providing relevant supporting documents (such as basic information about the innovation and entrepreneurship project, letters of intent for collaboration, and other necessary supporting materials).

2) University Approval: the application for innovation and entrepreneurship activities shall be approved by the related college, department, direct university leadership, the Office of Human Resources, and the Office of Research and Sponsored Programs (Office of Government and Community Relations). ORSP(OGCR) collects opinions from relevant departments and proposes the application at the University Administration Meeting. After the approval from the University Administration Meeting, the application shall be publicly announced for a period of 5 working days. Personnel in sensitive positions or those still in the period of confidentiality after leaving a sensitive position shall submit the application for review to the Office of University Affairs before the approval process.

3) Information archived by the Office of Research and Sponsored Programs (Office of Government and Community Relations): if there is no objection during the public announcement period, the applicant shall submit the signed application form to ORSP (OGCR) for archiving.

**Article 5.** If there are any changes in the approved faculty's innovation and entrepreneurship activities, the related documents shall be updated within one month.

### **Chapter III. Innovation and Entrepreneurship Management**

**Article 6.** Wenzhou-Kean University supports and encourages faculty to engage in innovation and entrepreneurship activities under the following basic conditions:

1) Ensuring the fulfillment of job responsibilities, completing job tasks and goals with high quality, and ensuring that primary duties are not affected by innovation and entrepreneurship activities;

2) The work of enterprises involved shall be closely related to the subject or discipline in which the faculty is engaged with the practical application of professional skills and expertise. The purpose of innovation and entrepreneurship activities is to promote

the commercialization of scientific and technological achievements, accomplish technical breakthroughs, or enhance the academic influence and social service capabilities of Wenzhou-Kean University.

**Article 7.** Faculty shall not occupy working time in carrying out innovation and entrepreneurship activities

**Article 8.** Faculty engaged in entrepreneurial activities can receive legitimate income, which is not included in the University's salary plan and system. At the beginning of each year, faculty shall report related income from entrepreneurial activities from the previous year to related department and the Office of Human Resources, and comply with relevant regulations to declare and pay personal income tax. The related departments shall submit the "Income Summary Form for Innovative Entrepreneurial Activities of Faculty at Wenzhou-Kean University" to the Office of Research and Sponsored Programs (Office of Government and Community Relations) and the Office of Supervision for archiving.

**Article 9.** During the implementation of innovation and entrepreneurship activities, faculty shall comply with the national laws and regulations and regulations of the University, protect the reputation of the University, and shall not infringe upon the legitimate rights and interests of the country, the University and other personnel, or divulge the secrets of the country and the University.

**Article 10.** During the implementation of innovation and entrepreneurship activities, the personnel and entity involved are not allowed to use the University's human resources (including undergraduate and graduate students), equipment, materials, funds, classrooms, venues and other resources. If the necessary use is required under special circumstances, an application shall be submitted in advance and submitted to the related resource management departments above for approval. The resource management departments shall review the application and make decision in accordance with the relevant rules and regulations of the University.

**Article 11.** Faculty shall protect the rights and interests of Wenzhou-Kean University

in the activities of innovation and entrepreneurship. Actions below are not allowed:

1. Intangible assets such as the University's name, logo, motto or iconic landscape being used by other entities (including enterprises founded by faculty) or individuals.
2. Other entities (including enterprises founded by faculty) or individuals engaged in external activities using the name of the University or in the name of unincorporated entities or departments affiliated to the University.
3. Engaged in product promotion, advertising and other commercial activities taking the advantage of the role of faculty from Wenzhou-Kean University.
4. Authorize related intellectual property rights to other entities (including enterprises founded by faculty) or individuals without approval from the University.
5. Other actions that harm the rights and interests of the University.

**Article 12.** In case of technical, economic and legal disputes involved in innovation and entrepreneurship activities conducted by faculty, the faculty and related enterprises founded shall be responsible for related issue, and the University shall not bear any responsibility. If any loss is caused to the University, the University shall have the right to pursue compensation according to laws.

#### **Chapter IV. Supervision and Violation Handling**

**Article 13.** The departments where innovation and entrepreneurship individuals belong to should fulfill the main responsibilities and strengthen the management and assessment of relevant individuals. The intellectual property, scientific research achievements and resource management departments of the University shall strengthen the management of the innovative and entrepreneurial individuals. If the individual involved: 1) fails to apply for approval as required, 2) carries out innovation or entrepreneurship off campus without authorization, 3) causes relevant matters affecting the assigned job duties, 4) brings conflict with the interests of the University, 5) does harm to the social and public interests, the department or the direct university leadership in charge shall interview the individual involved in time and put forward rectification requirements. The University shall

stop supporting the related innovation and entrepreneurship activities and reserve the right to claim responsibilities according to laws.

#### **Chapter V. Supplementary Article**

**Article 14.** Individuals who have carried out innovation and entrepreneurship activities before the promulgation of this Regulation shall make up the relevant procedures in accordance with the requirements. This Regulation comes into force upon promulgation. Office of Research and Sponsored Programs (Office of Government and Community Relations) reserves the right to explain all the terms.

## Appendix I

### Wenzhou-Kean University Faculty Innovation and Entrepreneurship Application Form

Name		Date of Birth	
College (Department)		Position/Title	
Discipline/Major		Phone Number	
Intended Innovation and Entrepreneurship Enterprise		Intended Position	
Type of Innovation and Entrepreneurship	Are you starting a business while being employed by WKU? <input type="checkbox"/> Yes <input type="checkbox"/> No Others:		
Content and Reason for Innovation and Entrepreneurship (Additional pages can be attached)			
Innovation and Entrepreneurship Period	____ Year __ Month to ____ Year __ Month		
Innovation and Entrepreneurship Time	Average Innovation and Entrepreneurship Time: __ days per week (including __ weekdays) Remarks:		
Are you involved in confidential work?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Does it involve WKU's intellectual property and research achievements?	<input type="checkbox"/> Yes <input type="checkbox"/> No
		Does it involve the utilization of WKU's other resources?	<input type="checkbox"/> Yes (Please provide specific details) <input type="checkbox"/> No
I hereby declare: 1. I take full responsibility for the truthfulness and completeness of the information provided above. I have not concealed or omitted any information and I accept organizational supervision.			



<p>2. If there is any income, I promise to report the income amount according to the regulations.</p> <p>3. I will abide by the relevant regulations on innovation and entrepreneurship management established by governmental agencies and the University. I pledge to fulfill my job responsibilities and devote my main efforts to my assigned work. Any innovation and entrepreneurship activities outside the University will not hinder the normal progress of my responsibilities within the University.</p> <p style="text-align: right;">Signature: Date:</p>	
Comment from College	Signature: (Seal)    Date:
Comment from Department	Signature: (Seal)    Date:
Comment from Direct University Leader	Signature: (Seal)    Date:
Comment from the Office of Human Resources	Signature: (Seal)    Date:
Comment from the Office of Research and Sponsored Programs (Office of Government and Community Relations)	Signature: (Seal)    Date:
Comment from the University	Signature: (Seal)    Date:

Note: After completing the hard copy of this form, please submit it to the Office of Research and Sponsored Programs (Office of Government and Community Relations).

## Appendix II

### Wenzhou-Kean University Faculty Innovation and Entrepreneurship Income Declaration Form

Name		Date of Birth		Political Affiliation	
College (Department)		Position/ Title			
Discipline/Major		Phone Number			
Innovation and Entrepreneurship Enterprise1			Position		
Work Period of the Current Year	___ Month ___ Date to ___ Month ___ Date		Amount of Income	Unit: 10,000 RMB	
Innovation and Entrepreneurship Enterprise2			Position		
Work Period of the Current Year	___ Month ___ Date to ___ Month ___ Date		Amount of Income	Unit: 10,000 RMB	
Note: If there are multiple sources of income from innovation and entrepreneurship work, please fill in each one separately. Please add corresponding columns as needed.					
Total Innovation and Entrepreneurship Income for the Current Year	yuan				
<p>I hereby declare:</p> <p>I take full responsibility for the truthfulness and completeness of the information provided above. I will truthfully declare my income and pay personal income tax in accordance with relevant regulations. I have not concealed or omitted any information, and I am willing to accept the supervision from the University and relevant departments.</p> <p style="text-align: right;">Signature: Date:</p>					

Note: Two hard copies of this form should be prepared and be submitted separately to the respective department and the Office of Human Resources.

### Appendix III

## **Wenzhou-Kean University Faculty Innovation and Entrepreneurship Income Summary Form** **(Year of 20 )**

College (Department):

No.	Name	Employee Number	Position/ Title at WKU	Discip line/ Major	Enterprise 1	Position	Income	Enterprise 2	Position	Income	.....	Total Innovation and Entrepreneur ship Income for the Current Year

Note: Two hard copies of this form should be prepared and be submitted separately to the Office of Research and Sponsored Programs (Office of Government and Community Relations) and the Office of Supervision.

Applicant:

Date:

Signature of College (Department) Representative:

