

5-2-1983

State University of New York Policy on University Industry Cooperative Use of University Research Equipment

The College at Brockport, College Senate

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State University of New York
Policy on University-Industry
Cooperative Use of University
Research Equipment

Resolution #33, 1982-83

TO: President John E. Van de Wetering

FROM: The Faculty Senate

Meeting on 5/2/83
(Date)

RE: X I. Formal Resolution (Act of Determination)
 II. Recommendation (Urging the fitness of)
 III. Other (Notice, Request, Report, etc.)

SUBJECT: State University of New York Policy on University-Industry
Cooperative Use of University Research Equipment



(see attached)

Signed [Signature] Date Sent 5/10/83
(For the Senate)
Bill W. Reed, President, Faculty Senate.....

TO: The Faculty Senate

FROM: President John E. Van de Wetering

RE: I. Decision and Action Taken on Formal Resolution
a. Accepted. Effective Date June 83
b. Deferred for discussion with the Faculty Senate on _____
c. Unacceptable for the reasons contained in the attached explanation
II., III. a. Received and acknowledged
b. Comment:

DISTRIBUTION: Vice Presidents: [Signatures]

Others:

Distribution Date: 5/18/83

Signed: [Signature]
(President of the College)

Date Received by the Senate: _____

STATE UNIVERSITY OF NEW YORK
College at Brockport

Faculty Senate Meeting 5/2/83
Agenda Item VII. B. 1.

State University of New York Policy on University-Industry
Cooperative Use of University Research Equipment

In all three of its mission areas - education, research, and public service -- State University wishes to cooperate with industry for the mutual attainment of a common goal, the enhancement of the well-being of the people of the State.

To this end the University is continuing to seek research grants and contracts from industrial concerns and has begun a very active program for the licensing of inventions. Such formal agreements are the normal and preferred vehicles for industry-University cooperation.

However, from time to time additional cooperative relationships may be possible through less formal arrangements. University-industry cooperative use of University research equipment is one such possibility. It is University policy that such cooperative use be authorized within specific guidelines, subject to such additional restrictions as are imposed by Federal or State law or regulations, the provisions of sponsored program contracts, or the terms of University financing agreements.

University-industry cooperation should observe the following conditions:

- Although the highest priority on use of research equipment must be for the primary academic mission and activities of the campus, appropriate cooperative use of such equipment is a valid secondary priority.
- Cooperative use of research equipment must be demonstrably consistent with the educational mission of the University by involving faculty, students or technical staff in ways that add to their knowledge and professional skills.
- Cooperative use of research equipment must be limited in scope (by dollar amount, time, or other quantitative measure). Appropriate permit or contract procedures should be followed consistent with the procedures developed for the administration of sponsored programs and the use of University facilities by outside organizations.
- In order to ensure that ongoing University research and educational programs are not harmed or inhibited, the determination regarding the availability of particular items of equipment for cooperative use

should rest with the campus chief administrative officer, or designee, in consultation with the principal research investigators.

--In order to minimize the possibility of the University's becoming engaged in competition with private organizations able to provide the same equipment services, access should be demonstrably consistent with the University's industrial liaison program or public service programs. NSP-supported instrumentation or facilities may be used by or for the for-profit sector only when such use does not constitute provision of services equivalent to services commercially available in the United States.

--Full costs, both direct and indirect, must be recovered including any special costs relating to security, insurance and indemnification protection for the University.

--All arrangements must be consistent with general Trustees' policies, including the University's patent policy and policy on disclosure of research activities.

In addition to the SUNY guidelines for the cooperative use of research equipment, the following SUNY Brockport campus guidelines will be used:

1. Requests by industry for use of campus research equipment shall be made known to the unit head responsible for the equipment.
2. Subject to the limitations in #3 below, the President or designee may approve the arrangement in consultation with the unit head, principal users, and the Director of Sponsored Research. Upon approval, the unit head shall inform the division dean, the Dean of Adult and Continuing Education, and the President. Only in exceptional circumstances may the equipment be removed from campus.
3. These guidelines apply if the use of the equipment will require no more than 29 days and the total cost of using the equipment will not exceed \$1,000. Otherwise, procedures consistent with established College policy (contracts administered through the Research Foundation) shall govern cooperative arrangements, and the unit head shall contact the Office of Sponsored Research. Annually, the Office of Sponsored Research will review the limitations of 29 days and \$1,000. Recommendations for changes shall be submitted to the President for approval.
4. Each unit head shall establish a basic fee for the use of the equipment. Cost shall include all direct costs, such as personnel, maintenance and repair, necessary supplies, and administrative fees as appropriate. Annually the Vice President for Administrative Services shall review the fee schedule. Each unit head may impose

any restrictions or conditions deemed necessary to protect the equipment. In all cases, the industrial user must purchase liability insurance, and the State and SUNY should be named as additional insureds under such insurance policies.

5. All arrangements, informal or otherwise, shall be consistent with general College policies and Trustees policies, including the University's patent policy and policy on disclosure of research activities and SUNY policy on computer usage.
6. An Income Fund Reimbursable shall be established to administer all proceeds from the use of equipment under these guidelines.
7. The Division of Adult and Continuing Education will assist in creating an awareness among appropriate constituencies that such services are available.