From: Office of the Executive Vice Chancellor

Subject: Policy on University-Industry Cooperative Use of University Research Equipment

Attn: Presidents, State-operated campuses

In accordance with its three-fold mission of education, research and public service, the University has undertaken cooperative programs and projects with industry for the overall betterment of the State. While the traditional path for such cooperation has been the conduct of sponsored research at University facilities, another mutually beneficial avenue exists and has been of recurring and increasing interest to University campuses -- the cooperative use of University research equipment.

Adopted by the Board of Trustees on June 23, 1982, the attached "Policy on University-Industry Cooperative Use of University Research Equipment" allows those campuses wishing to do so to draw up specific guidelines for such cooperative use. Within the general conditions established by the policy statement, specific conditions should be established as each campus considers appropriate. For example, these guidelines require that there be a limit to the scope of cooperative use of equipment beyond which the regular contract procedures must be invoked. Each set of campus guidelines should provide a quantitative measure of that limit, such as a dollar amount or a specified length of time.

Campus guidelines should be sent to Dr. Herbert McArthur for review before their publication. If you have questions, please call Dr. McArthur, Assistant Vice Chancellor for Research, at (518) 473-4291.

Donald D. O'Dowd
Executive Vice Chancellor

Attachment
Copies for information only to:

Presidents, Community College
Deans, Statutory College
President Coll
Vice Provost Spencer
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 may 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.

Each campus wishing to do so should draw up such guidelines observing 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.

--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.

Campus guidelines are to be submitted to the Office of the Vice Chancellor for Research and Graduate Education for advice and review before publication.

June 23, 1982