Category: Facility Management / Safety Responsible Office: University Controller	**Policy Title:** Use of University Facilities by Emerging Technology Enterprises Document Number: 5604 Effective Date: January 22, 1986 This policy item applies to: State-Operated Campuses

Table of Contents

Summary
Policy
Definitions
Other Related Information
Procedures
Forms
Authority
History
Appendices

Summary

The State University of New York (University) has long engaged in activities supporting economic development in furtherance of the University's education, research, and public service missions.

By means of the policy on the Use of University Facilities by Emerging Technology Enterprises, the University provides an additional opportunity for certain emerging technology companies to benefit from the instructional, research and public service resources of the University by allowing companies to locate on or proximate to University campuses in new or renovated incubator facilities. The companies affected are emerging businesses involved in the application of technological research and/or development of new products related to such research.

The purpose of incubator facilities is to provide low cost commercial space for start-up companies in high-technology fields while simultaneously providing such companies with access to University instructional, research and public service resources and University staff and students access to learning and employment opportunities.

The policy enables the University to participate in the New York State's overall program of incubator development pursuant to necessary authorization. Firms apply to participating campuses with authorized facilities to occupy space therein for limited periods of time. The review of these applications is done by an independent review committee created by the president of the campus in accordance with a set of selection criteria. The criteria are designed to assure that the firms would contribute to the state's economic development and benefit the University's academic programs or research activities.

Policy

In recognition of the State strategy of encouraging cooperation of public and private institutions of higher education, local governments, other non-profit research institutions and the private sector in plans for the development of incubators throughout the state, a policy has been formulated that enables the University, in support of its instruction, research and public service missions, to participate actively in the State's program of incubator development pursuant to necessary authorization.

Each campus should formulate its own specific guidelines, consistent with the following criteria, and submit them for

review and approval by the chancellor or designee.

Guidelines

1. The president of each campus shall establish an independent review committee that represents both local or regional development and industrial interests and campus academic interests to review applications from emerging technology companies to occupy authorized incubator facilities on University-owned or controlled property for limited periods of time. Applications may be granted for industrial or business ventures that substantially meet the following criteria:

   a. engage in application and commercialization of faculty research and advanced technology;

   b. develop, use, or produce products, processes or services that could benefit from campus academic programs or research activities of faculty, staff, and students and could stimulate employment opportunities for students and consulting and collaborative research activities with faculty;

   c. submit business plans indicating the potential for future employment and for relocation to non-university space within a reasonable period of time;

   d. offer evidence of the potential contribution to the economic development of New York State; and

   e. demonstrate the capacity of meeting user fee obligations and/or the willingness to grant royalties or other forms of compensation in exchange for use of facilities and University services.

2. Costs associated with the use of these incubator facilities, including the cost of support services, shall be paid from user fees, from other non-University resources, or from funds incremental to the campus funding base.

3. Appropriate support services may be provided by campuses to emerging technology enterprises provided that the provision of needed services to campus academic and administrative units will not be diminished.

4. Constructed or renovated facilities authorized for use under this policy will be managed directly by the campus, The Research Foundation of the State University of New York, or separate non-profit organizations under contract with The Research Foundation of the State University of New York.

5. Emerging technology enterprises, including their employees and consultants from outside the University who utilize University incubator facilities under this policy, will retain ownership of all patentable inventions and discoveries.

6. Other applicable campus and University guidelines shall be complied with, including those governing cooperative University-industry use of research equipment, the professional obligations of faculty, and conflicts of interest.

7. Appropriate permit procedures should be followed consistent with the procedures developed for the use of University facilities by outside organizations or with such procedures as may be developed and authorized specifically for incubator facilities.

8. Each campus implementing this policy shall establish a campus review committee to prepare and revise guidelines for the operation of incubator facilities and provide periodic evaluations of the success of the program.

Definitions

Emerging Technology Enterprises: Emerging companies involved in the application of technological research and/or development of new products related to such research.

Other Related Information

University-Industry Cooperative Use of Research Equipment

Board of Trustees Policies – Patents, Inventions & Copyright Policy (8 NYCRR §§ 335.28 & 335.29)

Procedures

There are no procedures relevant to this policy.

Forms

There are no forms relevant to this policy.

Authority

State University of New York Board of Trustees Resolution 86-16, adopted January 22, 1986.

History

Amended – January 22, 1986

- Both policy and guidelines on the Use of State University Facilities by Emerging Technology Enterprises were amended.

Appendices

There are no appendices relevant to this policy.