

UNIVERSITY OF NEW HAMPSHIRE

INDUSTRIAL CONSORTIA

Administrative Responsibility: UNH Vice President for Research and Public Service

Effective Date: August 1, 2004

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Definitions: A University of New Hampshire (UNH) Industrial Consortium is a formal association between UNH and the commercial entities party to executed Industrial Consortium Agreements. An Agreement is a legally binding document that specifies the rights and responsibilities of the parties. The commercial entities are commonly called members.

Policy: UNH may enter into a UNH Industrial Consortium Agreement (Agreement) with commercial entities where all parties have a mutual interest in the advancement of science and technology in a specific field. A UNH Industrial Consortium must be headed by a UNH status employee, typically a faculty member, who serves as the program or project director of the consortium.

A program or project director wishing to establish a UNH Industrial Consortium must present a proposal with budget and justification to his/her Responsibility Center (RC) unit head (normally a dean, institute director, or vice president.) Written approval by the RC unit head is required to establish a new UNH Industrial Consortium. Such approval must be in place before any Agreements are negotiated and executed. A UNH Industrial Consortium is based organizationally and financially in the program or project director's UNH college/school/institute/other relevant unit.

UNH's Office of Sponsored Research (OSR) is authorized and responsible for creating, negotiating, and executing Industrial Consortium Agreements, and ensuring that those Agreements are in the best interest of UNH. Prior to executing any Industrial Consortium Agreement, OSR will coordinate resolution of all relevant intellectual property issues with the program or project director and with the Director of the UNH Office of Intellectual Property Management (OIPM).

Each UNH Industrial Consortium member pays an annual fee to belong to the Consortium. For each Agreement and/or new member, the fee is due from the member(s) upon signing the Agreement. Payment of a UNH-issued annual invoice for the fee by a Consortium member constitutes acceptance by the member of the terms and conditions of the existing Agreement for the upcoming year.

OSR will establish an account in the University System of New Hampshire (USNH) financial accounting system for each newly-approved UNH Industrial Consortium. Unless the RC unit head has authorized a Not-Fully-Executed (NFE) account budget, the budget will reflect only those revenues received from member fees. The program or project director is not authorized to incur expenses in excess of budget.

The UNH Industrial Consortium program or project director is responsible for charging to Consortium revenues the direct costs for administering the Consortium, including, but not limited to, the portion of salaries and wages for the program or project director and UNH personnel (e.g., technicians, graduate students) working directly on Consortium activities. For UNH Industrial Consortia established on or after the effective date of this policy, the Facilities and Administrative (F&A) costs rate assessed on Consortium revenues is 20% of total direct costs less equipment. The F&A costs rate for UNH Industrial Consortia established before the effective date is grandfathered.

If a UNH Industrial Consortium program or project director terminates employment with UNH, the RC unit head will appoint another UNH employee as the replacement program or project director, with the consent of Consortium members. If consensus about a replacement project director cannot be achieved, either the Consortium will be disbanded or the original program or project director may move the Consortium to a non-UNH organization. In the latter case, the RC unit head will decide on the disposition of any remaining Consortium direct and F&A fund balances within the boundaries of the executed Agreements.