

COURSE 17, TUTORIAL 2

THE UNIVERSITY ENVIRONMENT



When teaming with a university, it is very important to understand the university environment and its professional and cultural features. No aspect of the university environment is as important to understand as the role and rights of the faculty. Whereas most organizations – for profit, government, charities and other non-profits – have well-defined chains of command and other structures, the same is not quite the case at universities. Whether tenured or not, senior or junior, every faculty member enjoys great latitude in freedom of expression and of direction in scholarship.

Having established the importance of respecting faculty independence, we now turn to the discussion of what matters to the faculty. Faculty strive for recognition, promotion, tenure and success in their environment. To make more time available for peer-recognized activities, it is common for faculty members to use external and sometimes internal funding to buy out some of their time. A faculty member is normally paid by the university for the duration of the academic year – typically about nine months. Over the academic year, a faculty member often nominally teaches about four courses each semester. Many faculty buy out a quarter to a half of this teaching load to conduct research and other peer-recognized activities. The buyout is known as release time. Some faculty may also be granted **release time** for other duties. For example, a department chair may be released from most teaching so that she or he may run the department.

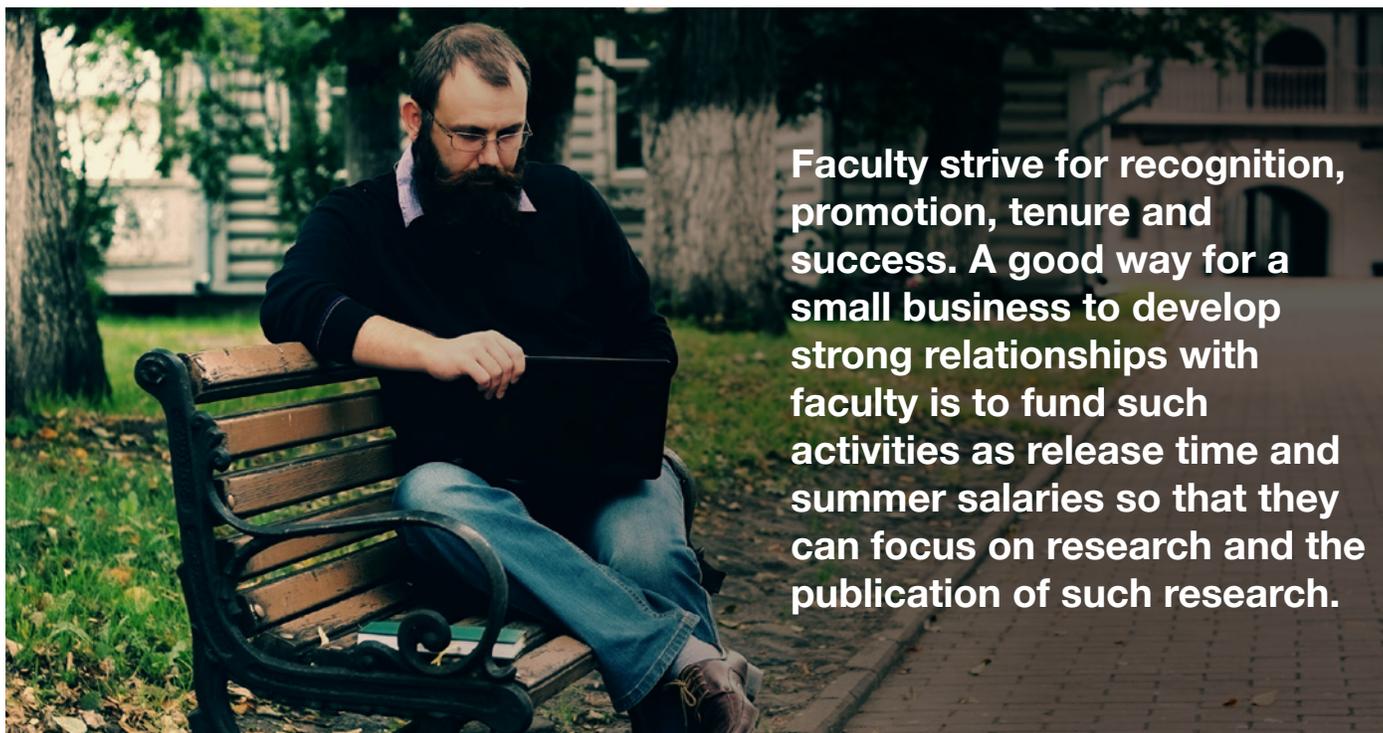
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DEVELOPING RAPPORT WITH FACULTY

A small business will do well to recognize the importance of research grants and publications, release time, student advisement and related activities. A good way to develop strong relationships with faculty is to fund these activities - such as release time and summer salary for faculty, and paid student assistantships.

OFFICE OF SPONSORED PROGRAMS

After a small business comes to an understanding with the faculty regarding the nature of their desired relationship, the next steps should formally implement this relationship. Whether the business is going to be sending money to the university, working jointly with the faculty on funding proposals, or pursuing any other reasonable arrangement, the university will consider the relationship to be some sort of a sponsored program or partnership. Every university has an administrative unit that manages such programs. The unit is typically called a variant of the term **Office of Sponsored Programs (OSP)**. This is run by a director or possibly an administrative dean. Either this individual or his or her manager – typically the



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university's chief academic officer, titled vice-president or provost – has signature authority to commit the university to formal relationships with outside entities. The same office will likely prepare budgets for whatever activities are needed: overhead, release times, plan for student assistantships, and so on.

While some faculty may occasionally express frustration and impatience with the formal processes of the OSP, the importance of following the OSP's guidance on the formal relationship cannot be over-emphasized. All sponsored work goes through the OSP and all sponsored work is audited and reviewed at and by the OSP. In the unlikely event of some issue, including possibly contractual disagreements or failure to protect the right of a Federal sponsor, working hand in hand with the OSP will be essential to resolve the issue and avert a negative outcome.

OFFICE OF TECHNOLOGY TRANSFER

Another key office at the university is the office that manages the university's intellectual property (IP). The office is normally known by a variant of the term **Office of IP or Office of Technology Transfer (OTT)**. This is the office that should be contacted to license pre-existing IP, define a shared IP agreement, pursue technology transfer agreements, and any related mat-

ter. The OTT routinely requests faculty disclose IP ideas. Upon review by technologists and legal staff, the OTT often decides on whether to pursue IP protection at the cost of the university or to revert IP rights back to the faculty member.

UNIVERSITY CLAIMS TO IP

It is important to understand that like any employer, a university makes claims to IP originated by its staff, faculty and sometimes even students by default (who may or may not consider themselves employees of the university). Faculty may feel that this default infringes upon their academic rights. However, the university may argue quite convincingly that a faculty is paid a salary and is provided access to facilities to conduct research that may generate new IP. Therefore, it is best for a faculty originator of IP to discuss these matters with the OTT upfront.

OTHER OFFICES

While the OSP and the OTT are two key university offices as far as a small business is concerned, there are other offices that may get involved. These include information technology (IT), physical plant and lab operations, and security. All these offices, however, operate very similarly to their counterparts in the corporate and government world.