

School of Arts, Media and Engineering Procedures and Guidelines on Consulting, Commercialization, and Conflict of Interest

Consulting

The following are guidelines for the implementation of ACD 510-01, ASU's policy on Notification of Consulting or Other Outside Business Activities or Arrangements for Faculty and Academic Professionals: <http://www.asu.edu/aad/manuals/acd/acd510-01.html>

1. All completed forms should be sent to Colleen Bivona (colleen.bivona@asu.edu) who will respond with any questions and will send to the HIDA Dean's office for final approval. As per the policy, all forms must be submitted AND APPROVED prior to the start of any work.
2. Faculty and academic professionals (APs) must specify in the form what the benefits of the work are to ASU and AME.
3. It is the faculty member/AP's responsibility to submit a new Conflict of Interest form to the Office of Research Integrity and Assurance (ORIA), if that is made necessary by the new consulting activities.
4. Faculty/APs are responsible for familiarizing themselves with ABOR intellectual property policies and, per ACD 510-01, may not assign intellectual property created as a result of the consulting or outside arrangements to any company or another party without prior approval by the ASU IP committee at the first level of review and other appropriate ASU bodies if needed.
5. If the outside work involves self-publishing or self-employment, the faculty/AP should consult with Colleen Bivona (colleen.bivona@asu.edu) to receive guidance on a case-by-case basis.
6. Consulting forms only cover the current academic and/or fiscal appointment and cannot be ongoing. New forms need to be submitted annually if previous work is to continue.
7. All AME faculty/AP's are employed to work on interactive media and any outside work must be related to this field (per ACD 510-01) and must be restricted to the sub-area of the faculty member/AP's expertise.
8. Per ASU policies, faculty members/APs may not use ASU facilities, equipment or other resources for consulting work.
9. If any faculty member/AP is in violation of ACD 510-01, AME is obligated to report the violation to the HIDA Dean's office and/or the Provost's office so the situation can be addressed.

Commercialization

1. AME is a collaborative unit that encourages its faculty/APs to share IP and includes collaborative achievement in faculty evaluations. AME also supports translational research with societal impact. Therefore, AME is supportive of entrepreneurship and commercialization efforts. However, such efforts must

- support and not undermine the collaborative nature of the unit and must not result in conflicts of interest between the commercial and academic activity of the faculty/AP.
2. If faculty/APs wish to pursue a license agreement to commercialize their work, AME will support licenses for specific, focused outcomes. AME will not support licenses for broad themes (i.e. interactive media) that may cause conflicts of interest between the faculty member/AP's commercial activity and their responsibilities as faculty members/APs of the unit.
 3. Accordingly, AME can only support licenses that explicitly specify that further development work in the context of the license by the faculty member/AP will focus on the involved faculty member/AP's areas of expertise, not broad unit themes (i.e. interactive media).
 4. Furthermore, it is assumed that faculty members will seek commercialization rights for research outcomes that have matured and do not require continued significant academic research. Any further development needed for the successful commercialization of these outcomes must be realizable within the allowed consulting hours for a faculty member. This will allow the faculty member to follow University regulations that seek the clear separation of academic and commercial activity by the faculty member.
 5. Proposed licenses and related COI forms submitted by the faculty/AP must not undermine copyright and IP rights of other faculty members/APs (see below: primer for collaborative discovery and commercialization).
 6. Similar approaches must be taken for non-commercial dissemination efforts realized through creative commons approaches.
 7. All commercialization and public dissemination efforts should have clear attributions to the support received by ASU/AME.
 8. Per ASU policies, faculty members/APs cannot be paid by the company for the same work they do at ASU (i.e. no 'double-dipping').
 10. Per ASU policies, faculty members/APs may not use ASU facilities, equipment or other resources for work done for an outside company or outside employment.

Conflict of Interest

The following are guidelines for the implementation of ACD 204-08 Conflict of Interest (<http://www.asu.edu/aad/manuals/acd/acd204-08.html>) and RSP 206 Objectivity in Research—Disclosure of Financial Interests and Management of Conflicts of Interest (<http://www.asu.edu/aad/manuals/rsp/rsp206.html>)

1. Faculty members/APs are responsible for filling out their annual conflict of interest forms and submitting them to ASU's Office of Research Integrity and Assurance. These must be done annually or whenever there is a change in circumstance, whichever comes first. If the long form needs to be completed, faculty members/APs are responsible for bringing it to Colleen Bivona (colleen.bivona@asu.edu) for AME approval prior to sending it to ORIA.
2. Faculty/APs should address any license or consulting conflicts in their COI forms,

if applicable.

Primer for collaborative discovery and commercialization

The example below aims to serve more as a general understanding for collaborative discovery. It does not substitute or override any related ASU policies.

When person X works with person Z extensively on a common outcome it is assumed that knowledge from person Z will rub off on person X. It is also assumed that person X understands the origin of that knowledge (and respects it).

If the common outcome needs to be licensed it is best if person X and person Z do it together. If that is not possible then the whole outcome may be licensed to person X with the following understanding. If person X sells the common outcome, then some benefit will come to person Z. If person X wants to further develop the common outcome by themselves, then they will concentrate on development in areas of their expertise, not in the areas of knowledge of person Z [Even though some knowledge from person Z has rubbed off on person X, it is not the knowledge of person X, as the publication record will show]. If person X needs to do development in areas of expertise of person Z, then they will need to reach out to person Z again.

In a unit of many disciplines, hacking an area of expertise of another person in the process of the development of a system is not appropriate. It does not support integrative development of high level media systems and maybe thought to be a) condescending to the knowledge area of that person or b) misappropriation of the knowledge of that person.