



RESEARCH AND SCHOLARLY ACTIVITY MATERIALS TRANSFER POLICY

Date Approved: 09/16/2020

Date Revised:

Category/Policy #: 1.0

Responsible Office: Research and Scholarly Activity

Policy Categories: 1.0 – Academic Programs; 2.0 – Operations; 3.0 – Administration and Governance; 4.0 Students and Student Affairs; 5.0 – Utah Campus Specific; 6.0 – Committees and Councils; 7.0 – Archived Policies; 8.0 – Forms

I. Purpose and Scope: Rocky Vista University (RVU) is committed to complying with all laws and regulations applicable to the shipment and receipt of research material.

II. Policy Statement: All research material shipped from RVU to another party must be accompanied by a signed Material Transfer Agreement (MTA). Some types of material require an additional export license if shipped outside of the United States. There may be other restrictions, such that certain material cannot be shipped to restricted or banned parties or embargoed countries. Penalties for violating export control laws are significant and may include personal fines and criminal charges. Anyone found in violation of this policy or applicable laws will be subject to disciplinary action.

III. Procedures: RVU's Director of the Office of Research and Scholarly Activities, is responsible for reviewing, drafting, negotiating and signing all MTAs on behalf of RVU. The Director of Research will work closely with the individuals involved in the shipment process to ensure the terms and conditions of each MTA are in compliance with all applicable laws, regulations, academic principles and any pre-existing contractual or funding obligations.

To Transfer Material from RVU to an External Party:

E-mail the following information to director.research@rvu.edu

- Requesting Principle Investigator's (PI) name and email
- Name of requesting PI's department
- Itemized description of all material
- Was the material developed solely by RVU?
- Has the material been published?

The Director of Research will draft and email the MTA to the requesting PI. Once signed by both parties, a copy of the fully executed MTA will be distributed and the material can be sent.

To Receive Material from an External Party:

Obtain an MTA from the other party and e-mail it to the Director of Research, who will review,



negotiate (if necessary) and process the MTA for signatures. Once signed by both parties, a copy of the fully executed MTA will be distributed.

Research Collaborations with External Parties:

If the exchange of material between parties meets any of the following criteria, a collaboration agreement, sometimes referred to as an “IRB Authorization Agreement” (IAA) or a “Collaborative Research Agreement” (CRA) will typically be necessary. An award of funding to be shared by two or more parties generally does not eliminate the need for an IAA or CRA between the parties. E-mail the Director of Research if any of the following apply:

- The research project was developed by individuals at more than one organization
- Individuals at two or more organizations will contribute in some way to the research project (e.g., hands-on research, data analysis, experimental design)
- The research will involve a bi-directional transfer of research materials
- Results generated by one organization will be shared with an individual at another organization
- Results will be published jointly with authors from another organization

III. Additional Information: DEFINITIONS: A Material Transfer Agreement (“MTA”) is a legal contract that documents the terms for a transfer of tangible research material from one party to another for use in research that is independent of the providing party. MTAs specify the rights, obligations, and restrictions of both parties with respect to issues such as: • Use of Material • Confidential Information • Research Results • Publication • Inventions (patentable or not) • Warranty and Liability.

Related Policies: Intellectual Property and Institutional Data Use

*Nothing in this Policy limits the authority of the university to issue, amend, or withdraw a policy.

(Below for Compliance Office Use Only)

Legal Review Required? Yes No

Date Reviewed: Click or tap here to enter text.

Name of Reviewer: Click or tap here to enter text.