

RESEARCH FACILITIES / EQUIPMENT USE BY NON-MSU BILLINGS AFFILIATES PROCEDURES

Non-affiliated groups may use research facilities/equipment only if the use will not disrupt regular academic, laboratory or research programs of the University, and the facility/equipment is not needed by university affiliated faculty, students or other employees at the time requested.

- A. Non-university groups may apply to use the facilities/equipment by submitting a written request to the Department Chair, Director, or VP office responsible for the facilities/equipment.
- B. The requester must specify if any hazardous materials, controlled substances, animals or genetically altered materials will be used. If so, the requester must also submit an acceptable plan for the control of the materials and compliance with state and federal law before the university will approve the Research Facilities/Equipment Use Agreement. The requester must also receive approval from institutional oversight committees, such as the IRB or Biosafety committees, before commencement of work.
- C. The requester must agree to:
 - 1. Maintain general liability insurance to cover the user's activities on campus in an amount no less than One Million Dollars (\$1,000,000) unless a lesser amount of insurance is approved by MSU Billings Legal Counsel;
 - 2. Indemnify and hold the University harmless for any damages arising from the user's activities conducted in university facilities; and
 - 3. Reimburse the University for any damages, clean-up or hazardous waste related expenses, including disposal, shipping, damages, and/or penalties, caused by or imposed as a result of user's use of the University's facilities/equipment.
- D. The Department Chair will recommend approval/disapproval to the Dean and or his/her designee. If approval is granted by the Dean and Vice Chancellor of Academic Affairs (VCAF) the parties will enter into an appropriate Research Facilities/Equipment Use Agreement. It may be appropriate to modify the agreement for short term use of facilities or equipment. Modifications may be made with the approval of Legal Counsel or the VCAF or his/her designee.
- E. An approved user must schedule use through the appropriate individual responsible for the facility and the Department Chair.
- F. The University will not subsidize any individual or business with state funds, nor will it allow a user to gain an unfair competitive advantage over other businesses. The fees charged for use will be assessed by the Department Chair in consultation with a representative from the VCAF and will depend on the type of facilities or equipment used. Fees charged will be comparable to the prevailing market rates for space, personnel, supplies, services and equipment use.
- G. Fees will be paid into a Designated account under the VCAF and disbursed as follows:
 - 1. 15% of the total will be retained by the Provost and Vice Chancellor of Academic Affairs to support faculty research endeavors;

2. 15% of the total will be retained by the Vice Chancellor of Administration and Finance for research equipment/facility needs;
 3. 70% of the total will be returned to the College.
- H. Any misrepresentations contained in the request or agreement, use of the facilities for purposes other than those stated, or failure to comply with the University policies and procedures or the Facility Use agreement, may be grounds for immediate cancellation of the agreement.