

Research Policies

Gifts from Companies (SC-360)

Scope

This policy applies to all proposed gifts from companies in support of activities of an HHMI laboratory. This policy does not cover personal gifts; please refer to HHMI's Standards of Business Conduct for Procurement for guidance regarding gifts from present or potential suppliers or vendors.

Policy

In General: HHMI permits its laboratories to accept unrestricted gifts from for-profit companies. To qualify as an unrestricted gift, the donor may not specify the projects for which the gift may be used, may not gain special access to the laboratory's research results, and may not make any claim on intellectual property arising in the laboratory as a result of the gift. Gifts with such restrictions are considered a form of company-sponsored research and cannot be accepted by HHMI laboratories, as explained in HHMI's policy on company-sponsored research. Examples of possible gifts include a piece of equipment, funds for the stipend of a graduate student, or funds for the general support of the work of a particular HHMI laboratory. Please note that the salaries of HHMI employees cannot be supplemented from any source, including gifts.

Approval: Any gift from a company in support of an Investigator's laboratory may be accepted only if it has been approved by HHMI's Vice President and Chief Scientific Officer. This includes not only gifts specifically directed to the Investigator's laboratory, but also gifts that will be disbursed to the laboratory by the department or an office of the host institution or a host institution affiliate such as a research center or foundation. Any gift from a company in support of a laboratory at Janelia, including a shared resource facility, may be accepted only if it has been approved by the Janelia Director or Chief Operating Officer.

In considering whether a proposed gift from a company may be accepted, HHMI will evaluate all relevant facts and circumstances (e.g., the size of the gift, whether the gift was awarded as part of an established gift-giving program, whether any technology developed by the proposed recipient is licensed to the donor, and whether the proposed recipient consults for the donor company).

HHMI will generally approve proposed gifts that provide unrestricted support for the recipient's laboratory, and which do not make (or have the appearance of making) an inappropriate commitment to the donor company in return. Group Leaders and Fellows should note that acceptance of a gift does not provide authority for additional headcount in the laboratory.

As noted in HHMI's policy on research collaborations, HHMI will generally not approve proposed gifts in connection with a research collaboration. HHMI will also review a proposed gift in connection with a license to ensure that the gift is not equivalent to a component of royalties or other compensation for the licensed technology.

If a corporate gift is proposed in support of an Investigator's laboratory, the Investigator should discuss the proposal with the HHMI attorney responsible for the site. At Janelia, a Group Leader or Fellow should discuss a proposed corporate gift with the Chief Operating Officer or the Director of Administration and Finance. Janelia shared resource facility directors or managers should discuss a proposed corporate gift first with the Director of Scientific Services and then, if the Director of Scientific Services approves, with the Chief Operating Officer. Corporate gift

proposals at Janelia must be reviewed by the HHMI attorney responsible for Janelia before they are approved.

Documentation: A gift from a company must be documented with a letter acceptable to HHMI establishing that the gift does not convey any rights to the donor. For gifts in support of Investigator laboratories, acceptable documentation includes HHMI's standard form of gift letter as well as a form of gift letter for use where the donor is also a licensee of intellectual property developed in the laboratory. Following HHMI approval, the gift is made by the company to a department or other office of the host institution or an affiliate, rather than to HHMI.

The form letter to document gifts from companies in support of Group Leader or Fellow laboratories is posted on the Janelia intranet. These gifts, if approved, are made directly to HHMI.

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