



The State University
of New York

SUNY START-UP NY
Campus Plan for Designation of Tax-Free Area(s) Memorandum (CPM)

To: SUNY Chancellor

From: Satish K. Tripathi

Re: University at Buffalo Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan")

Date: 9/19/16

For campus Office of the President:

The arrangement documented in the attached Campus Plan is aligned to the academic mission of University at Buffalo and in accordance with all SUNY policies, procedures, and guidelines.

Satish K. Tripathi
Signature of campus President

Satish K. Tripathi
Print Name

For SUNY's START-UP NY Proposal Review Team Co-Chair: It is recommended by the SUNY START-UP NY Proposal Review Team that SUNY approve the attached Campus Plan:

Jeffrey A. Boyce
Proposal Review Team Co-Chair

9-27-16
Date

Jeffrey A. Boyce
Print Name

For SUNY Office of the Chancellor:

The attached Campus Plan is hereby approved for campus submission to the NYS Commissioner of Economic Development.

Eileen McLoughlin
Signature of the Chancellor or designee

10/12/16
Date

Eileen McLoughlin
Print Name



The State University
of New York

To: Howard Zemsky, President & CEO Designate of Economic Development and Acting Commissioner,
NYS Department of Economic Development
From: President Satish K. Tripathi of University at Buffalo
Re: CAMPUS's Campus Plan for Designation of Tax-Free Area(s) Date: 9/19/2016

I, President Satish K. Tripathi of University at Buffalo hereby certify the following:

- a.) we have provided a copy of the enclosed Campus Plan for Designation of Tax-Free NY Area, to the municipality or municipalities in which the proposed Tax-Free NY Area is located, local economic development entities, the applicable faculty senate, union representatives, and student government at least 30 days prior to submitting the plan to you and attached evidence of submission herewith; and
- b.) we comply with Public Officers Law Section 74; State University of New York's Policy on Conflict of Interest; the Research Foundation's Conflict of Interest Policy and Guidelines for the Management of Conflicts of Interest; the FNUB, Inc.'s Conflict of Interest Policy; and the University at Buffalo Foundation Incubator, Inc.'s Conflict of Interest Policy; and attached copies of the policies herewith; and
- c.) we comply with the Commissioner's rules and guidelines on anticompetitive behavior (NY EDL, art. 21, sect. 440); and
- d.) we are aware of the non-governmental use limitations associated with state issued tax exempt bonds and if our proposed Tax-Free NY Area was financed with tax exempt bonds, we will: 1.) make potential businesses aware of these limitations when marketing property; and 2.) take appropriate steps to ensure that non-governmental use of property funded with tax-exempt bonds will not jeopardize the tax exempt status of state issued bonds; and
- e.) we consulted with the municipality or municipalities in which such land or space is located prior to including such space or land in the proposed Tax-Free NY Area and we have given preference to underutilized properties; and
- f.) we have not relocated or eliminated any academic programs, any administrative programs, offices, housing facilities, dining facilities, athletic facilities, parking, or any other facility, space or program that actively serves students, faculty or staff in order to create vacant land or space to be designated as a Tax-Free NY Area; and
- g.) the information contained in the enclosed application is accurate and complete.

Satish K. Tripathi
PRESIDENT'S SIGNATURE

9/19/16
DATE



START-UP NY CAMPUS PLAN FOR DESIGNATION OF TAX-FREE AREA(S)

THE TAX-FREE NY AREA PLAN SHALL BE DEVELOPED BY THE CAMPUS TEAM AND PROVIDE THE FOLLOWING REQUIRED INFORMATION:

1. Campus Name, Contact Person and Address

Campus Name: University at Buffalo (UB)
Campus Contact Name: Karen Utz, Director, Program Administration
Campus Contact E-mail: kmutz@buffalo.edu
Campus Contact Phone: (716) 881-7588 Fax: (716) 849-6657
Campus Contact Address: 701 Ellicott St., Buffalo, NY 14203

2. Identification of the space and/or land proposed for designation as a Tax-Free NY Area identifying the following:

- a. Provide the name and address of the SUNY, CUNY or community college seeking approval as a Sponsor, the address of the space or land proposed for designation as a Tax-Free NY Area, and a written description of the physical characteristics of the area for designation.

Table with 3 rows: Name: University at Buffalo (UB); Campus Address: 12 Capen Hall, Buffalo, NY 14260; Address(es) of Proposed Tax-Free NY Area(s): A. Sherman Hall, B. Sherman Annex, C. Cary Hall, D. Olmsted Center for Sight (250 Cooper Building)

- 10,737 sq. ft.
250 Cooper St
Tonawanda, NY 14150
- E. NFTA
132,122 sq. ft.
485 Cayuga Rd
Cheektowaga, NY 14225
- F. Biomedical Education Building (BEB)
1,890 sq. ft.
3435 Main St
Buffalo, NY 14214
- G. Baird Research Park – Incubator
29,811 sq. ft.
1576 Sweet Home Rd
Buffalo, NY 14228
- H. Olmsted Center for Sight (25 Hazelwood)
2,363 sq. ft.
25 Hazelwood Dr
Amherst, NY 14228
- I. Jacobs Executive Development Center Carriage House
5,844 sq. ft.
672 Delaware Ave
Buffalo, NY 14209
- J. NYS Center of Excellence in Bioinformatics & Life Sciences (CBLS)
12,588 sq. ft.
701 Ellicott St
Buffalo, NY 14203
- K. UB Gateway Building
58,148 sq. ft.
77 Goodell St
Buffalo, NY 14203
- L. Buffalo Niagara Medical Campus (BNMC) Innovation Center Annex
33,573 sq. ft.
847 Main St
Buffalo, NY 14203
- M. 73 High
17,361 sq. ft.
73 High St
Buffalo, NY 14203
- N. The Jacobs Institute
9,859 sq. ft.
875 Ellicott St, 5th Floor
Buffalo, NY 14203
- O. Clinical & Translational Research Center (CTRC)
3,348 sq. ft.
875 Ellicott St, 5th Floor

- Buffalo, NY 14203
- P. Clinical & Translational Research Center (CTRC)
8,672 sq. ft.
875 Ellicott St, 6th and 8th Floors
Buffalo, NY 14203
- Q. STOR – Biosciences Incubator
3,569 sq. ft.
875 Ellicott St, 5th Floor
Buffalo, NY 14203
- R. Buffalo Niagara Medical Campus (BNMC) Innovation Center
80,931 sq. ft.
640 Ellicott St
Buffalo, NY 14203
- S. Z80 Incubator Labs
3,774 sq. ft.
640 Ellicott St
Buffalo, NY 14203
- T. 43North
2,546 sq. ft.
640 Ellicott St
Buffalo, NY 14203
- U. Hauptman-Woodward Medical Research Institute (HWI)
22,805 sq. ft.
700 Ellicott St
Buffalo, NY 14203
- V. Roswell Park Cancer Institute – Center for Genetics & Pharmacology(first floor)
1,949 sq. ft.
645 Virginia St
Buffalo, NY 14203
- W. Olmsted Center for Sight (1170 Main Building)
24,719 sq. ft.
1170 Main St.
Buffalo, NY 14209
- X. Olmsted Center for Sight (1160 Main Building)
3,209 sq. ft.
1160 Main St.
Buffalo, NY 14209
- Y. Brisbane Building
6,801 sq. ft.
403 Main St
Buffalo, NY 14203
- Z. Off-Campus Space: Fairmont Creamery Building
27,324 sq. ft.
199 Scott St
Buffalo, NY 14204
- AA. Off-Campus Space: Compass East

<p>26,880 sq. ft. 425 Michigan Ave Buffalo, NY 14203</p> <p>BB. Off-Campus Space: CrossPoint 16,452 sq. ft. 385 Crosspoint Pkwy Amherst, NY 14068 -This property is 3 miles from UB's North Campus and we therefore are requesting a waiver of the 1-mile rule</p> <p>CC. RPCI Grace Cancer Drug Center 1,057 sq. ft. 665 Elm St Buffalo, NY 14203</p> <p>DD. RPCI Carlton House 821 sq. ft. 665 Elm St Buffalo, NY 14203</p> <p>EE. 960 Ellicott St 125,578 sq. ft. 960 Ellicott St Buffalo, NY 14209</p>
<p>Description of physical characteristics:</p> <p>No academic programming will be relocated for Start-Up NY. All proposed space for Tax-Free Area designation is presently vacant and is shown as dark blue space and labeled "Amended" on the attached floor plans. <i>See Attached Spreadsheet and Attached Floor Plans</i></p>

- b. Provide a campus map with each building proposed to be designated as tax free space shaded. The building(s) should identified with the official building number as listed in the SUNY Physical Space Inventory (PSI) along with the building name. The excel spreadsheet should include the official building number and a clear description of the spaces in the building (using official PSI room numbers), or floor (when the entire floor is under consideration), or floor/wing (with outer rooms defining the space specifically listed). Each building must also include floor plans of all areas under consideration with the specific spaces clearly identified by official PSI room and shaded. All building information is also to be included in the excel spreadsheet. Provide digital files containing Point shapefiles that provide locations of area for designation (if available).

Attached to Campus Plan

- c. The total square footage of the space or acreage of land proposed for designation as a Tax-Free NY Area.

681,399 sq ft, *Total per Attached Spreadsheet Breakdown*

2a) *If applicable*: You may include here a description of any potential space or acreage of land that you may seek to designate as a Tax-Free NY Area under the START-UP NY Program in the future. This may include campus property that may become vacant, or other properties in your community that are not currently part of your campus but may be desirable for a company partner and with which you may consider an affiliation if an appropriate partner is identified. Do not include these properties in the Excel spreadsheet.

2b) *If applicable*: The total square footage of the space or acreage of land that you may propose to designate as a Tax-Free Area as identified in 2a, if known.

3. Provide a description of the type of business or businesses that may locate on the area to be designated.

UB will locate companies in the designated Start-Up NY space that align with the university's academic mission, comply with program eligibility and support Western New York's economic development strategy. As a premier research university, eligible businesses that offer products and/or services aligned with university programs and initiatives will be considered. Additionally, priority will be given to firms that also support industry clusters included in the WNY Regional Economic Development Council's strategic plan and the Buffalo Billion Investment Development Plan, such as those in advanced manufacturing, agriculture, clean tech and energy, health and life sciences and logistics. Firms must be in compliance with the eligibility criteria, including type of business, as detailed in section 220.6 of the Start-Up NY Regulations http://startup.ny.gov/sites/default/files/STARTUPNY_20141224_REGS.pdf

Provide a description of the academic mission of the Sponsor and how the anticipated businesses will align or further the academic mission of the university or college.

UB will locate companies in the designated Start-Up NY space that align with the university's academic mission, comply with program eligibility and support Western New York's economic development strategy. As a premier research university, UB offers over 100 undergraduate degrees, including combined degrees, more than 200 master's degrees, more than 80 doctoral degrees, and 10 professional degrees, which span these schools: College of Arts and Sciences, Architecture and Planning, Dental Medicine, Education, Engineering and Applied Sciences, Law, Management, Medicine and Biomedical Sciences, Nursing, Pharmacy and Pharmaceutical Sciences, Public Health and Health Professions and Social Work. Eligible businesses that offer products and/or services aligned with these areas of academic focus will be considered. Additionally, priority will be given to firms that also support industry clusters included in the WNY Regional Economic Development Council's strategic plan and the Buffalo Billion Investment Development Plan, such as those in advanced manufacturing, agriculture, clean tech and energy, health and life sciences and logistics.

In accordance with the regulations, eligible businesses considered for the Start-Up NY program will align with UB's academic mission in one or more of the following ways:

curriculum enhancement and instruction,
experiential learning opportunities,
collaborative research and project opportunities,
training, internships and jobs,
professional development,
capacity-building and global outreach, and
other engagement that promotes the university-community relationship and economic, social and cultural vitality.

4. Provide a description of how participation by those types of businesses in the Program would generate positive community and economic benefits, including but not limited to:
- Increased employment opportunities;
 - Increased opportunities for internships, vocational training and experiential learning for undergraduate and graduate study;
 - Diversification of the local economy;
 - Environmental sustainability;
 - Increased entrepreneurship opportunities;
 - Positive, non-competitive and/or synergistic links to existing businesses;
 - Effect on the local economy; and
 - Opportunities as a magnet for economic and social growth.

Firms participating in Start-Up NY will be selected based on their ability to have positive community and economic benefits, including:

- career development, training and education opportunities,
- job creation and retention,
- growth of existing and new industries,
- expansion of the entrepreneurial and economic ecosystem,
- regional attraction of related businesses and activity, and
- growth of the region's identity as a hub of economic, social and cultural vitality

Such information will be provided by the company as per the application located at <http://startup.ny.gov/sites/default/files/StartUpNYFillableBusinessApplication4-14.pdf>

5. Provide a description of the process the Sponsor will follow to select participating businesses.

UB will implement a process for selecting participating businesses in accordance with the Start-Up NY Statute http://startup.ny.gov/sites/default/files/START-UP_NY_Statute_11-21-14.pdf and Start-Up NY Regulations

http://startup.ny.gov/sites/default/files/STARTUPNY_20141224_REGS.pdf, and has created a Selection Committee to perform this task.

The university will utilize the processes and forms as outlined <http://startup.ny.gov/>. In addition, UB will promote the accessibility of online program and application materials.

Business applicants, who will be referred from both internal and external parties, will work with a

designated resource at the university who will assist with inquiries and support the process of businesses completing the application at <http://startup.ny.gov/>.

Each business applicant will be entered in a university-based, secure information management system, which will facilitate follow-up and monitoring to insure uniform and timely processing of all incoming materials. UB will form and maintain a review committee to evaluate applications according to the program regulations. The committee will make selections based on the criteria outlined in items 3 and 4 above.

The Selection Committee includes the Vice President for Research and Economic Development (or his proxy), the Vice President for Finance and Administration (or her proxy), the Associate Vice Provost of the Office of Science, Technology Transfer and Economic Outreach, the Director of the Office of Science, Technology Transfer and Economic Outreach, the Director of the UB Center for Entrepreneurial Leadership, a faculty senate representative, a professional staff senate representative, and a student representative. All Selection Committee members have agreed to serve on the Committee.

The university will complete the sponsor application at <http://startup.ny.gov/> for those business applicants who are selected for participation in the program. Sponsor Applications approved by the Selection Committee for recommendation to ESDC will be approved by the Vice President for Finance and Administration (or her proxy) or the Vice President for Research and Economic Development (or his proxy). The sponsor application will be forwarded to the Commissioner of the Department of Economic Development in compliance with the process set forth in the regulations.

The University may conduct periodic reviews of approved business activities as they relate to the business alignment with the academic mission of the University as listed in the "BUSINESS MISSION" section of the Sponsor Application, and, after consultation with the business, the University reserves the right to recommend to the Commissioner the removal of a business determined by the University to be noncompliant.

UB Start-Up NY Campus Plan - Designated Properties

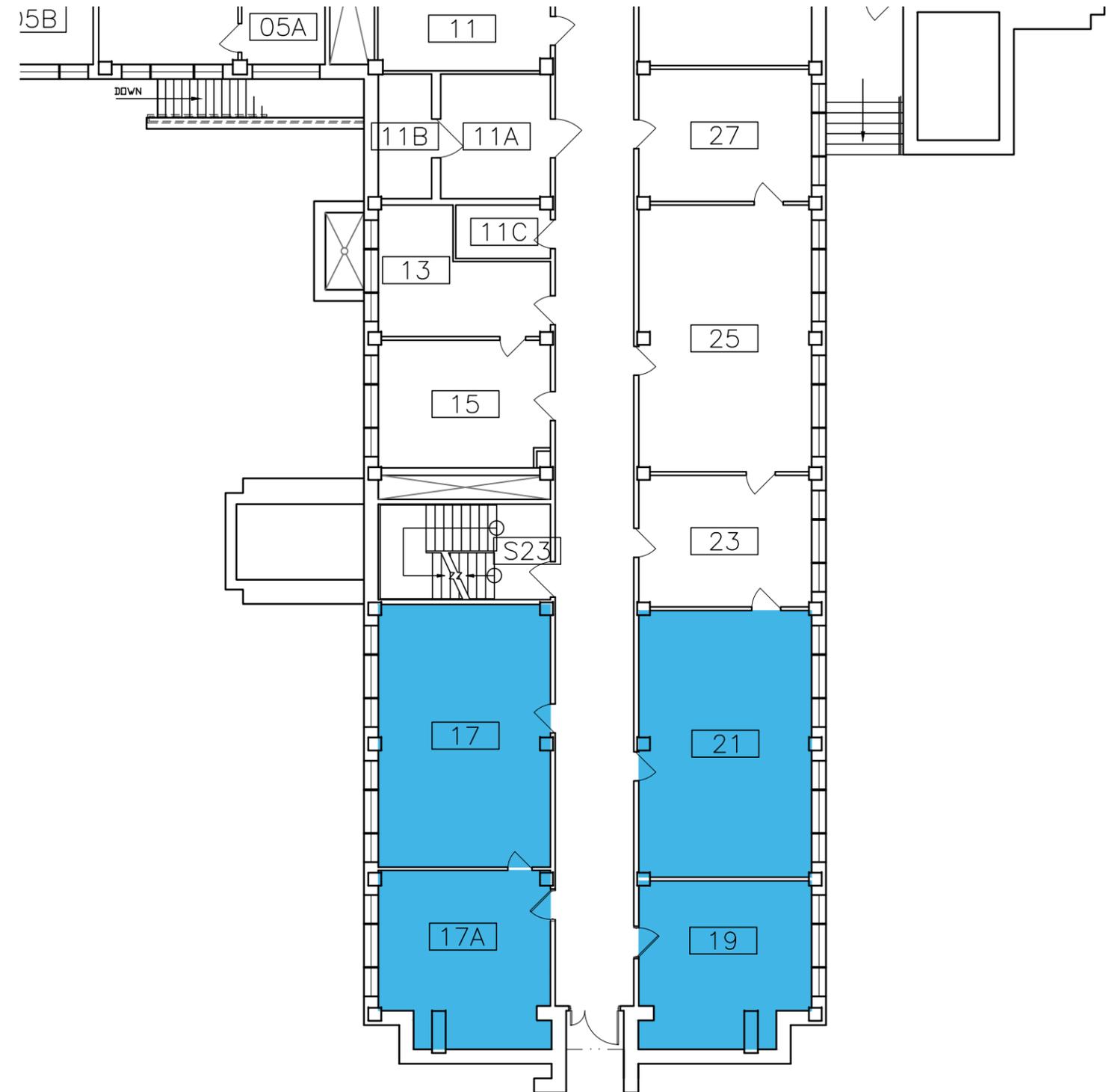
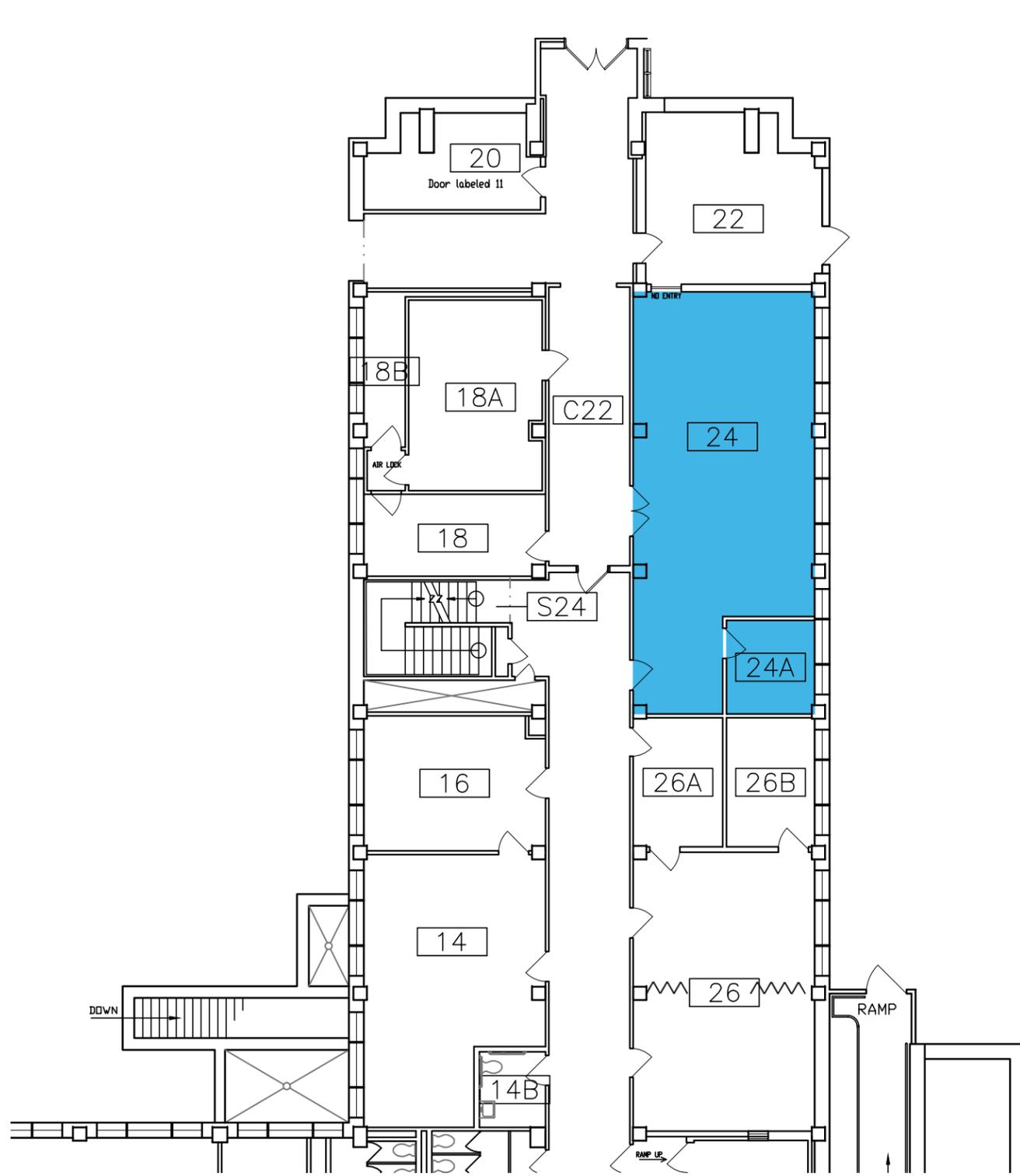
Location Campus Name	UniqueID	Owner (campus or affiliate)	PropertyType	StreetAddress	City	ZipCode	ParcelID	Building	SpaceType	Approximate Sqft Available (Total of 681399 sq)	Acres	Description - Floor(s), Wings or other space being considered	onCampus	Within1mileOfCampus	Longitude	Latitude	Note
UB South Campus	SU-138-1-B-0002-001-A	SUNY Buffalo	1	3435 Main St	Buffalo	14214	NA	Sherman Hall	C	5,374		Multiple on 2 floors	Yes	NA	-78.48542103	42.57092601	Lab
UB South Campus	SU-138-1-B-0024-001-A	SUNY Buffalo	1	3435 Main St	Buffalo	14214	NA	Sherman Annex	C	613		2 Rooms	Yes	NA	-78.48523586	42.57096975	Lab
UB South Campus	SU-138-1-B-0003-001-A	SUNY Buffalo	1	3435 Main St	Buffalo	14214	NA	Cary Hall	C	731		1 Suite of Rooms	Yes	NA	-78.48574487	42.57104804	Lab and office space.
UB South Campus	SU-138-1-B-0539-001-A	Affiliate	1	250 Cooper St	Tonawanda	14150	NA	Olmsted Center for Sight Cooper	B	10,737		First floor	Yes	NA	-78.54346359	42.59114276	Manufacturing Space
UB South Campus	SU-138-1-B-0544-001-A	Affiliate	1	485 Cayuga Rd.	Cheektowaga	14225	NA	NFTA	C	132,122		Various Suites within building	Yes	NA	-78.44302807	42.56381534	Manufacturing & Office Space
UB South Campus	SU-138-1-B-0040-001-A	SUNY Buffalo	1	3435 Main St	Buffalo	14214	NA	Biomedical Education Building (BEB)	C	1,890		Suite of 8 research labs	Yes	NA	-78.4858353	-78.4858353	Vivarium Facilities
UB North Campus	SU-138-1-B-A989-001-A	FNUB	1	1576 Sweet Home Rd	Amherst	14228	NA	Baird Research Park	A	29,811		Two floors	Yes	NA	-78.4801017051	43.0010224795	Lab and office space.
UB North Campus	SU-138-1-B-0542-001-A	Affiliate	1	25 Hazelwood Dr	Amherst	14228	NA	Olmsted Center for Sight 25 Hazelwood	B	2,363		Suite within building	Yes	NA	-78.48456927	43.01454559	Office Space
UB Downtown Campus	SU-138-1-B-0501-001-A	FNUB	1	672 Delaware Ave	Buffalo	14203	NA	JEDC Carriage House	C	5,844		Two floors of office and open-office spaces	Yes	NA	-78.52257244	42.5410286429	Office Space
UB Downtown Campus	SU-138-1-B-0503-001-A	SUNY Buffalo	1	701 Ellicott St	Buffalo	14203	NA	COE in Bioinformatics & Life Sciences	C	12,588		Various rooms spread over 4 floors	Yes	NA	-78.52028543	42.5352075384	Lab and office space.
UB Downtown Campus	SU-138-1-B-0507-001-A	FNUB	1	77 Goodell St	Buffalo	14203	NA	UB Gateway Building	B, C	58,148		6 floors (partial)	Yes	NA	-78.52060384	42.5340185094	Office space
UB Downtown Campus	SU-138-1-B-0510-001-A	Affiliate	1	847 Main Street	Buffalo	14203	NA	BMMC Innovation Center Annex	A	31,573		Whole Building	Yes	NA	-78.5212303	42.53506476	Lab, Office, and Manufacturing Space
UB Downtown Campus	SU-138-1-B-0511-001-A	Affiliate	1	73 High Street	Buffalo	14203	NA	73 High	B, C	17,361		3 Floors (partial)	Yes	NA	-78.51597807	42.53591873	Lab and office space.
UB Downtown Campus	SU-138-1-B-0514-001-A	FNUB	1	875 Ellicott Street	Buffalo	14203	NA	Jacob's Institute	C	9,859		5th Floor - Jacob's Institute	Yes	NA	-78.51581611	42.5405714609	Lab and office space.
UB Downtown Campus	SU-138-1-B-0514-002-A	FNUB	1	875 Ellicott Street	Buffalo	14203	NA	Clinical Translational Research Center	C	3,348		5th Floor	Yes	NA	-78.51581611	42.5405714609	Lab and office space.
UB Downtown Campus	SU-138-1-B-0514-003-A	FNUB	1	875 Ellicott Street	Buffalo	14203	NA	Clinical Translational Research Center	C	8,672		Various spaces on floors 6 and 8	Yes	NA	-78.51581611	42.5405714609	Lab and office space.
UB Downtown Campus	SU-138-1-B-0514-004-A	FNUB	1	875 Ellicott Street	Buffalo	14203	NA	STOR - Biosciences Incubator	C	3,569		5th Floor - STOR & Incubator	Yes	NA	-78.51581611	42.5405714609	Lab and office space.
UB Downtown Campus	SU-138-1-B-0521-001-A	Affiliate	1	640 Ellicott Street	Buffalo	14203	NA	BMMC Innovation Center	C	80,931		Various spaces on multiple floors	Yes	NA	-78.5208243549	42.5345928272	Office, Wet Lab & Manufacturing Space
UB Downtown Campus	SU-138-1-B-0521-002-A	Affiliate	1	640 Ellicott Street	Buffalo	14203	NA	Z80 Labs	C	3,774		1st floor space	Yes	NA	-78.5208243549	42.5345928272	Office Space
UB Downtown Campus	SU-138-1-B-0521-003-A	Affiliate	1	640 Ellicott Street	Buffalo	14203	NA	43North	C	2,546		1st floor space	Yes	NA	-78.5208243549	42.5345928272	Office Space
UB Downtown Campus	SU-138-1-B-0537-001-A	Affiliate	1	700 Ellicott St	Buffalo	14203	NA	Hauptman Woodward Institute	B, C	22,805		3rd floor	Yes	NA	-78.5207068922	42.5351062322	Lab and office space.
UB Downtown Campus	SU-138-1-B-0536-001-A	Affiliate	1	645 Virginia St	Buffalo	14203	NA	RPCI Center for Genetics & Pharmacology	C	1,949		Various rooms on a single floor	Yes	NA	-78.5200046388	42.5350778636	Lab and office space.
UB Downtown Campus	SU-138-1-B-0535-001-A	Affiliate	1	1170 Main St	Buffalo	14209	NA	Olmsted Center for Sight 1170	B, C	24,719		Multiple floors	Yes	NA	-78.52061741	42.54191176	Office and Manufacturing Space
UB Downtown Campus	SU-138-1-B-0534-001-A	Affiliate	1	1160 Main St	Buffalo	14209	NA	Olmsted Center for Sight 1160	B, C	3,209		Multiple floors	Yes	NA	-78.52059439	42.54197784	Office Space
UB Downtown Campus	SU-138-1-B-0543-001-A	Affiliate	1	403 Main St	Buffalo	14203	NA	Brisbane Building	B	6,801		Second floor (partial)	Yes	NA	-78.52264072	42.53059647	Office Space
Off Campus	SU-138-2-B-0532-001-A	Private	2	199 Scott St	Buffalo	14204	NA	Fairmont Creamery Building	G	27,324		2 Floors	No	Yes	-78.52094521	42.52322359	Office Space
Off Campus	SU-138-2-B-0533-001-A	Private	2	425 Michigan St	Buffalo	14203	NA	Compass East	G	26,880		2 Full Floors & 2 Suites in Basement	No	Yes	-78.51571285	42.53002664	Manufacturing Space
Off Campus	SU-138-2-B-0547-001-A	Private	2	385 Crosspoint Pkwy	Amherst	14068	NA	CrossPoint	G	16,452		Suite 104	No	This property is 3 miles from UB's North Campus and we therefore are requesting a waiver of the 1 mile rule	-78.4451472	43.02305961	Manufacturing Space
UB Downtown Campus	SU-138-1-B-8075-001-A	Affiliate	1	665 Elm St	Buffalo	14203	NA	RPCI Grace Cancer Drug Center	C	1,057		Labs	Yes	NA	-78.51501761	42.53563912	Lab Space
UB Downtown Campus	SU-138-1-B-8064-001-A	Affiliate	1	665 Elm St	Buffalo	14203	NA	RPCI Carlton House	C	821		Office space on second floor	Yes	NA	-78.52008366	42.53561002	Office Space
UB Downtown Campus	SU-138-1-B-0548-001-A	Affiliate	1	960 Ellicott St	Buffalo	14209	NA	960 Ellicott	A	125,578		Whole building	Yes	NA	-78.51596615	42.54180338	Manufacturing, warehouse & lab space

START-UP NY

UB DESIGNATED SPACES

SHERMAN HALL

SU-138-1-B-0002-001-A
GROUND FLOOR



Ground Floor Plan

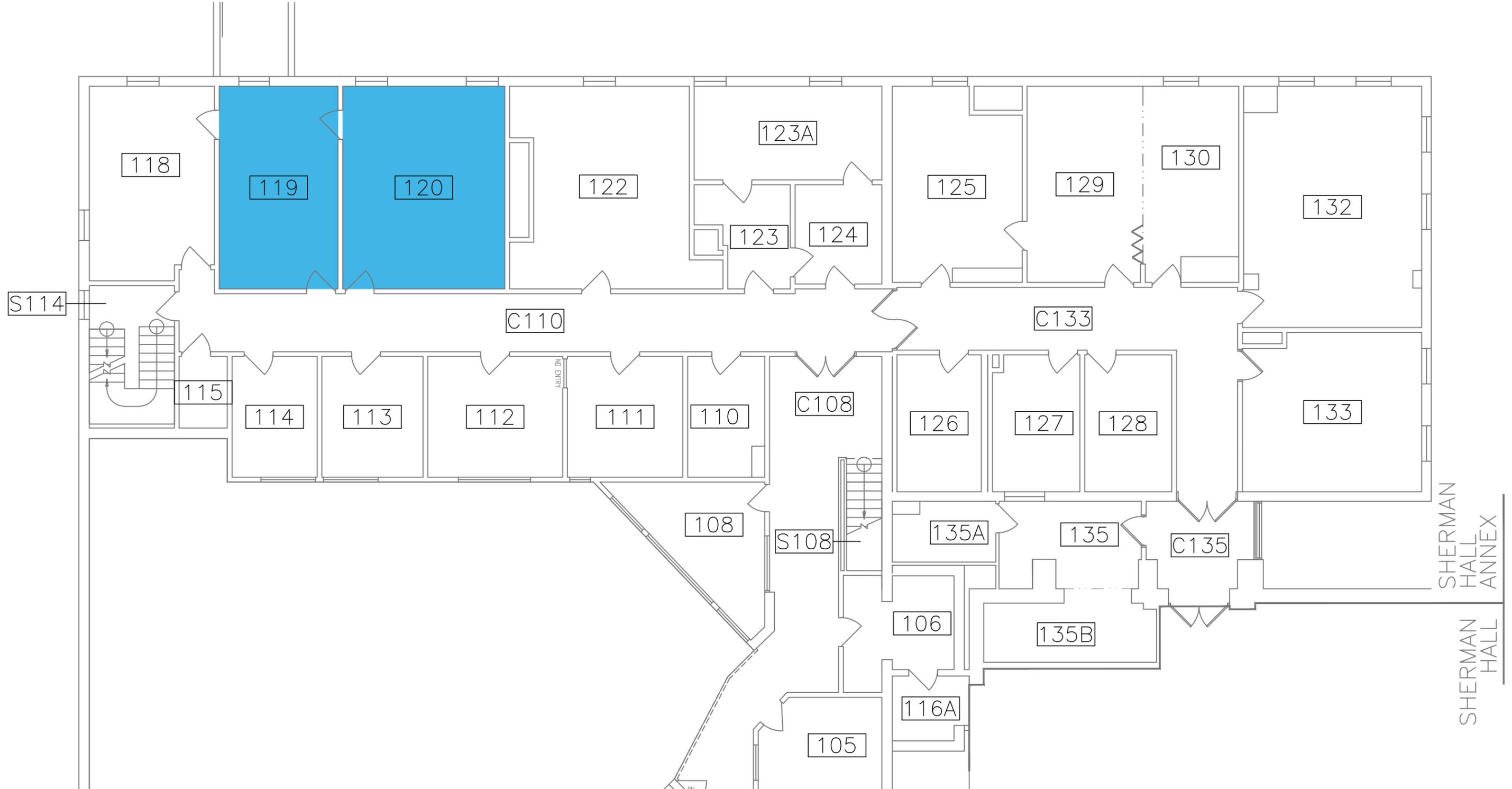
StartUp NY			
	AREA	QTY	
	StartUp - Designated	2,349	6
	NSF TOTAL:	2,349	6
	GSF TOTAL:	17,701	

START-UP NY

UB DESIGNATED SPACES

SHERMAN ANNEX

SU-138-1-B-002A-001-A
1ST FLOOR



1st Floor Plan

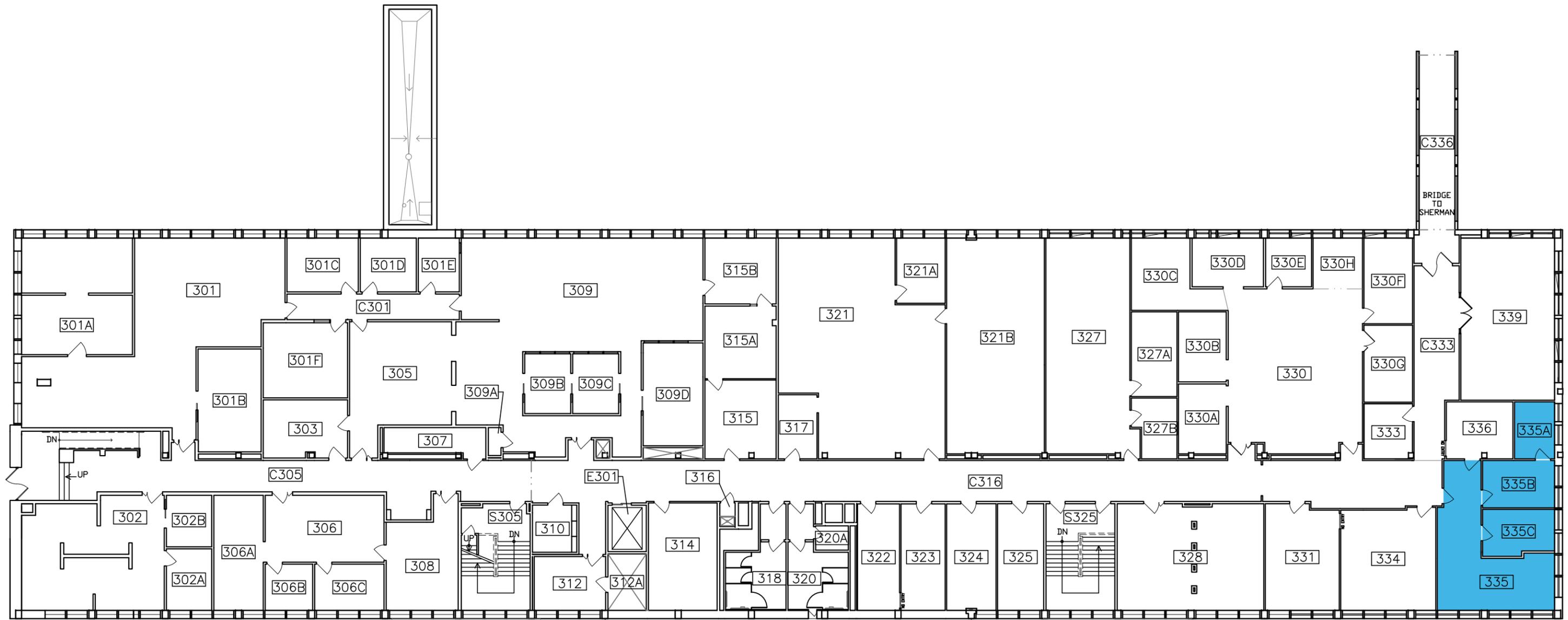
StartUp NY			
	AREA	QTY	
 StartUp - Designated	613	2	
NSF TOTAL:	613	2	
GSF TOTAL:	8,378		

START-UP NY

UB DESIGNATED SPACES

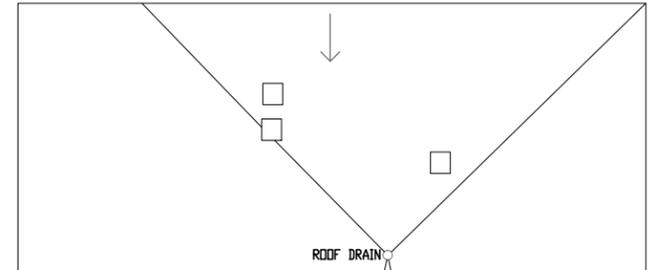
CARY HALL

SU-138-1-B-0003-001-A
3RD FLOOR



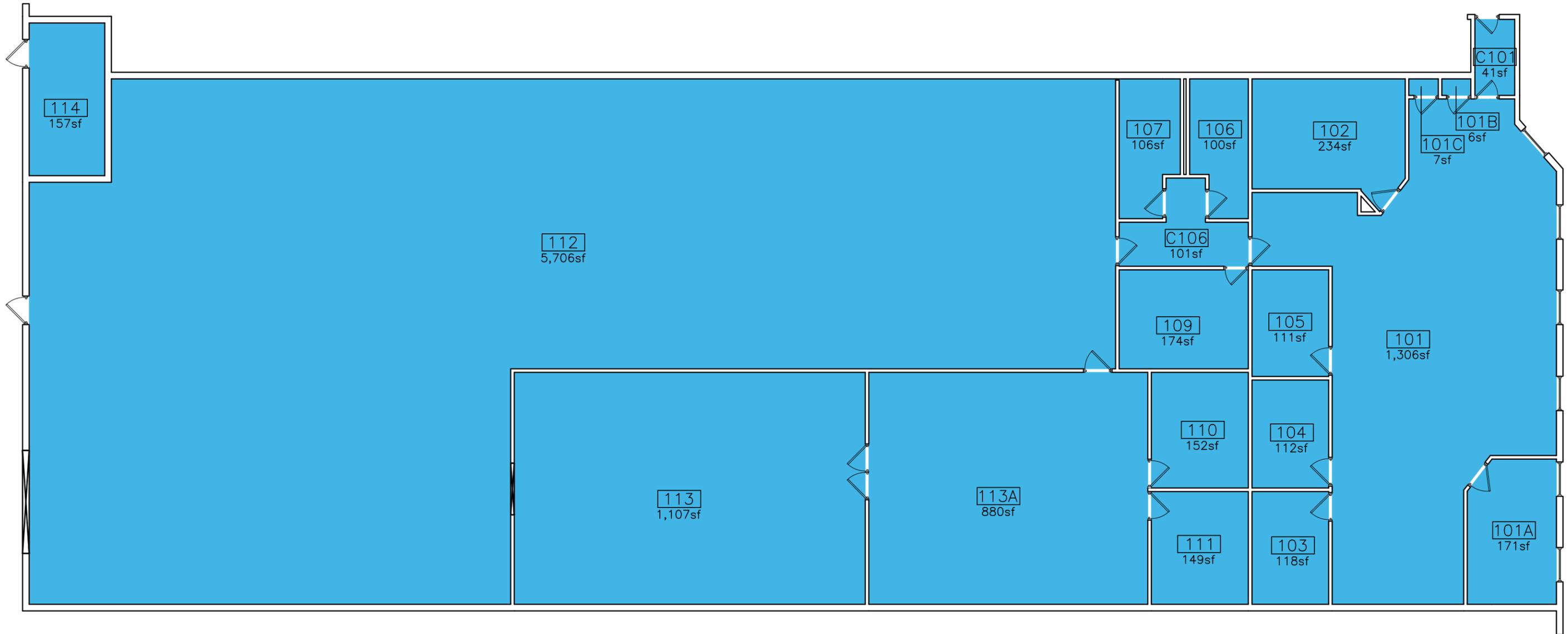
ROOF PLAN - SEE
2ND FLOOR FOR
ROOFING DETAILS

ROOF PLAN - SEE
2ND FLOOR FOR
ROOFING DETAILS



StartUp NY			
	AREA	QTY	
	StartUp - Designated	731	4
	NSF TOTAL:	731	4
	GSF TOTAL:	23,563	

3rd Floor Plan



1st Floor Plan (Suite 106)

StartUp NY			
		AREA	QTY
	StartUp - Designated	10,737	19
	NSF TOTAL:	10,737	19
	GSF TOTAL:	11,345	

START-UP NY

UB DESIGNATED SPACES (AMENDED)

NIAGARA FRONTIER TRANSPORTATION AUTHORITY

SU-138-1-B-0544-001-A
1ST FLOOR



1st Floor Plan

StartUp NY			
		AREA	QTY
	StartUp - Amended	9,451	10
	StartUp - Designated	53,977	88
	NSF TOTAL:	63,428	98
	GSF TOTAL:	0	0

START-UP NY

UB DESIGNATED SPACES (AMENDED)

NIAGARA FRONTIER TRANSPORTATION AUTHORITY

SU-138-1-B-0544-001-A
2ND FLOOR



2nd Floor Plan

StartUp NY			
		AREA	QTY
	StartUp - Amended	11,679	24
	StartUp - Designated	57,015	229
	NSF TOTAL:	68,694	253
	GSF TOTAL:	103,793	

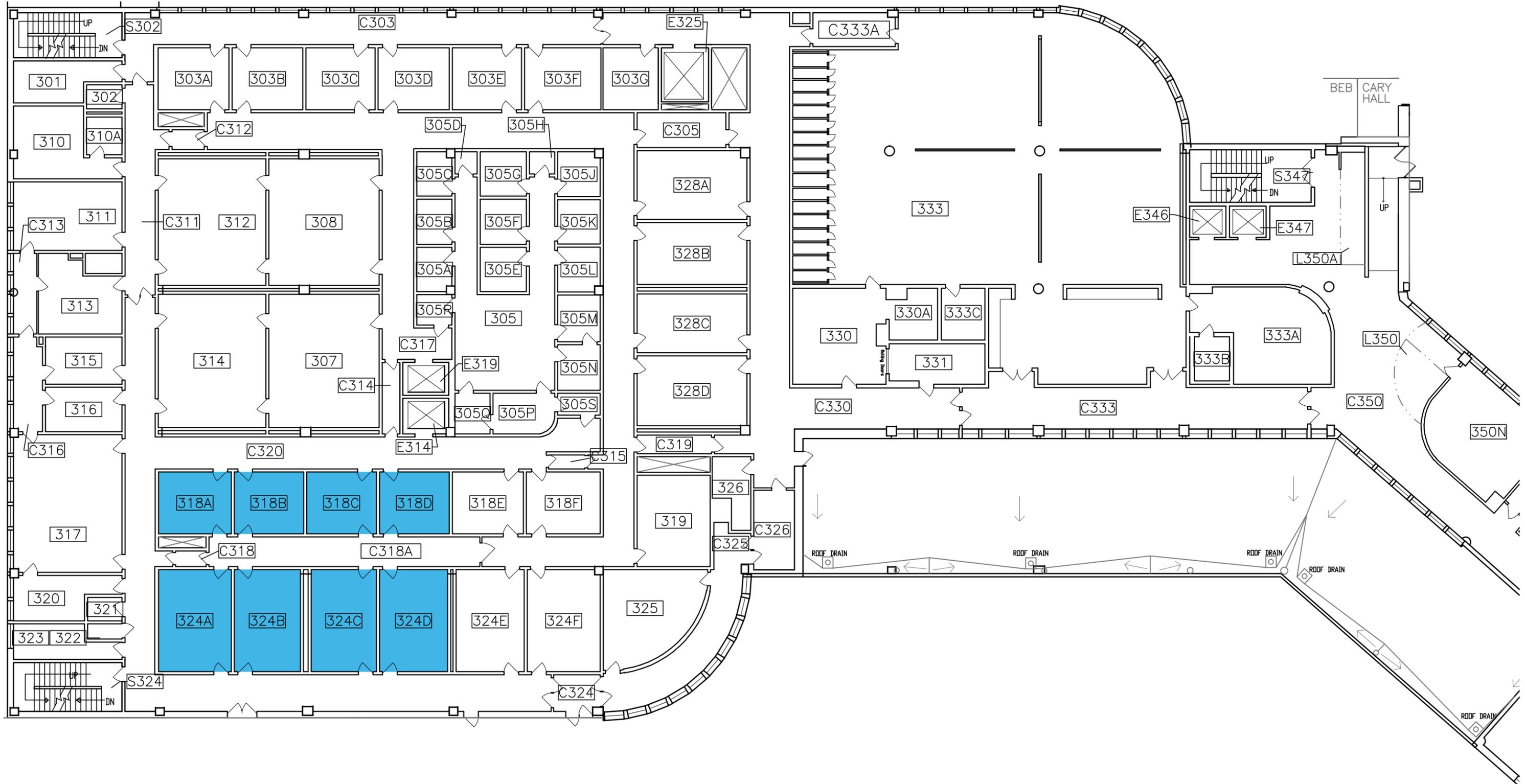
START-UP NY

UB DESIGNATED SPACES

BIOMEDICAL EDUCATION BUILDING

SU-138-1-B-0040-001-A

3RD FLOOR



3rd Floor Plan

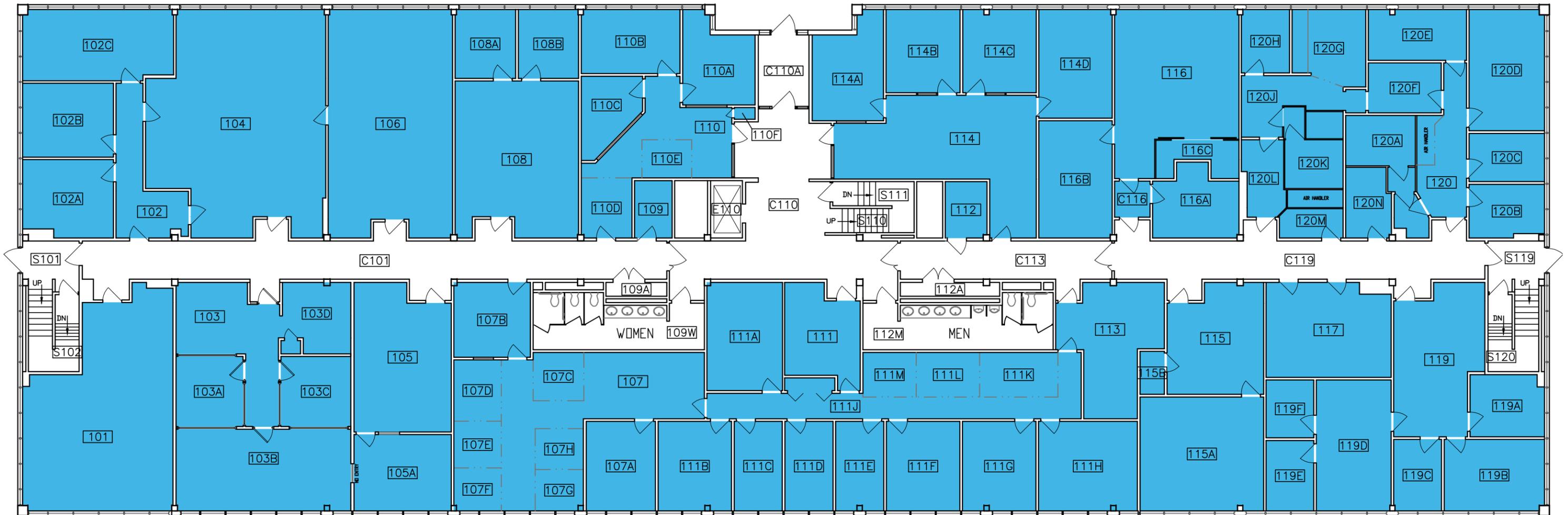
StartUp NY		
	AREA	QTY
 StartUp - Designated	1,890	8
NSF TOTAL:	1,890	8
GSF TOTAL:	44,610	

START-UP NY

UB DESIGNATED SPACES

BAIRD RESEARCH PARK

SU-138-1-B-A989-001-A
1ST FLOOR



1st Floor Plan

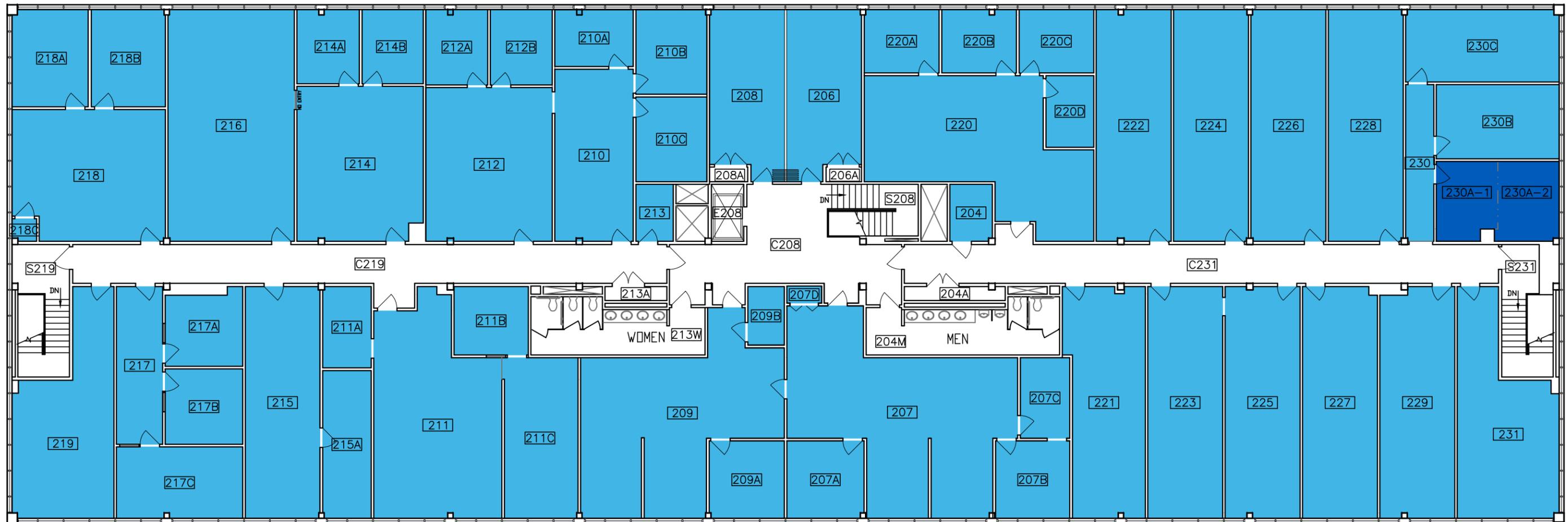
StartUp NY		
	AREA	QTY
 StartUp - Designated	14,623	84
NSF TOTAL:	14,623	84
GSF TOTAL:	19,304	

START-UP NY

UB DESIGNATED SPACES (AMENDED)

BAIRD RESEARCH PARK

SU-138-1-B-A989-001-A
2ND FLOOR



StartUp NY			
		AREA	QTY
	StartUp - Amended	232	2
	StartUp - Designated	14,956	56
	NSF TOTAL:	15,188	58
	GSF TOTAL:	19,390	

2nd Floor Plan

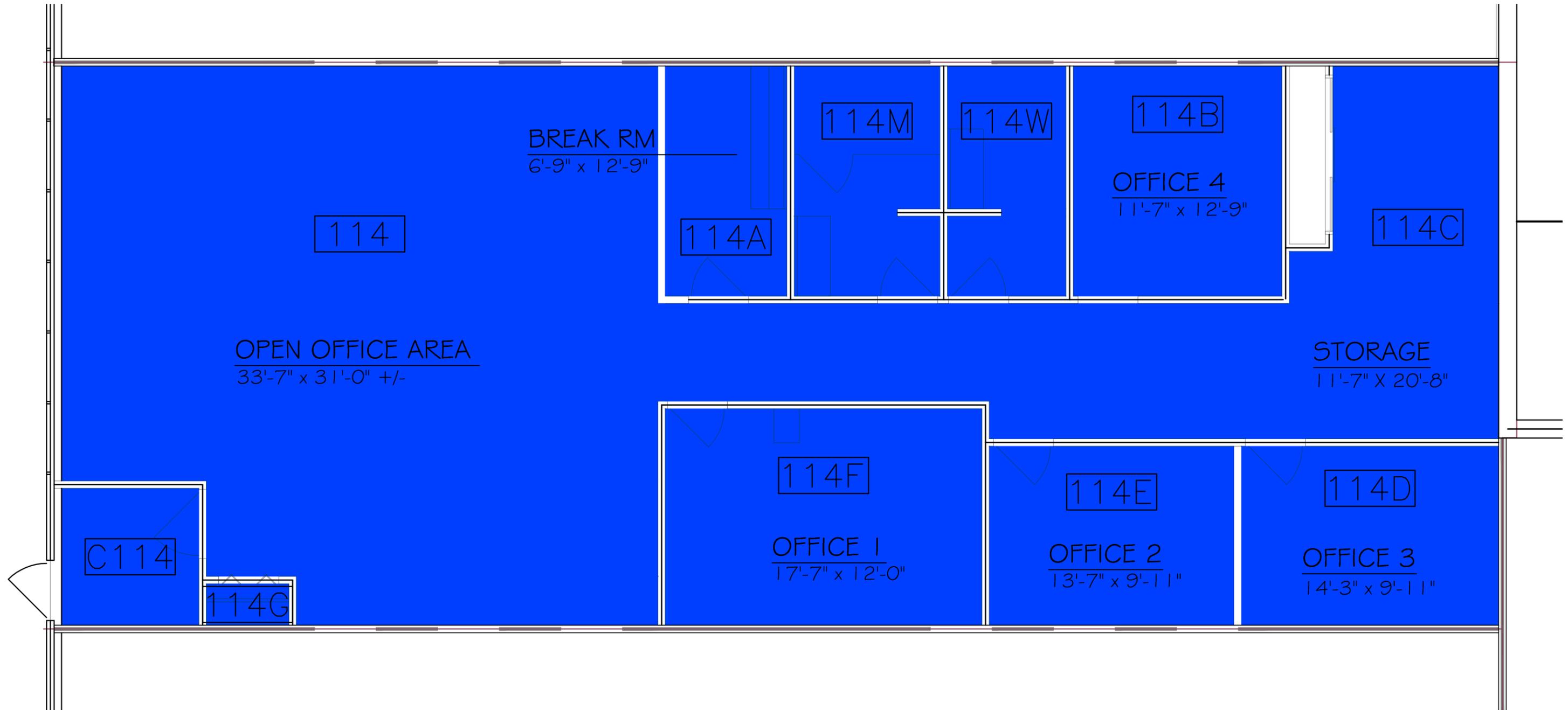
START-UP NY

UB DESIGNATED SPACES (AMENDED)

OLMSTED CENTER FOR SIGHT - HAZELWOOD

SU-138-1-B-0542-001-A

1ST FLOOR



25 Hazelwood Dr. - 1st Floor Plan (Suite 114)

StartUp NY			
		AREA	QTY
	StartUp - Amended	2,363	11
	NSF TOTAL:	2,363	11
	GSF TOTAL:	0	

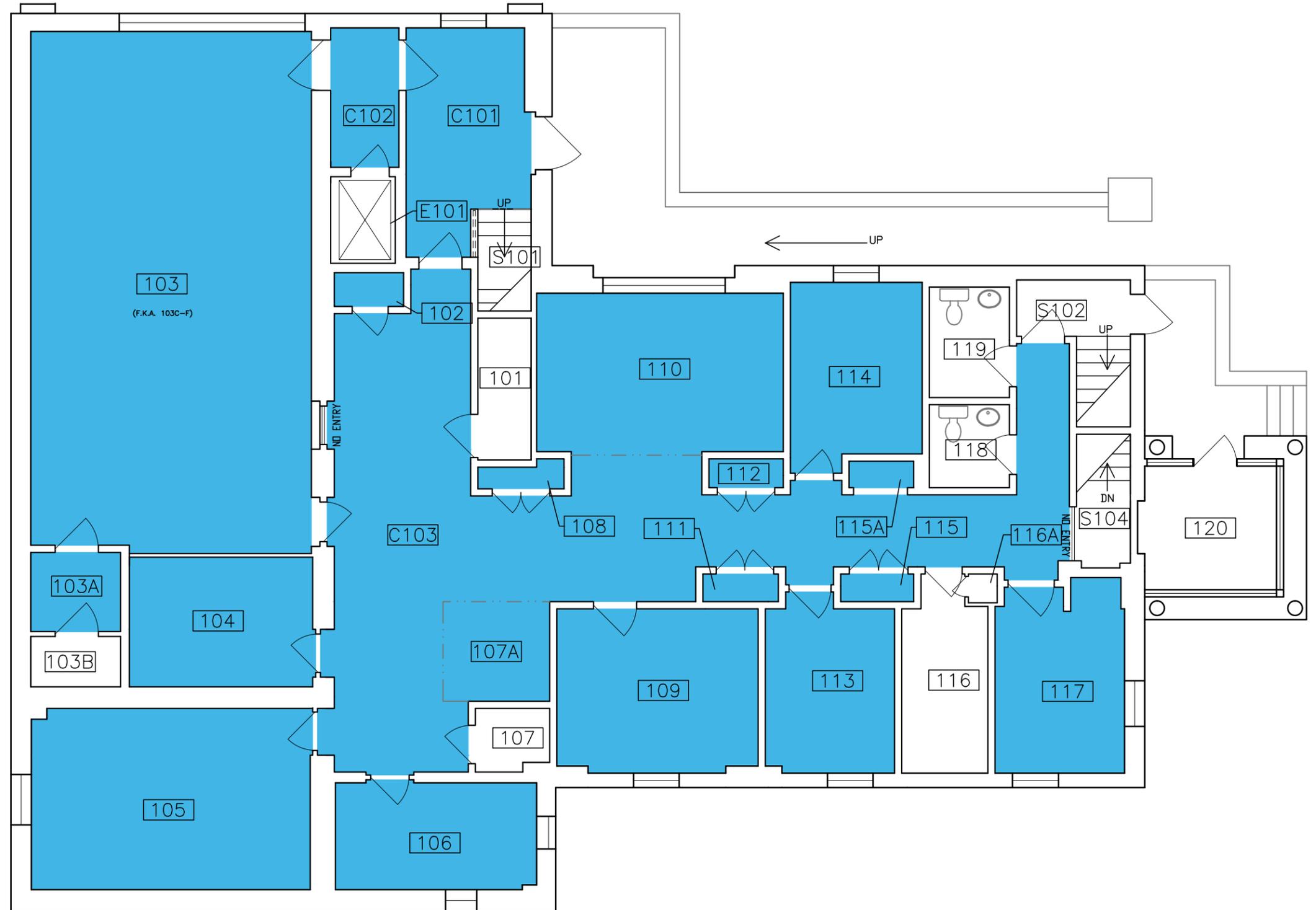
START-UP NY

UB DESIGNATED SPACES

JEDC CARRIAGE HOUSE

SU-138-1-B-0501-001-A
1ST FLOOR

StartUp NY		
	StartUp -- Designated	AREA QTY 2,799 20
	NSF TOTAL:	2,799 20
	GSF TOTAL:	3,930



1st Floor Plan

START-UP NY

UB DESIGNATED SPACES

JEDC CARRIAGE HOUSE

SU-138-1-B-0501-001-A
2ND FLOOR

StartUp NY		
	AREA	QTY
 StartUp - Designated	3,045	18
NSF TOTAL:	3,045	18
GSF TOTAL:	3,957	



2nd Floor Plan

START-UP NY

UB DESIGNATED SPACES

C.O.E. IN BIOINFORMATICS & LIFE SCIENCES

SU-138-1-B-0503-001-A
1ST FLOOR

StartUp NY		
	StartUp - Designated	AREA QTY
		2,090 17
	NSF TOTAL:	2,090 17
	GSF TOTAL:	27,900



1st Floor Plan

START-UP NY

UB DESIGNATED SPACES (AMENDED)

C.O.E. IN BIOINFORMATICS & LIFE SCIENCES

SU-138-1-B-0503-001-A
2ND FLOOR

StartUp NY		
	StartUp - Amended	AREA: 937, QTY: 8
	StartUp - Designated	2,830, 27
NSF TOTAL:		3,768, 35
GSF TOTAL:		27,373



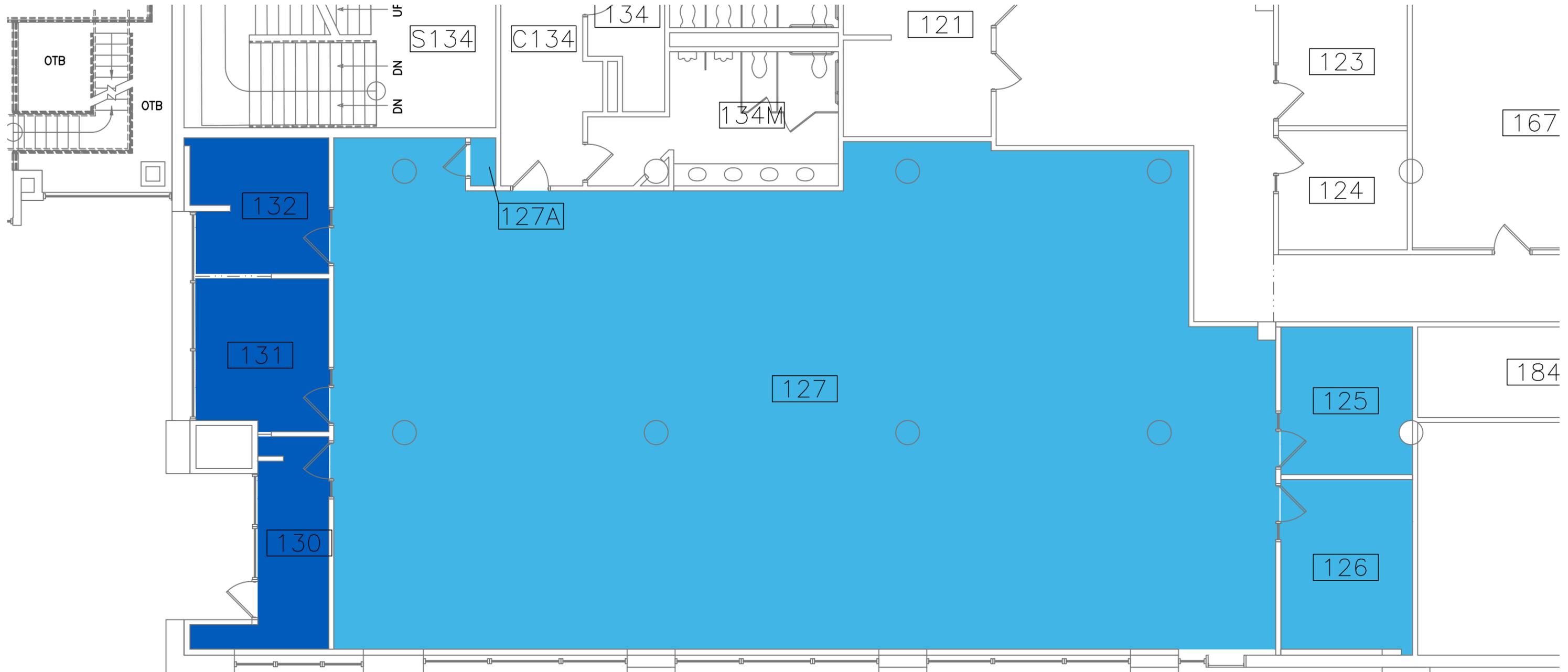
2nd Floor Plan

START-UP NY

UB DESIGNATED SPACES (AMENDED)

UB GATEWAY BUILDING

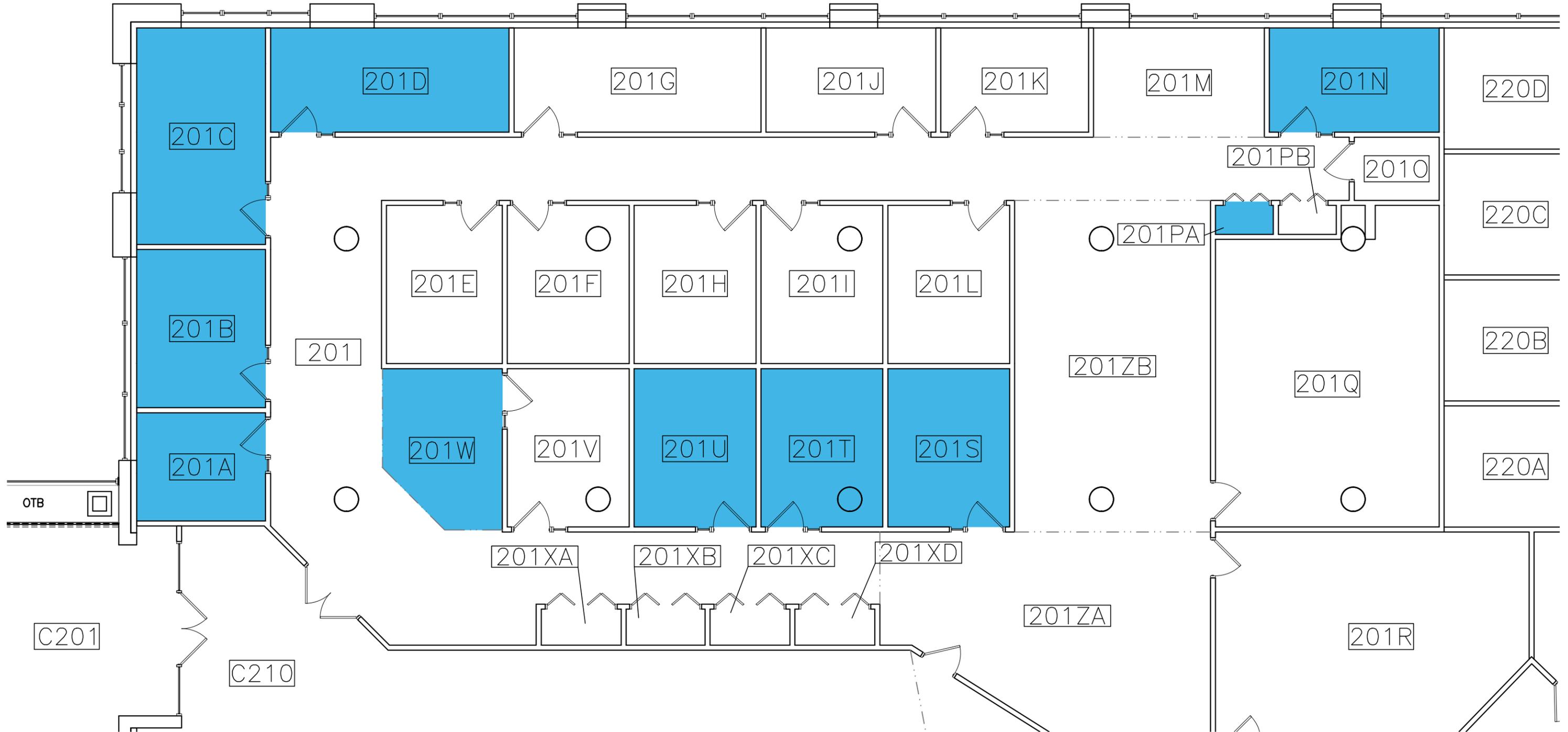
SU-138-1-B-0507-001-A
1ST FLOOR



1st Floor Plan

N
N.T.S. | 21 JULY 2016

StartUp NY			
		AREA	QTY
	StartUp - Amended	380	3
	StartUp - Designated	3,373	4
	NSF TOTAL:	3,753	7
	GSF TOTAL:	29,695	



2nd Floor Plan

StartUp NY		
	AREA	QTY
 StartUp - Designated	1,263	10
NSF TOTAL:	1,263	10
GSF TOTAL:	29,100	

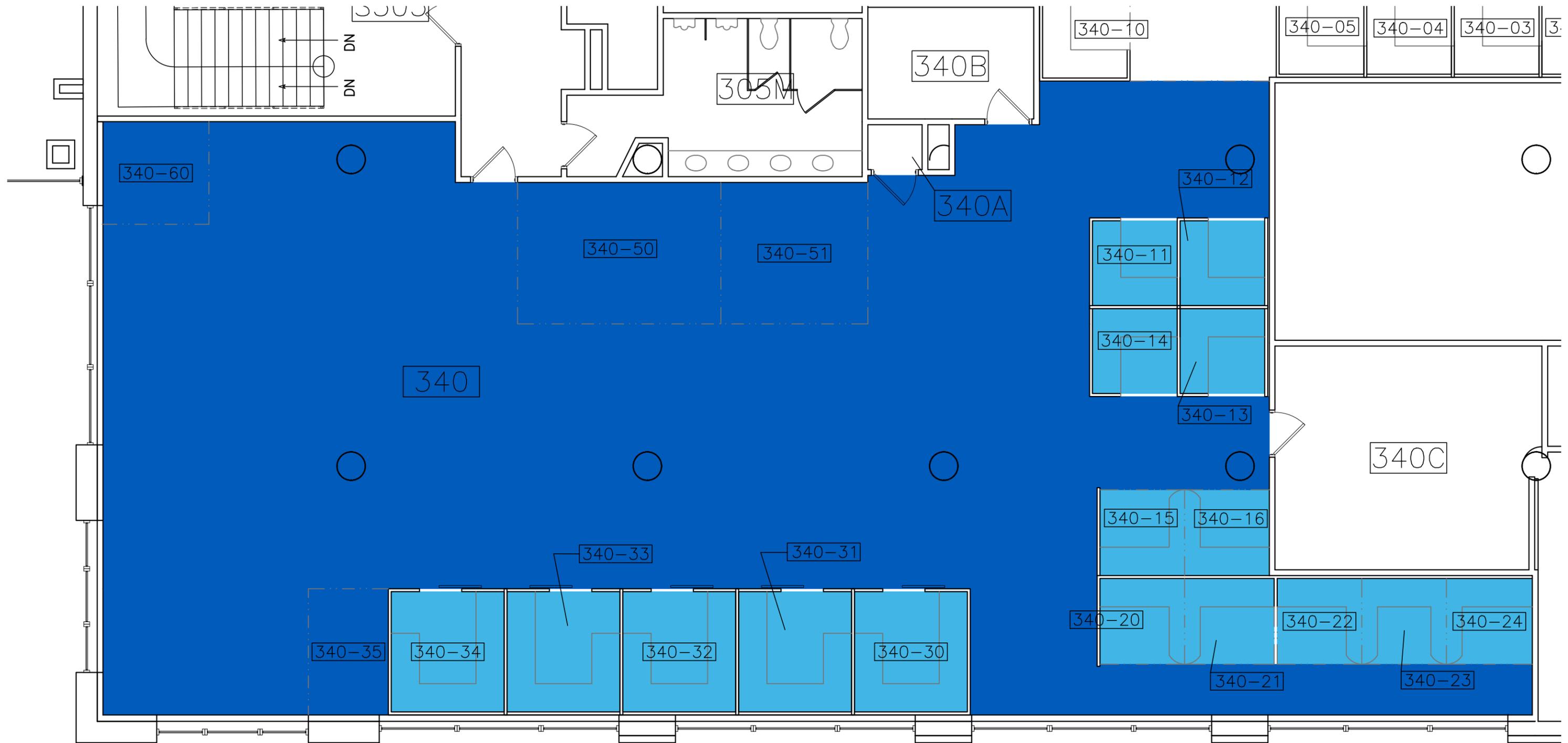
START-UP NY

UB DESIGNATED SPACES (AMENDED)

UB GATEWAY BUILDING

SU-138-1-B-0507-001-A

3RD FLOOR



3rd Floor Plan

StartUp NY			
		AREA	QTY
	StartUp - Amended	2,749	5
	StartUp - Designated	741	16
	NSF TOTAL:	3,490	21
	GSF TOTAL:	30,062	

N
N.T.S. | 21 JULY 2016

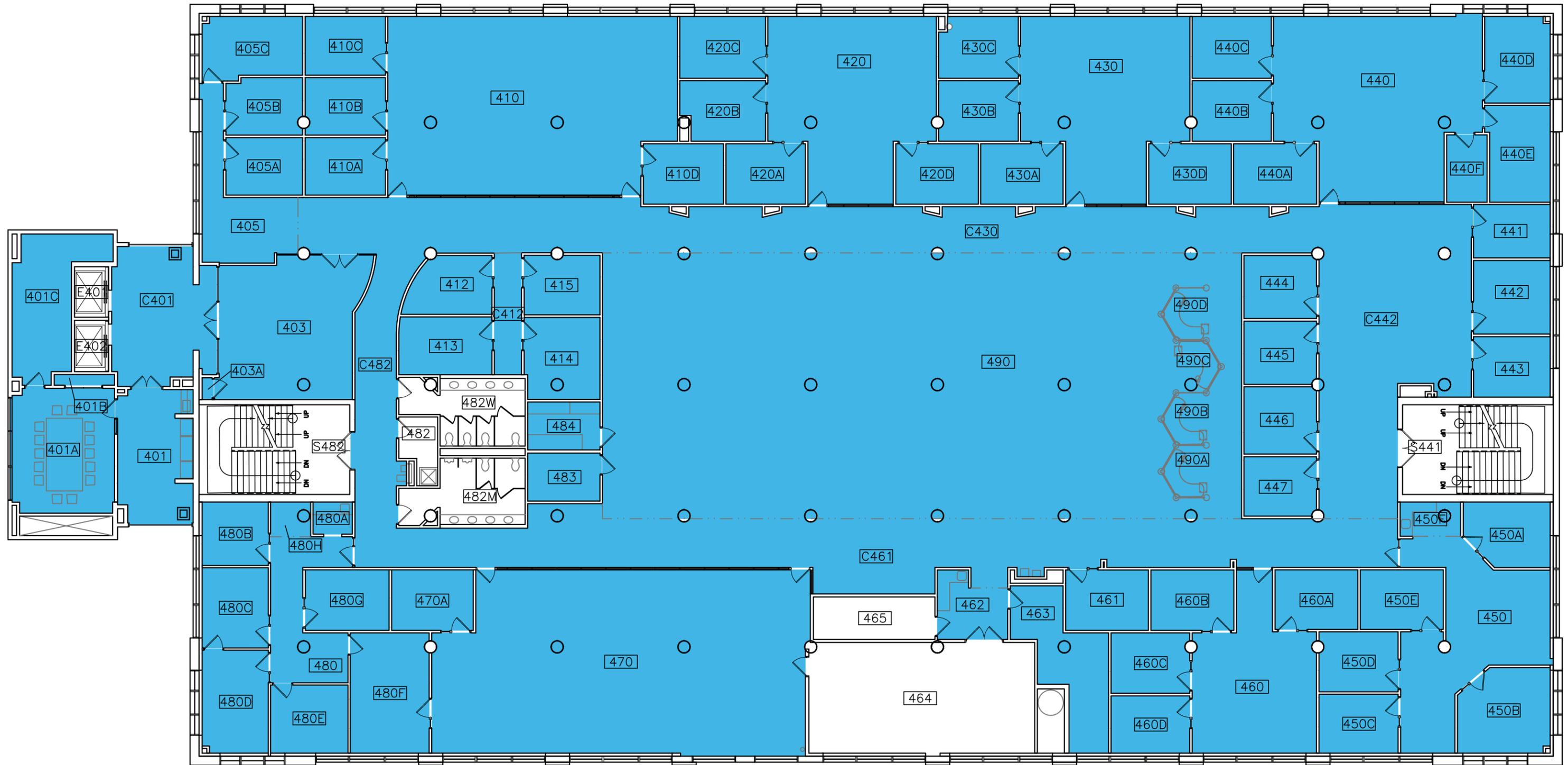
START-UP NY

UB DESIGNATED SPACES

UB GATEWAY BUILDING

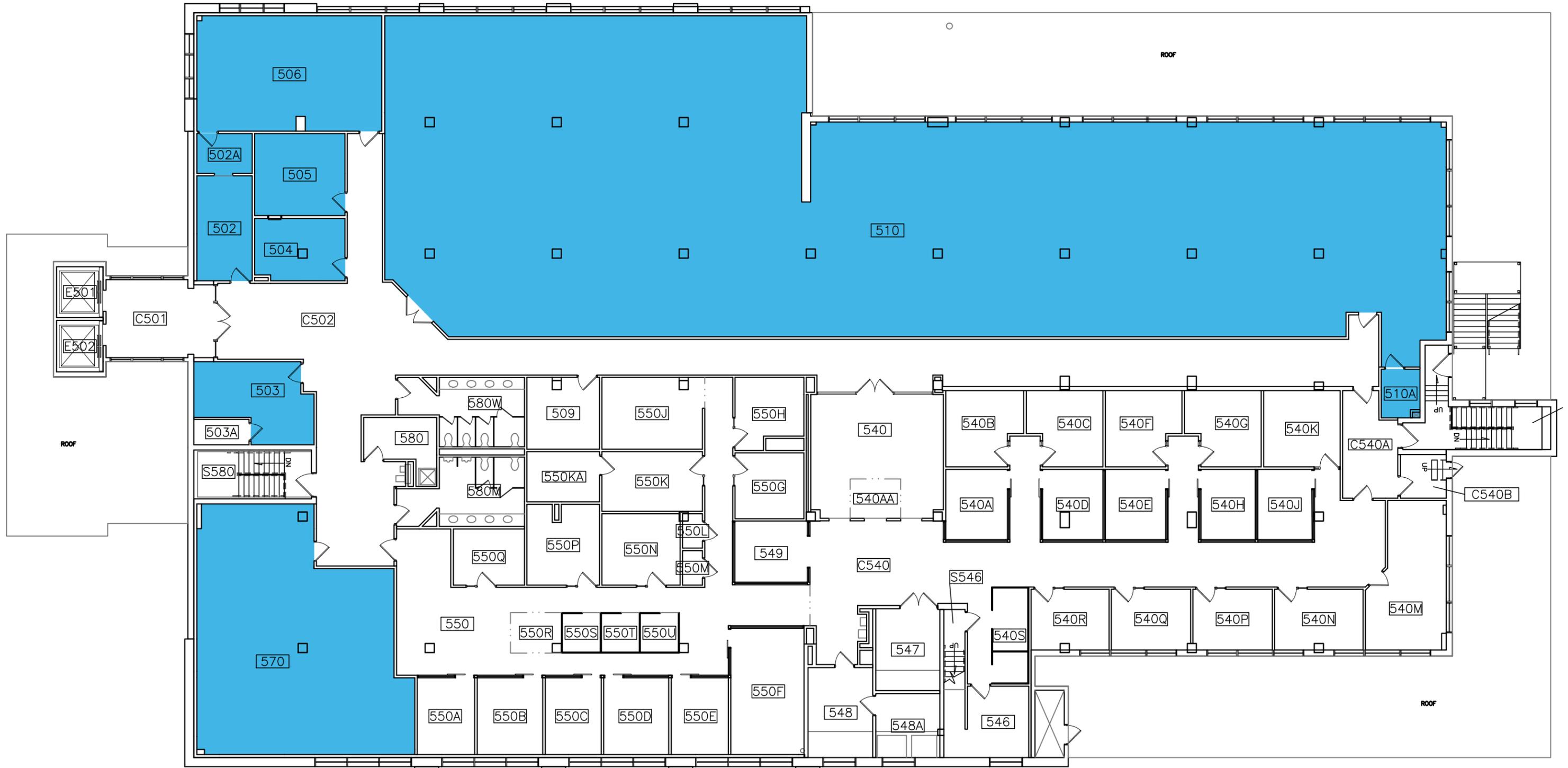
SU-138-1-B-0507-001-A

4TH FLOOR



4th Floor Plan

StartUp NY		
	AREA	QTY
 StartUp - Designated	25,214	82
NSF TOTAL:	25,214	82
GSF TOTAL:	30,062	



5th Floor Plan

StartUp NY			
	AREA	QTY	
 StartUp - Designated	10,028	9	
NSF TOTAL:	10,028	9	
GSF TOTAL:	23,677		

START-UP NY

UB DESIGNATED SPACES (AMENDED)

UB GATEWAY BUILDING

SU-138-1-B-0507-001-7
BASEMENT



Basement Floor Plan

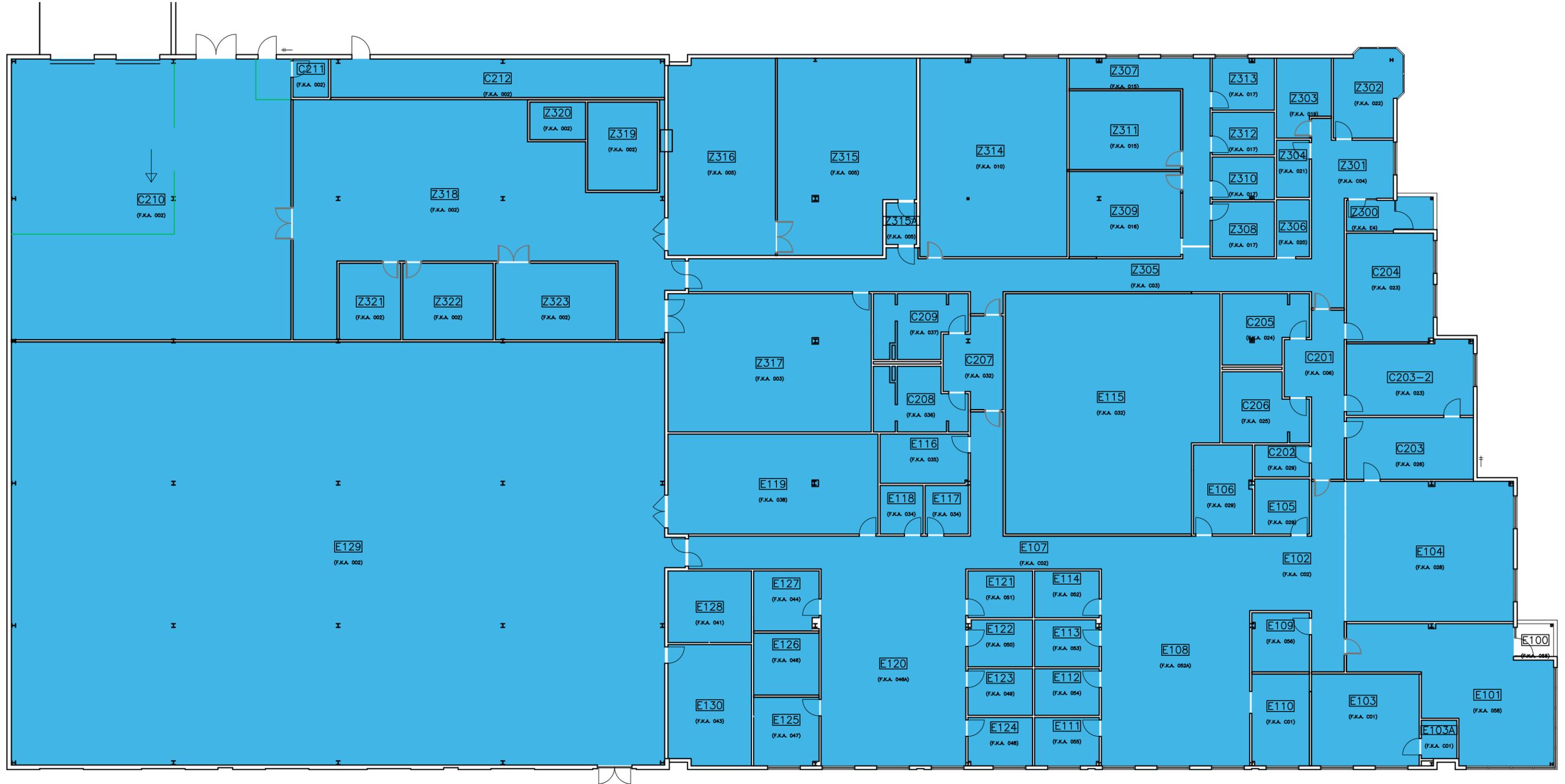
StartUp NY			
		AREA	QTY
	StartUp - Amended	2,470	1
	StartUp - Designated	11,930	18
	NSF TOTAL:	14,400	19
	GSF TOTAL:	29,976	

START-UP NY

UB DESIGNATED SPACES

847 MAIN STREET

SU-138-1-B-0510-001-A
1ST FLOOR



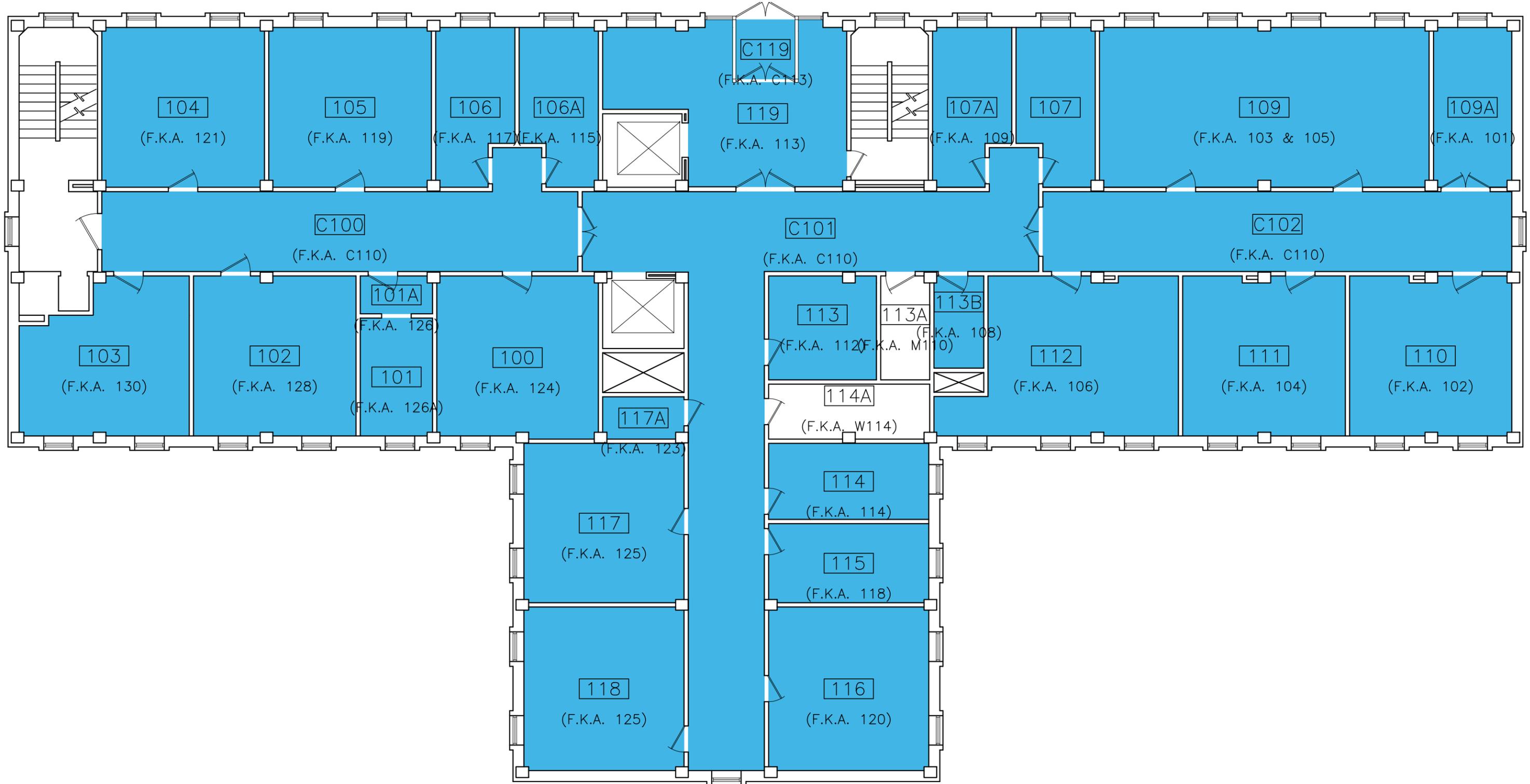
1st Floor Plan

StartUp NY			
		AREA	QTY
	StartUp - Designated	33,573	69
	NSF TOTAL:	33,573	69
	GSF TOTAL:	0	

START-UP NY

UB DESIGNATED SPACES

73 HIGH ST
 SU-138-1-B-0511-001-A
 1ST FLOOR



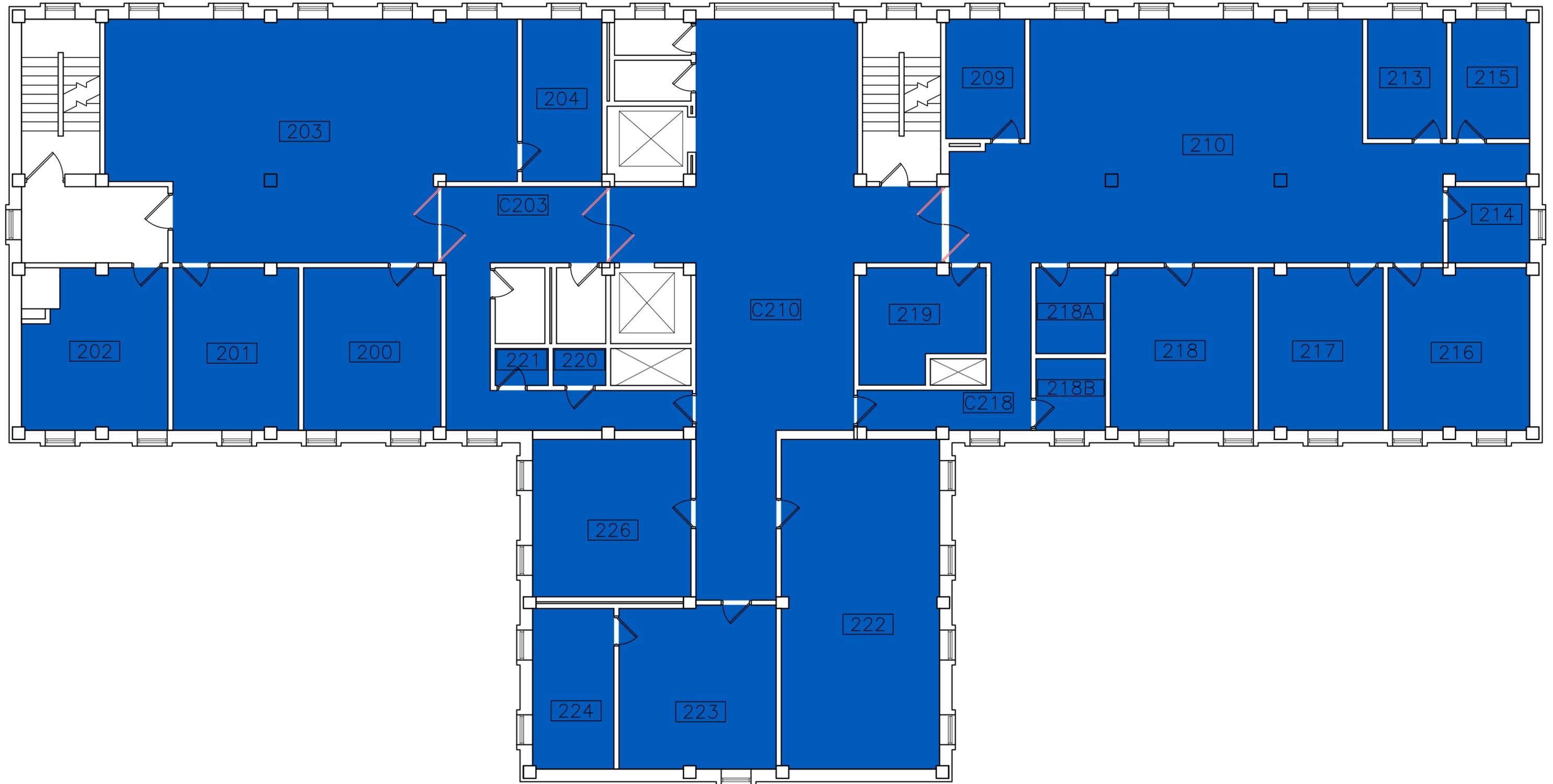
First Floor Plan

StartUp NY		
	AREA	QTY
 StartUp - Designated	6,568	29
NSF TOTAL:	6,568	29
GSF TOTAL:	0	

START-UP NY

UB DESIGNATED SPACES (AMENDED)

73 HIGH ST
 SU-138-1-B-0511-001-A
 2ND FLOOR



2nd Floor Plan

StartUp NY		
	AREA	QTY
 StartUp - Amended	6,441	25
NSF TOTAL:	6,441	25
GSF TOTAL:	0	

START-UP NY

UB DESIGNATED SPACES

73 HIGH ST
 SU-138-1-B-0511-001-A
 3RD FLOOR



3rd Floor Plan

StartUp NY			
		AREA	QTY
	StartUp - Designated	1,477	11
	NSF TOTAL:	1,477	11
	GSF TOTAL:	0	

START-UP NY

UB DESIGNATED SPACES

73 HIGH ST
 SU-138-1-B-0511-001-A
 GROUND FLOOR



Ground Floor Plan

StartUp NY		
	AREA	QTY
 StartUp - Designated	2,875	21
NSF TOTAL:	2,875	21
GSF TOTAL:	0	

START-UP NY

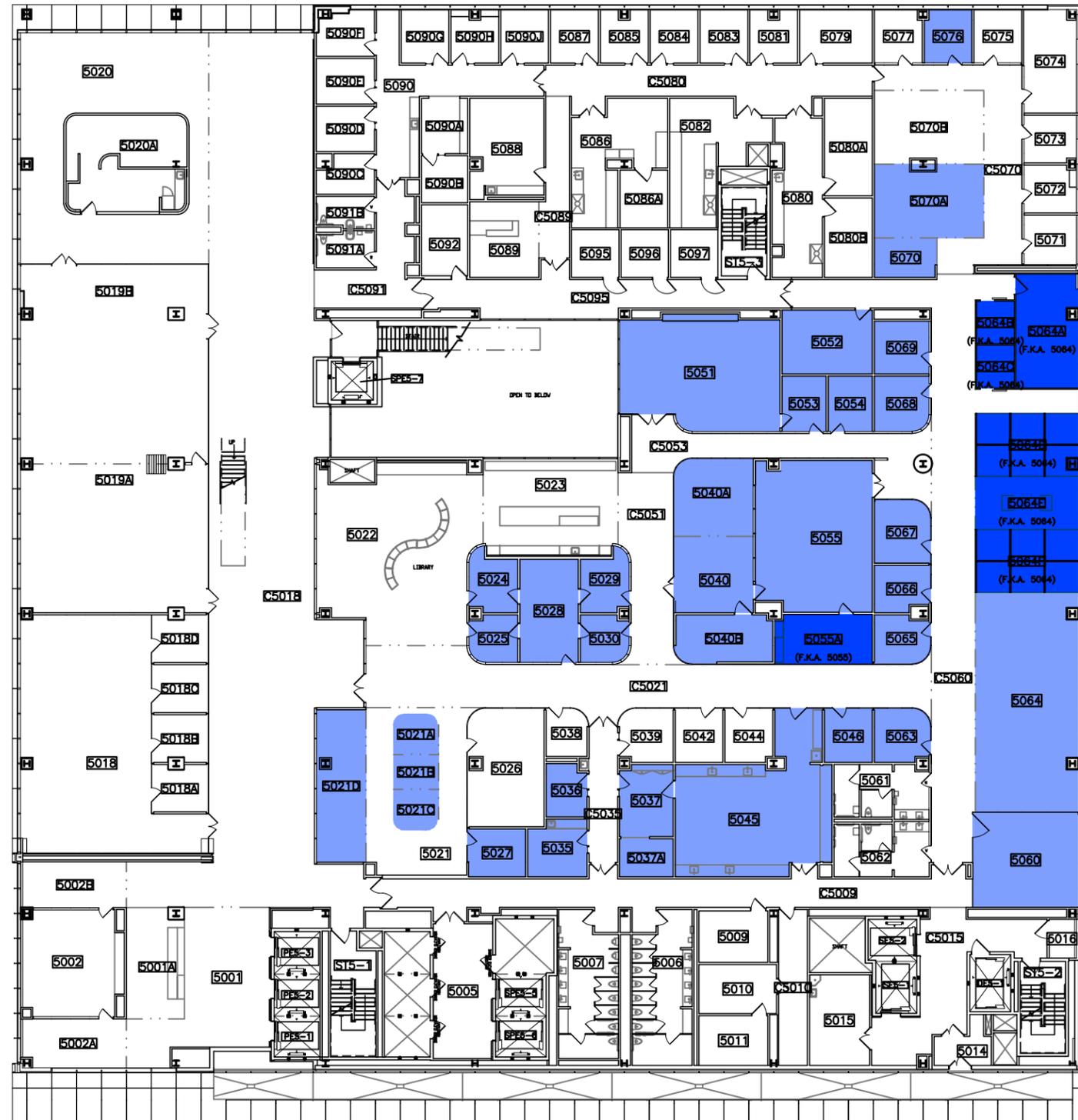
UB DESIGNATED SPACES

JACOB'S INSTITUTE

SU-138-1-B-0514-001-A

5TH FLOOR

StartUp NY		
	AREA	QTY
 StartUp - Amended	1,485	7
 StartUp - Designated	8,374	35
NSF TOTAL:	9,859	42
GSF TOTAL:	49,463	



Jacob's Institute - CTRC 5th Floor Plan

START-UP NY

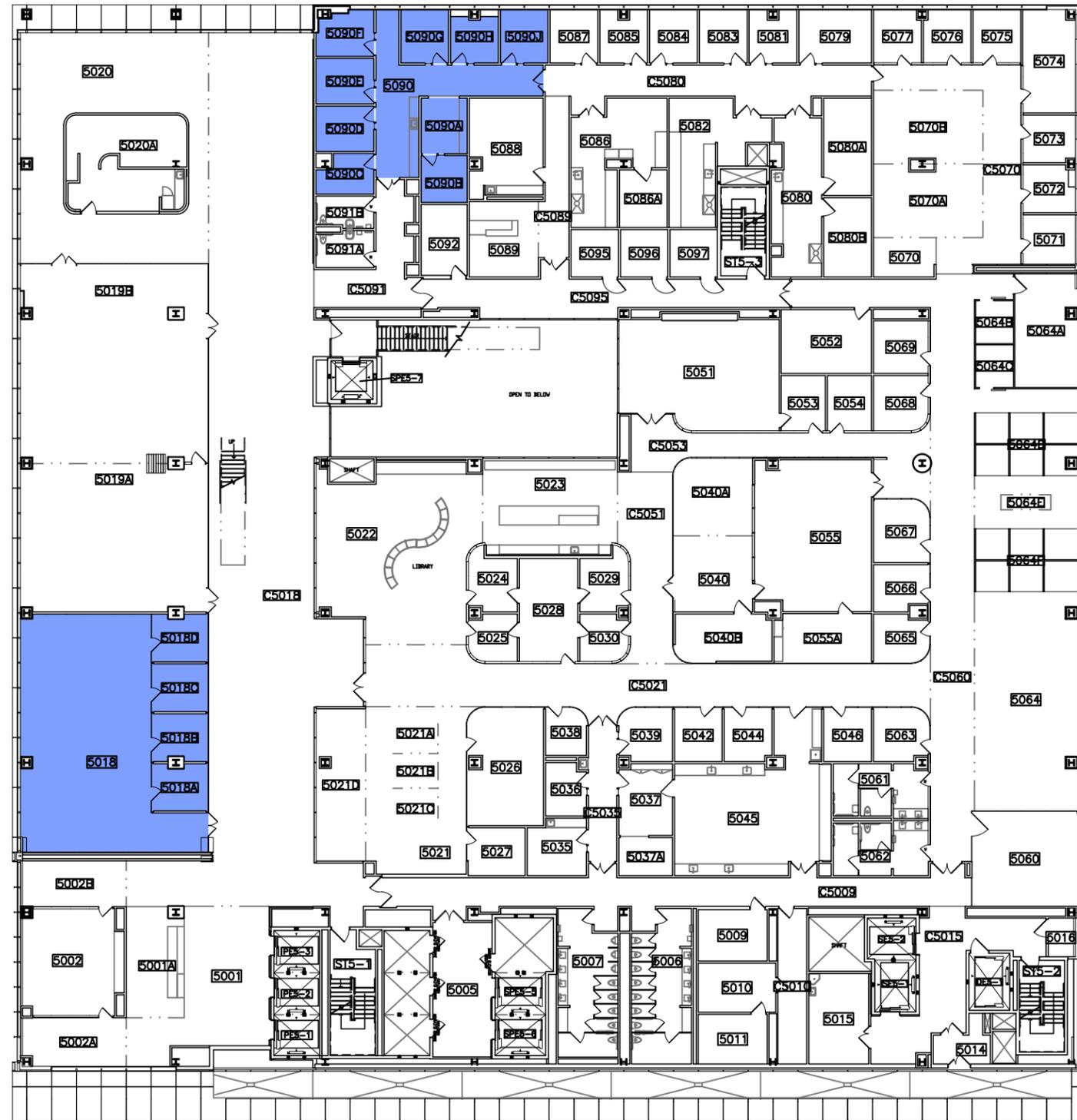
UB DESIGNATED SPACES

CLINICAL TRANSLATIONAL RESEARCH CENTER

SU-138-1-B-0514-002-A

5TH FLOOR

StartUp NY		
	AREA	QTY
 StartUp - Designated	3,348	15
NSF TOTAL:	3,348	15
GSF TOTAL:	49,463	



5th Floor Plan

START-UP NY

UB DESIGNATED SPACES

CLINICAL TRANSLATIONAL RES. CENTER

SU-138-1-B-0514-003-A

6TH FLOOR

StartUp NY			
 StartUp - Designated	AREA	QTY	
	6,771	34	
NSF TOTAL:	6,771	34	
GSF TOTAL:	47,322		



6th Floor Plan

START-UP NY

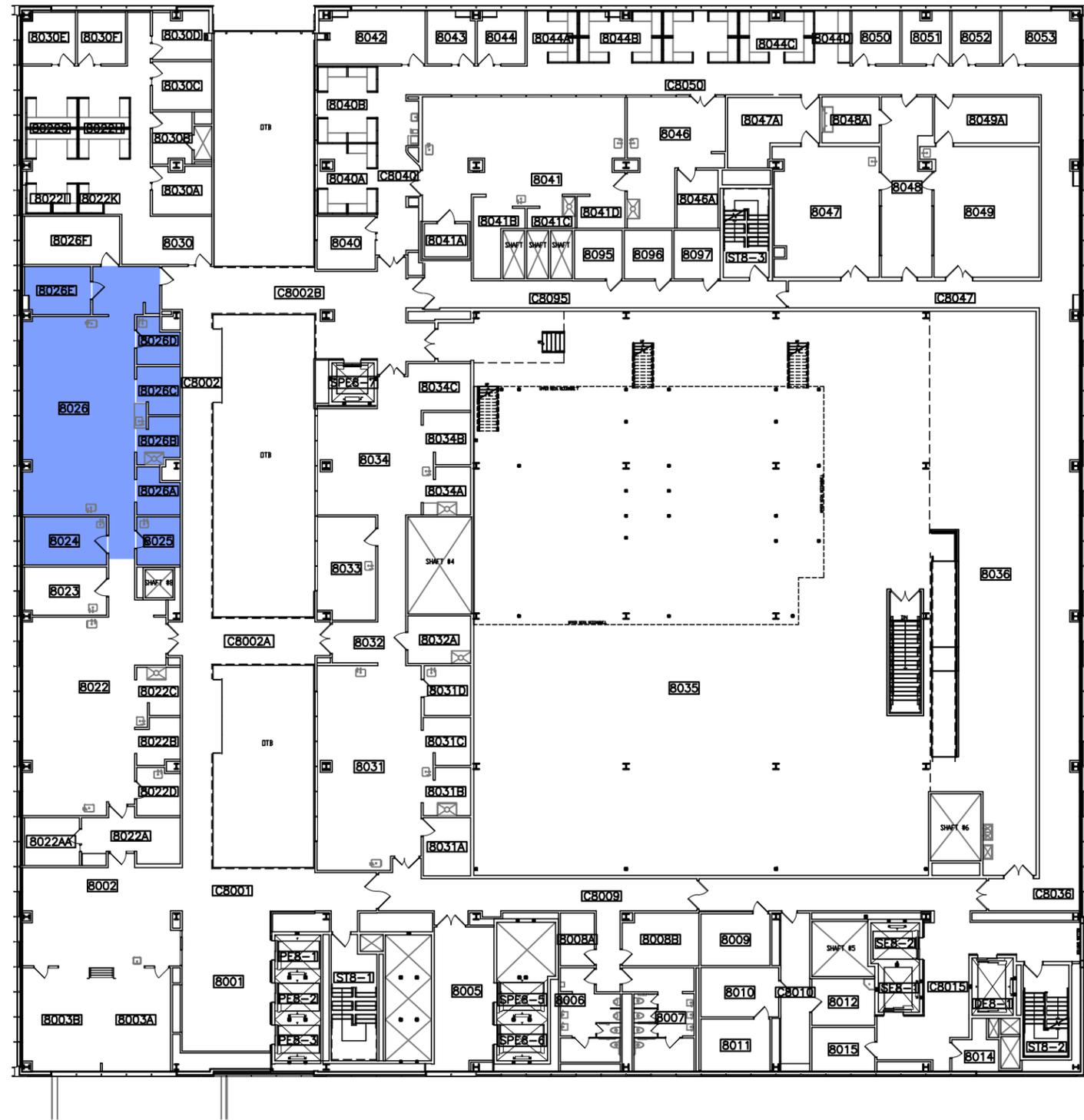
UB DESIGNATED SPACES

CLINICAL TRANSLATIONAL RES. CENTER

SU-138-1-B-0514-003-A

8TH FLOOR

StartUp NY		
	StartUp - Designated	AREA QTY 1,901 8
NSF TOTAL:		1,901 8
GSF TOTAL:		47,059



8th Floor Plan

START-UP NY

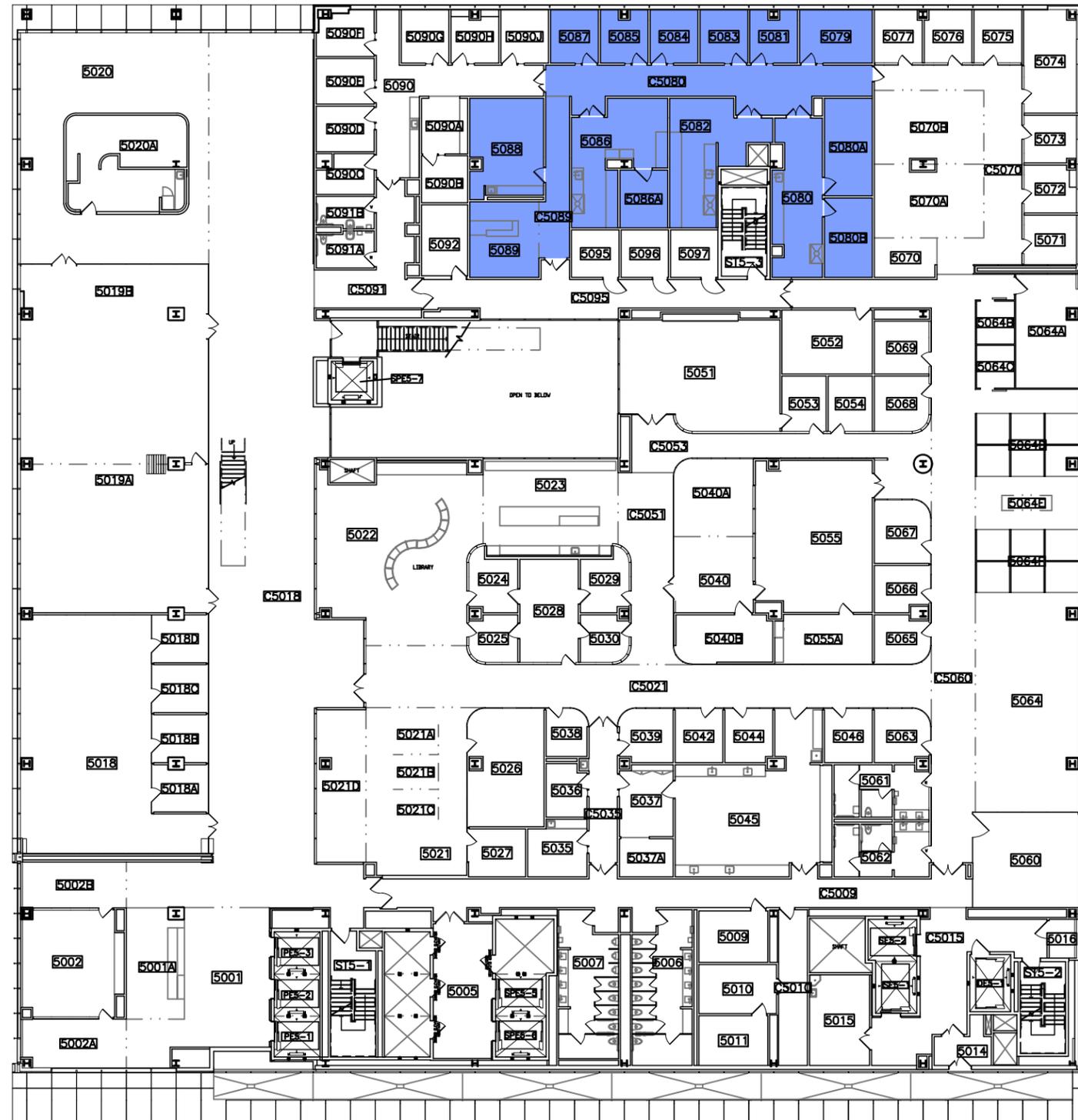
UB DESIGNATED SPACES

STOR - INCUBATOR

SU-138-1-B-0514-004-A

5TH FLOOR

StartUp NY		
	AREA	QTY
 StartUp - Designated	3,569	16
NSF TOTAL:	3,569	16
GSF TOTAL:	49,463	



STOR - INCUBATOR - CTCR 5th Floor Plan

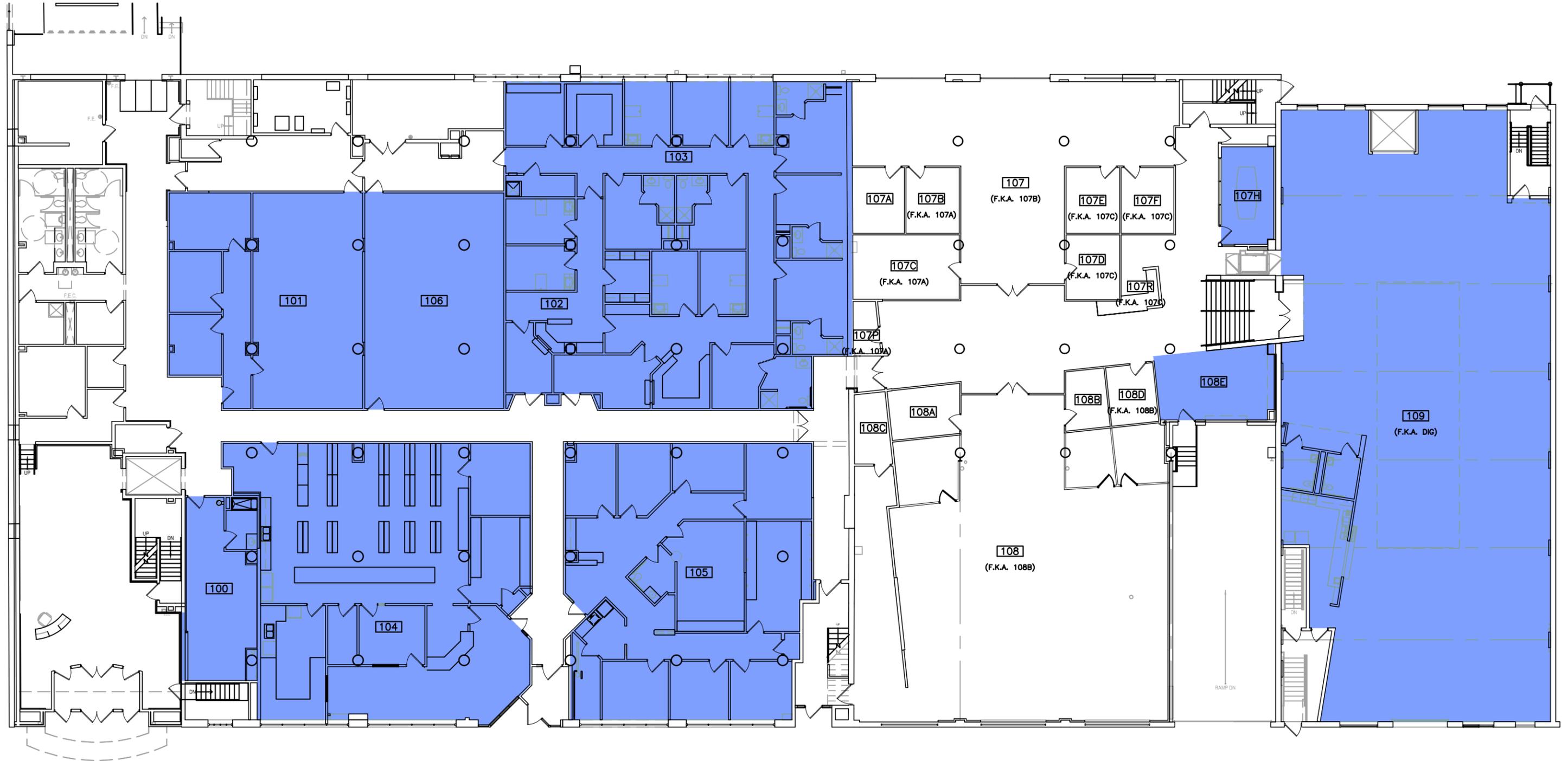
START-UP NY

UB DESIGNATED SPACES

BNMC INNOVATION CENTER

SU-138-1-B-0521-001-A

1ST FLOOR



StartUp NY		
	AREA	QTY
 StartUp - Designated	18,635	10
NSF TOTAL:	18,635	10
GSF TOTAL:		0

1st Floor Plan

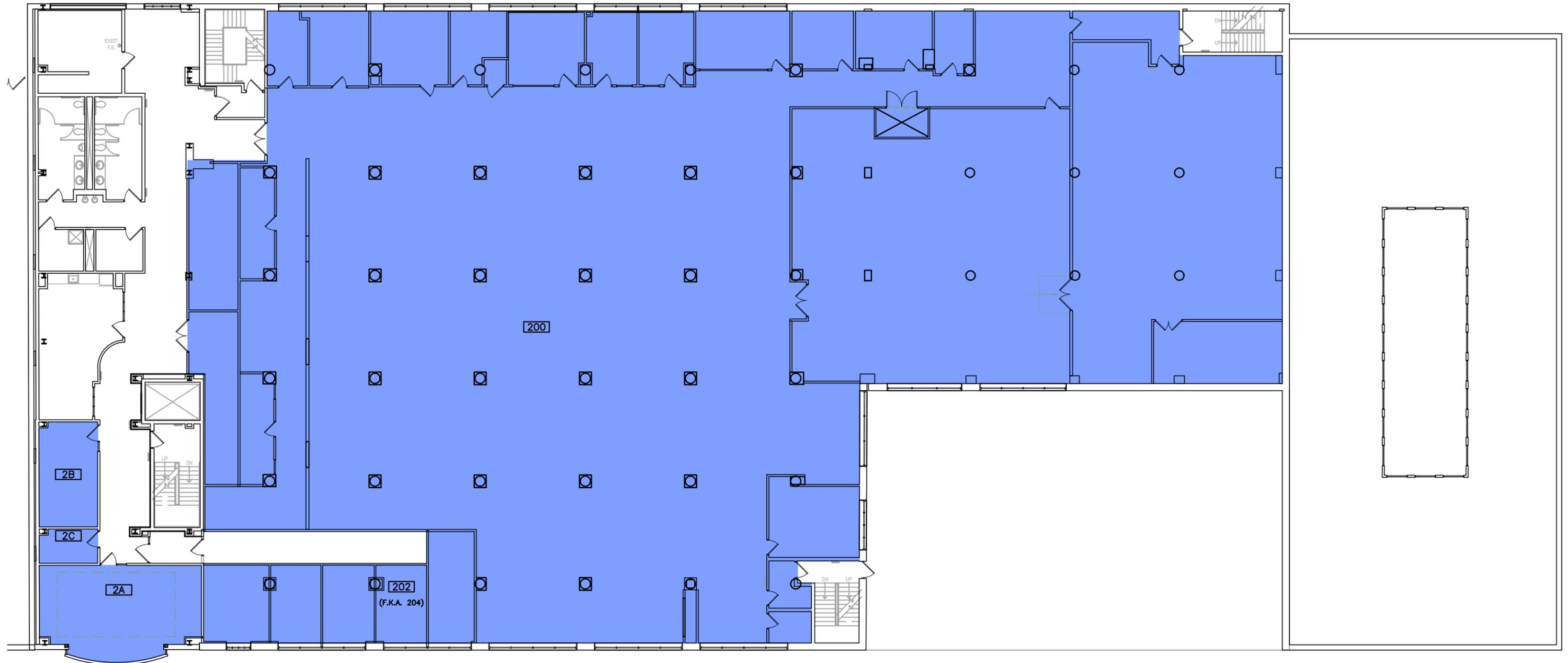
START-UP NY

UB DESIGNATED SPACES

BNMC INNOVATION CENTER

SU-138-1-B-0521-001-A

2ND FLOOR



2nd Floor Plan

StartUp NY		
	AREA	QTY
 StartUp - Designated	21,660	5
NSF TOTAL:	21,660	5
GSF TOTAL:	0	

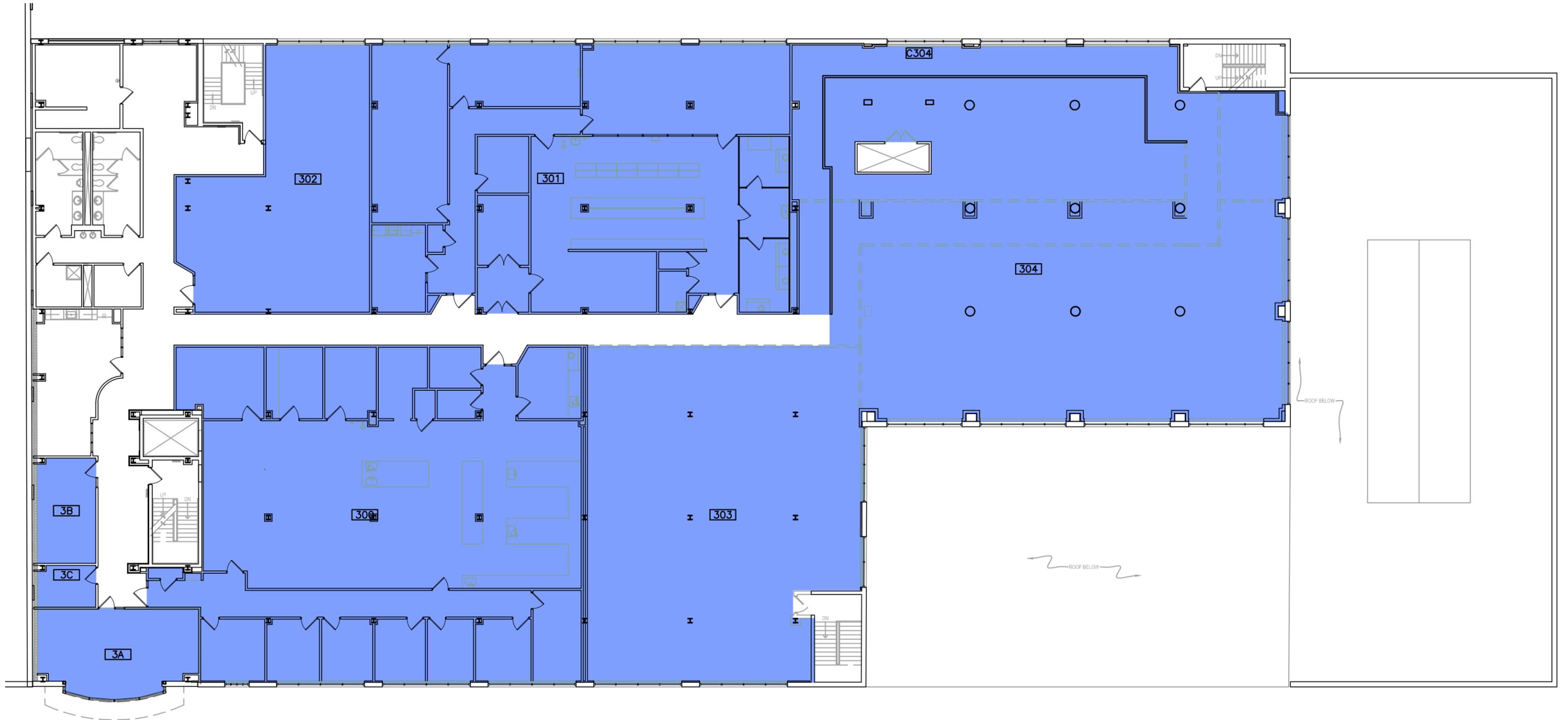
START-UP NY

UB DESIGNATED SPACES

BNMC INNOVATION CENTER

SU-138-1-B-0521-001-A

3RD FLOOR



StartUp NY			
		AREA	QTY
	StartUp - Designated	21,292	9
	NSF TOTAL:	21,292	9
	GSF TOTAL:	0	0

3rd Floor Plan

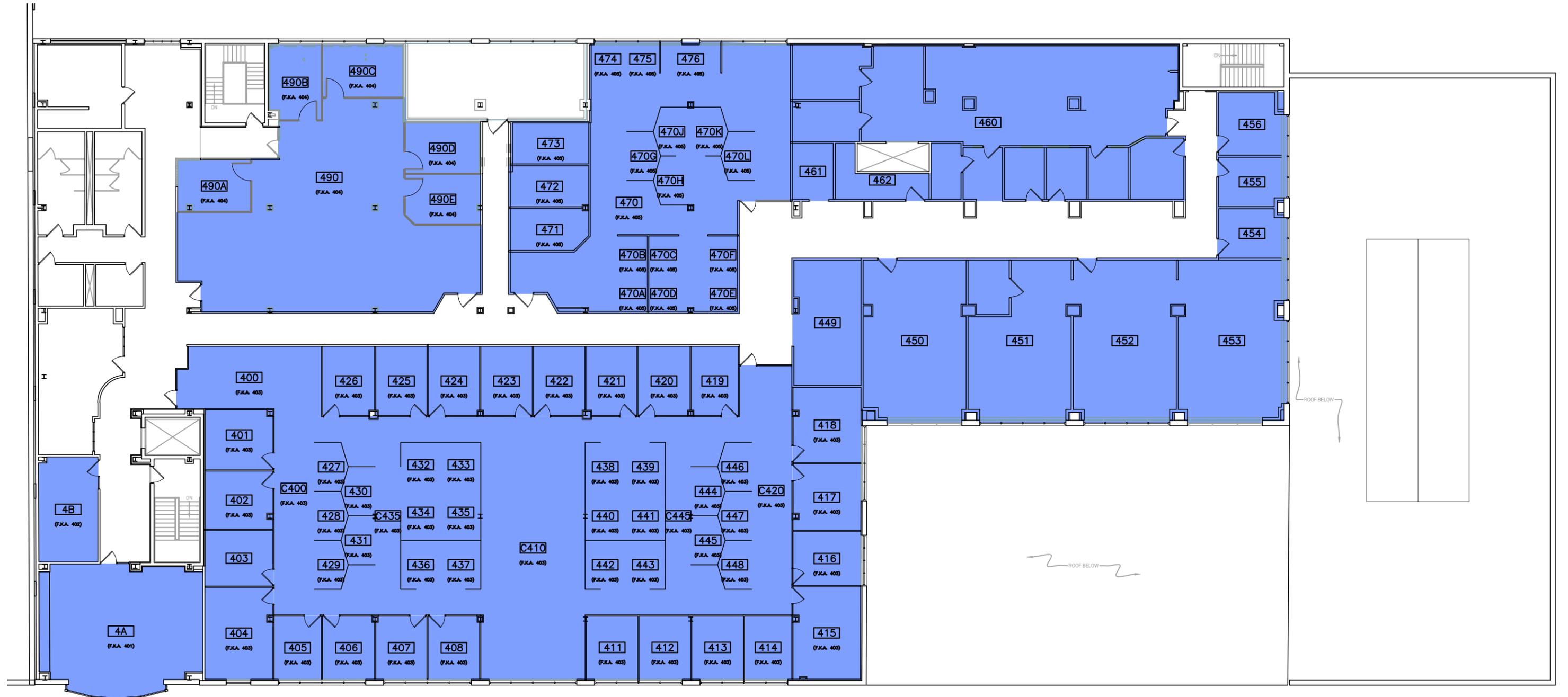
START-UP NY

UB DESIGNATED SPACES

BNMC INNOVATION CENTER

SU-138-1-B-0521-001-A

4TH FLOOR



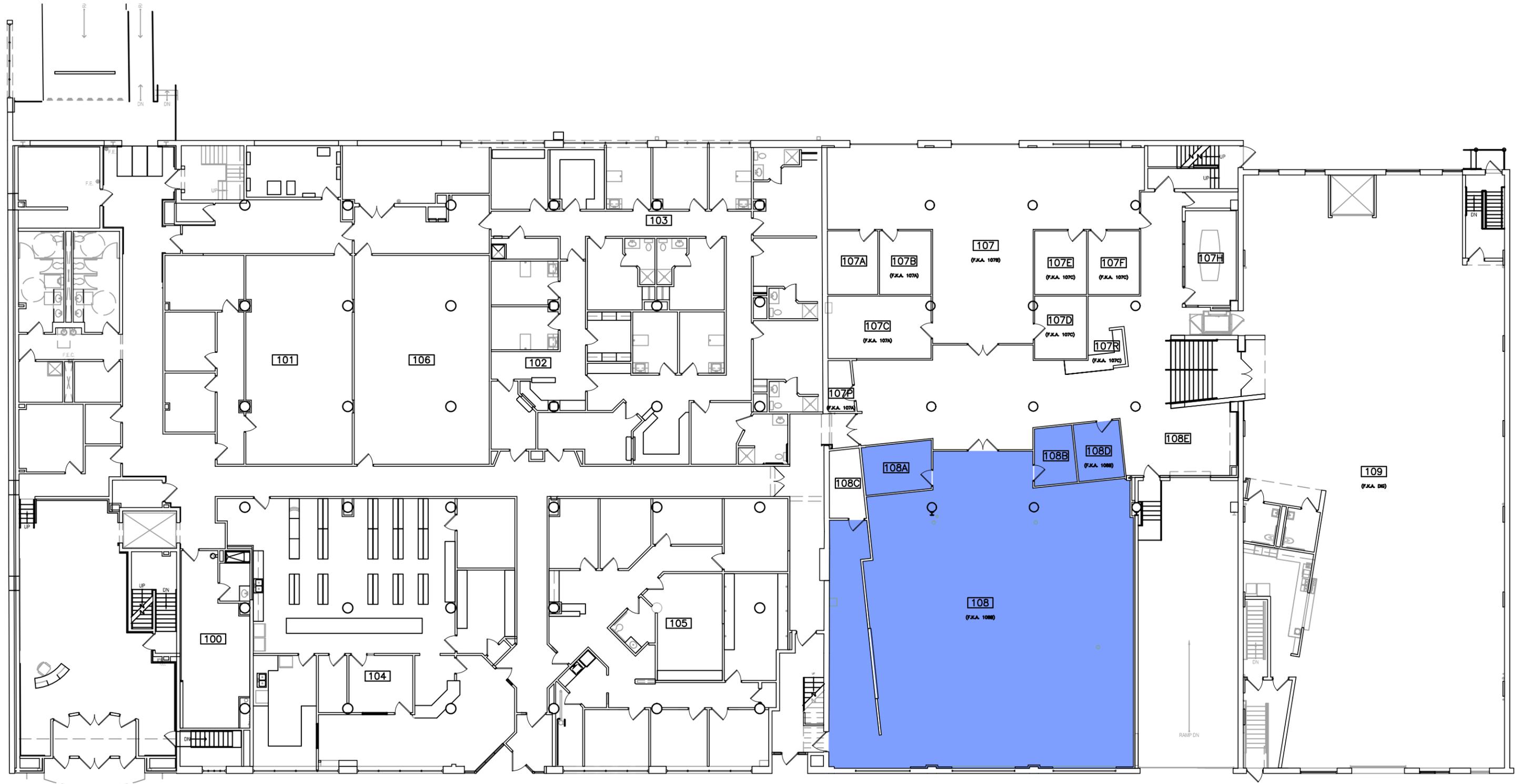
4th Floor Plan

StartUp NY		
	AREA	QTY
 StartUp - Designated	19,344	89
NSF TOTAL:	19,344	89
GSF TOTAL:		0

START-UP NY

UB DESIGNATED SPACES

Z80 LABS
 SU-138-1-B-0521-002-A
 1ST FLOOR



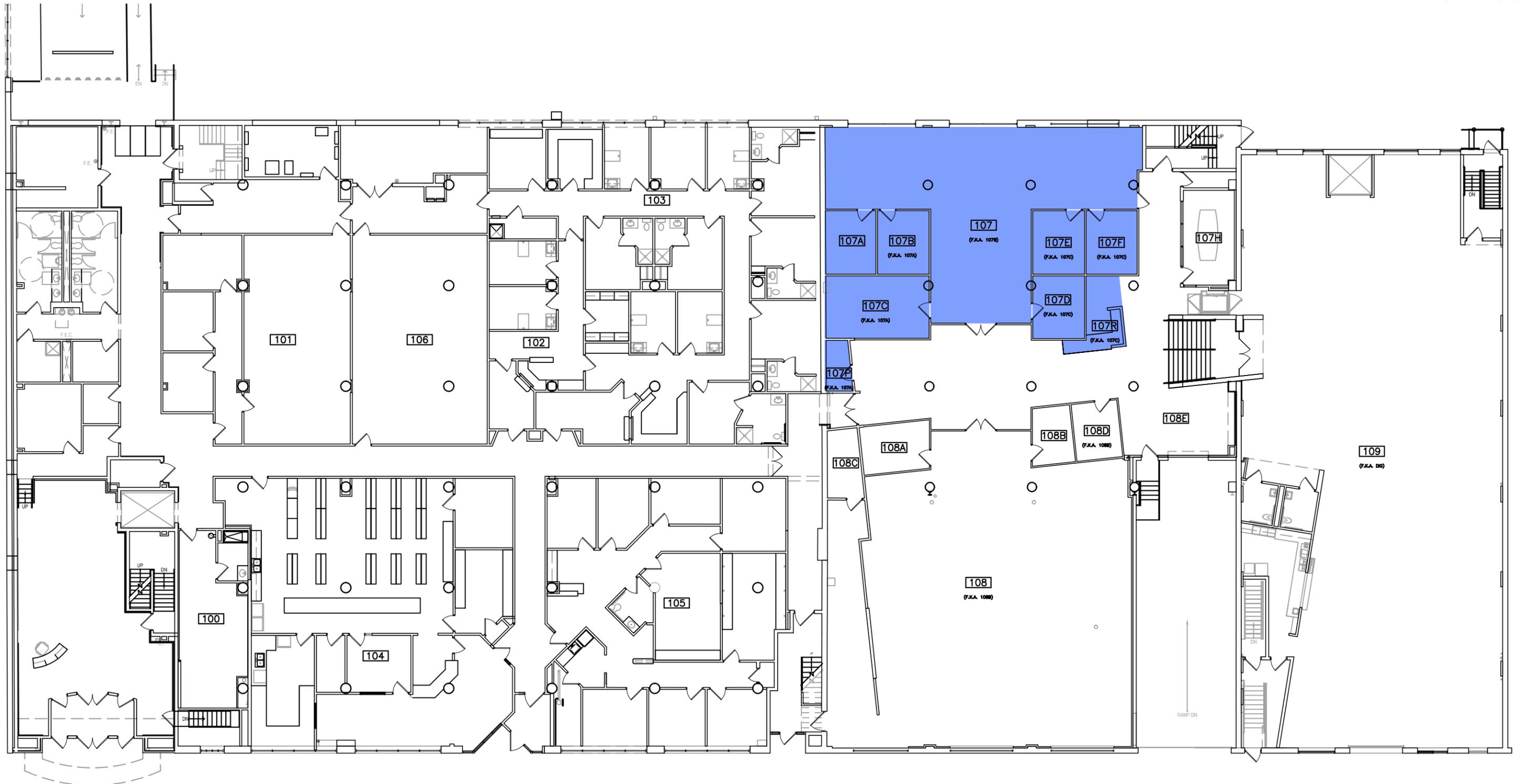
Innovation Center - 1st Floor Plan

StartUp NY			
	AREA	QTY	
 StartUp - Designated	3,774	4	
NSF TOTAL:	3,774	4	
GSF TOTAL:	0		

START-UP NY

UB DESIGNATED SPACES

43North
 SU-138-1-B-0521-003-A
 1ST FLOOR



Innovation Center - 1st Floor Plan

StartUp NY			
	AREA	QTY	
 StartUp - Designated	2,546	9	
NSF TOTAL:	2,546	9	
GSF TOTAL:	0		

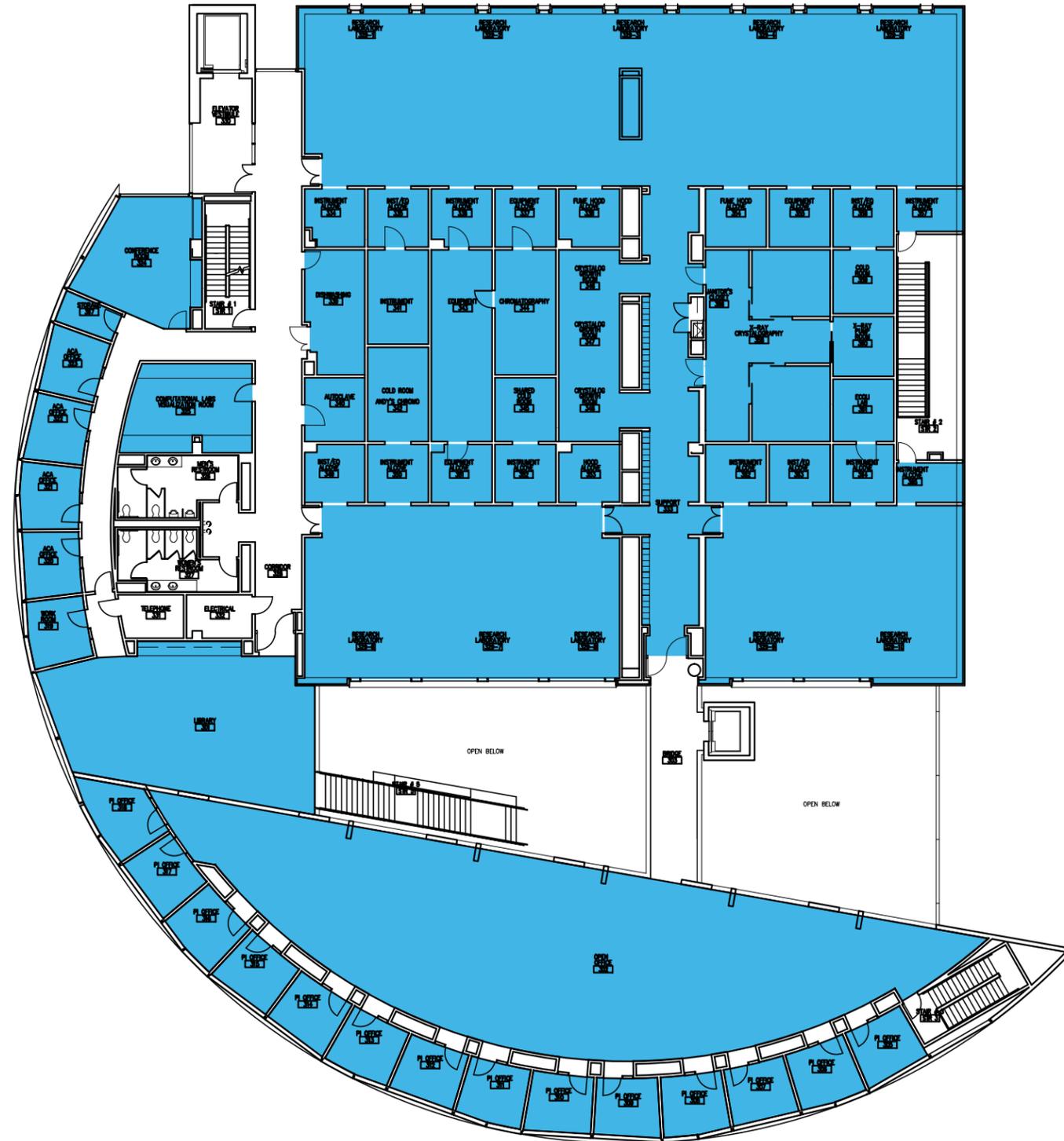
START-UP NY

UB DESIGNATED SPACES

HAUPTMAN WOODWARD INSTITUTE

SU-138-1-B-0537-001-A
3RD FLOOR

StartUP NY		
	AREA	QTY
StartUp - Designated	19,043	63
NSF TOTAL:	19,043	63



3rd Floor Plan

START-UP NY

UB DESIGNATED SPACES

ROSWELL PARK CANCER INSTITUTE

SU-138-1-B-0536-001-A

CENTER FOR GENETICS AND PHARMACOLOGY



1st Floor Plan

N
N.T.S. | 20 JULY 2016

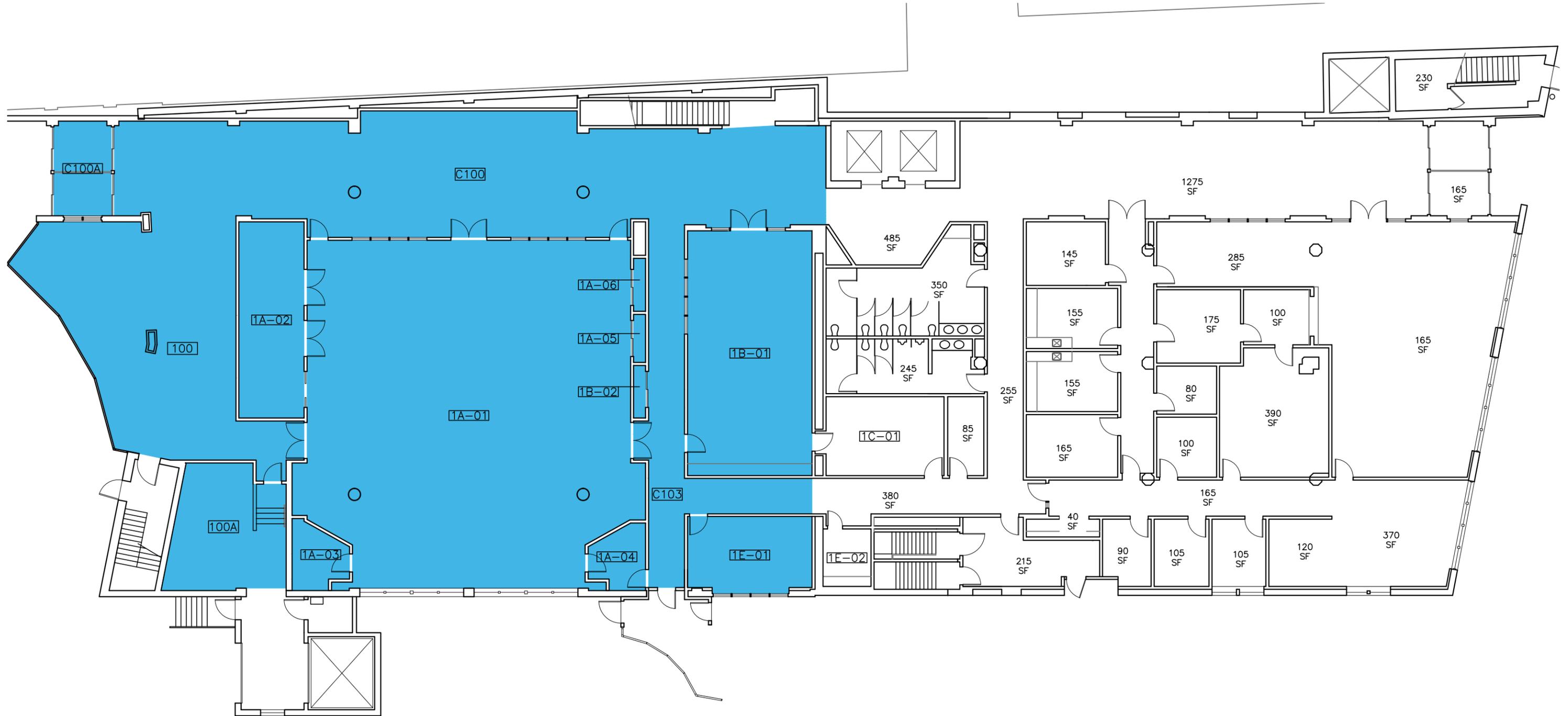
StartUp NY			
	AREA	QTY	
 StartUp - Designated	1,949	9	
NSF TOTAL:	1,949	9	
GSF TOTAL:	0		

START-UP NY

UB DESIGNATED SPACES

OLMSTED CENTER FOR SIGHT - 1170

SU-138-1-B-0535-001-A
1ST FLOOR



1st Floor Plan

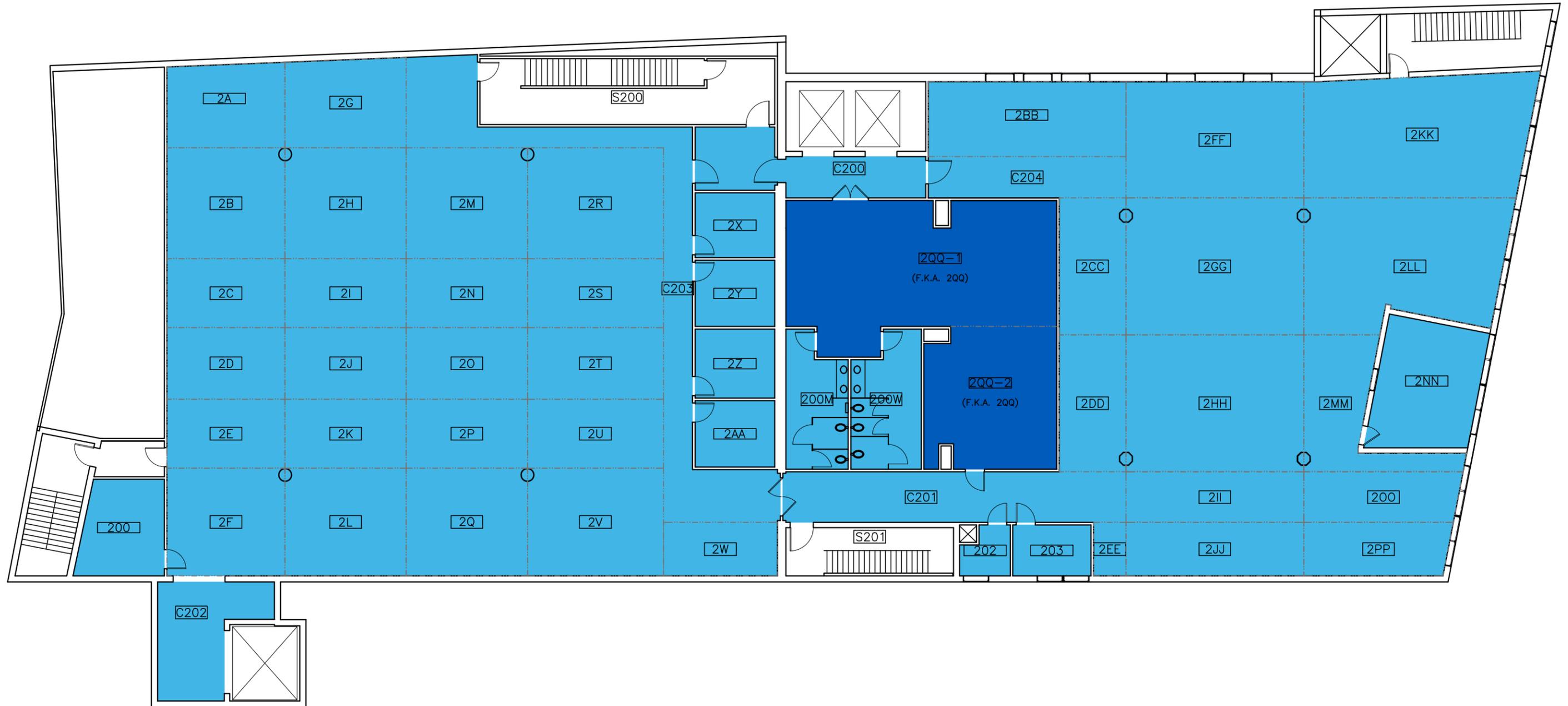
StartUp NY			
	AREA	QTY	
 StartUp - Designated	9,093	14	
NSF TOTAL:	9,093	14	
GSF TOTAL:	0		

START-UP NY

UB DESIGNATED SPACES (AMENDED)

OLMSTED CENTER FOR SIGHT - 1170

SU-138-1-B-0535-001-A
2ND FLOOR



2nd Floor Plan

StartUp NY			
		AREA	QTY
	StartUp - Amended	1,326	2
	StartUp - Designated	14,300	52
	NSF TOTAL:	15,626	54
	GSF TOTAL:		0

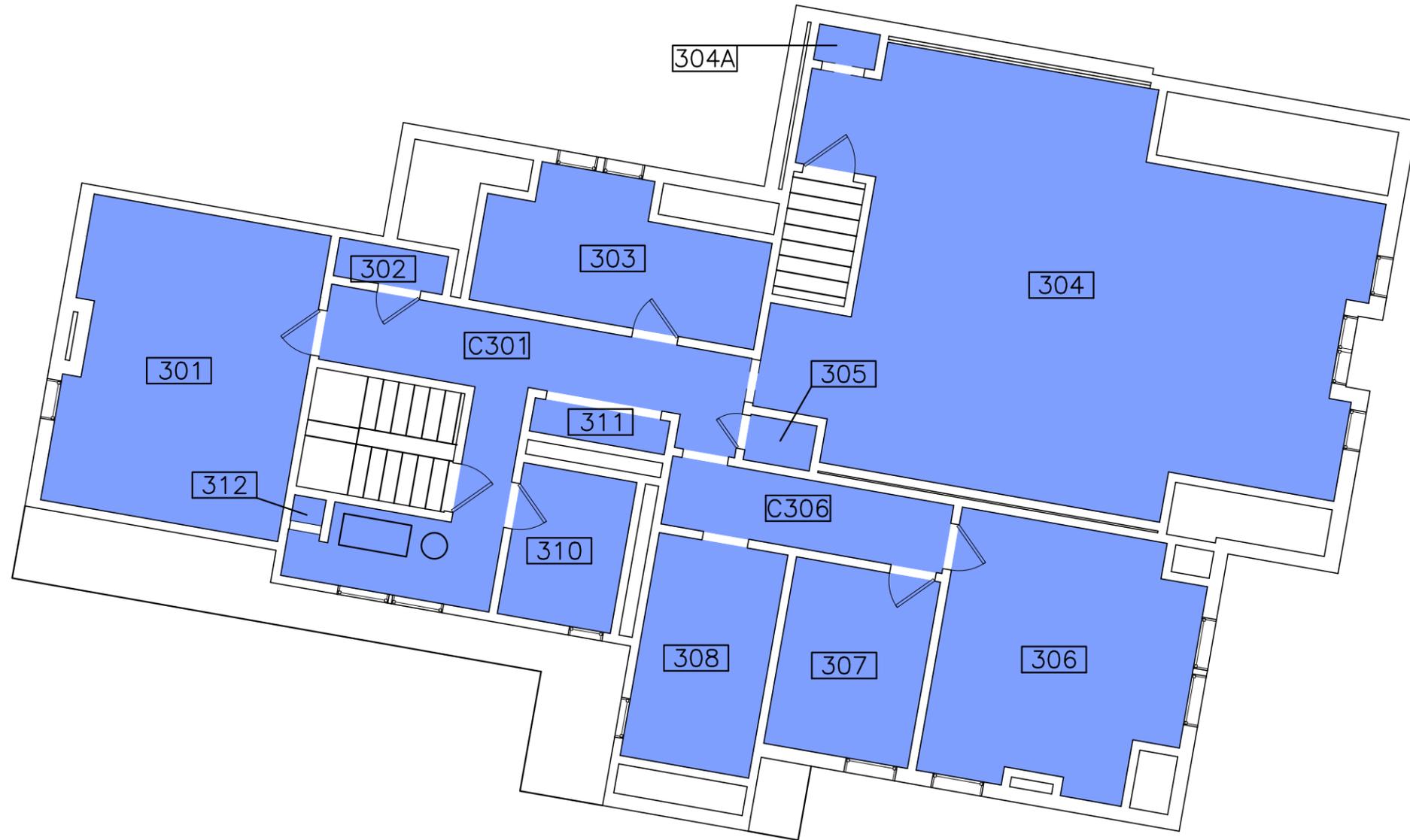
START-UP NY

UB DESIGNATED SPACES

OLMSTED CENTER FOR SIGHT - 1160

SU-138-1-B-0534-001-A

3RD FLOOR



1160 Main St - 3rd Floor Plan

StartUp NY			
		AREA	QTY
	StartUp - Designated	1,825	14
	NSF TOTAL:	1,825	14
	GSF TOTAL:	0	

START-UP NY

UB DESIGNATED SPACES

OLMSTED CENTER FOR SIGHT - 1160

SU-138-1-B-0534-001-A

BASEMENT



1160 Main St - Basement Plan

StartUp NY			
		AREA	QTY
	StartUp - Designated	1,384	12
	NSF TOTAL:	1,384	12
	GSF TOTAL:	0	

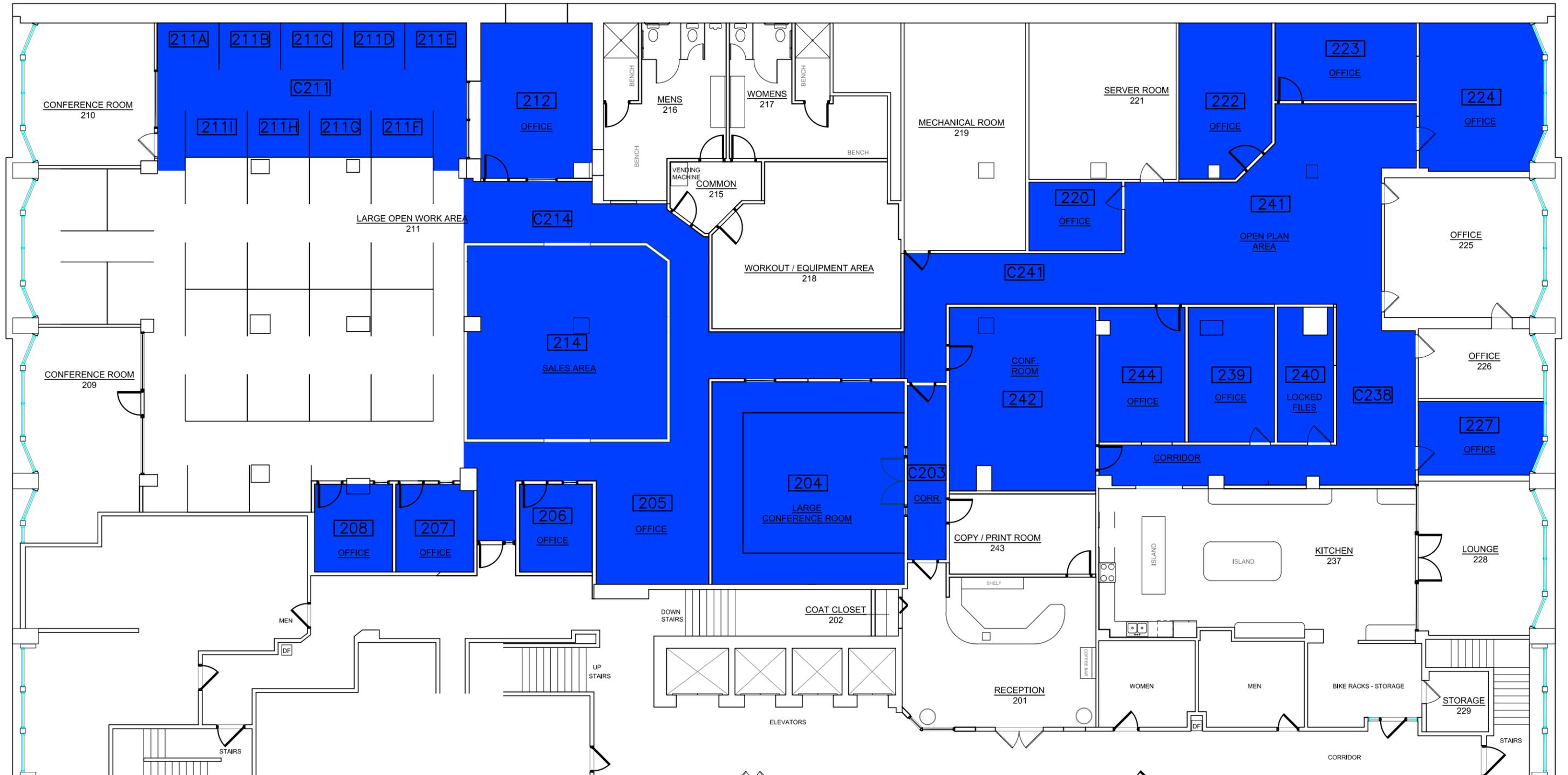
START-UP NY

UB DESIGNATED SPACES (AMENDED)

BRISBANE BUILDING (ALGONQUIN)

SU-138-1-B-0543-001-A

2ND FLOOR



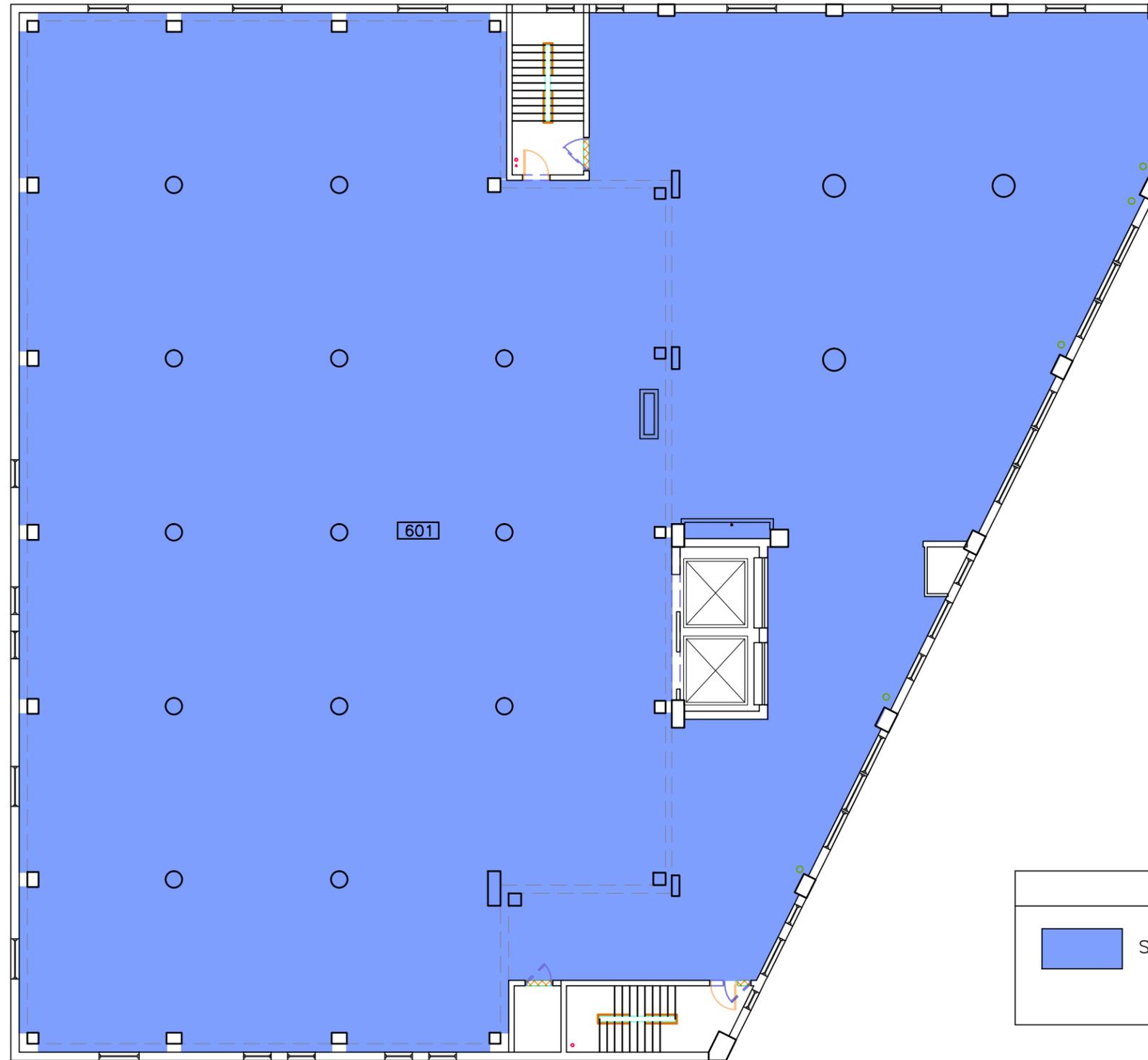
403 Main Street - 2nd Floor Plan

StartUp NY		
	AREA	QTY
 StartUp - Amended	6,801	31
NSF TOTAL:	6,801	31
GSF TOTAL:	0	

START-UP NY

UB DESIGNATED SPACES

199 Scott Street
 SU-138-2-B-0532-001-A
 6TH FLOOR



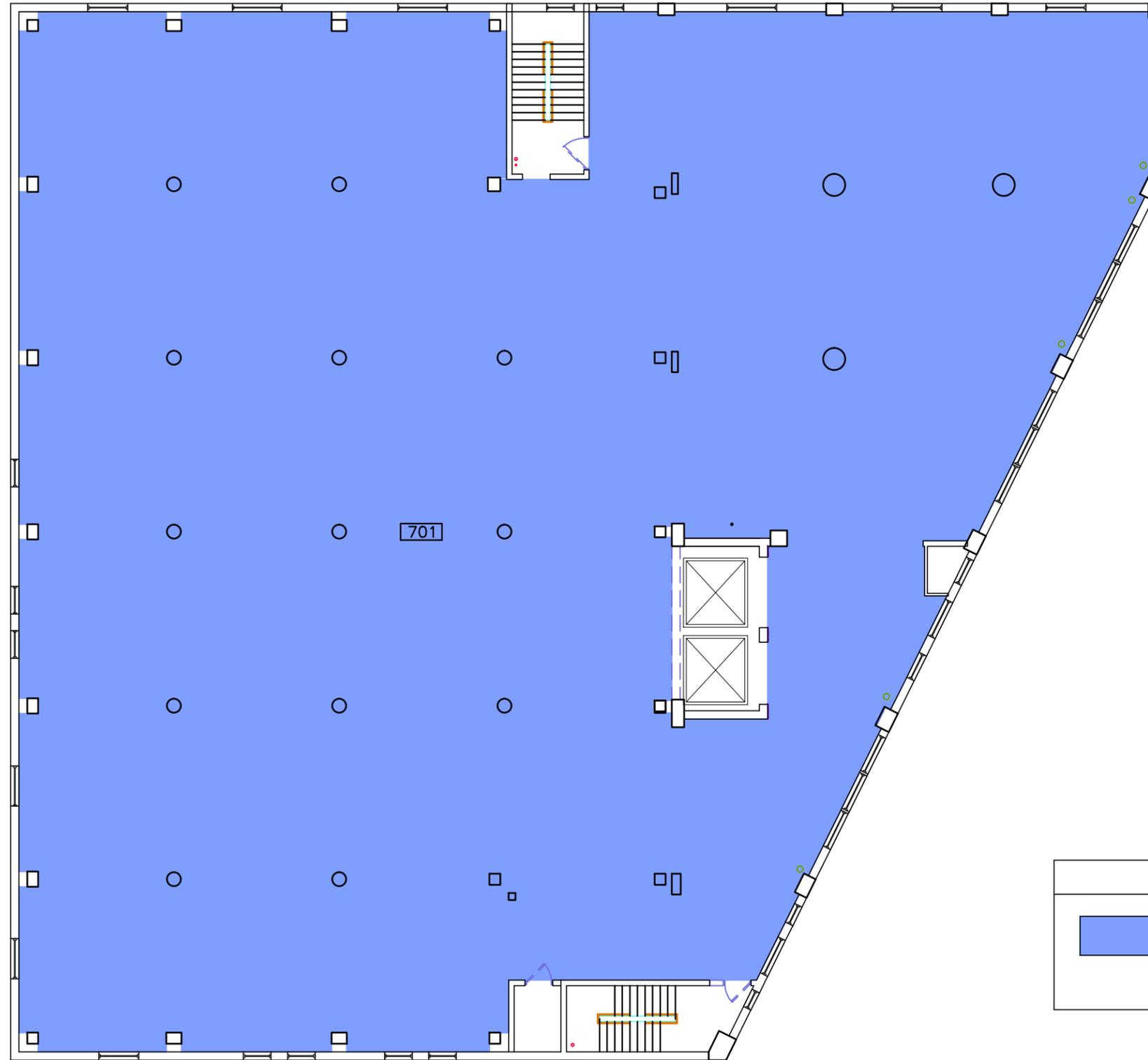
StartUp NY			
		AREA	QTY
	StartUp - Designated	13,662	1
	NSF TOTAL:	13,662	1
	GSF TOTAL:	0	

6th Floor Plan

START-UP NY

UB DESIGNATED SPACES

199 Scott Street
 SU-138-2-B-0532-001-A
 7TH FLOOR



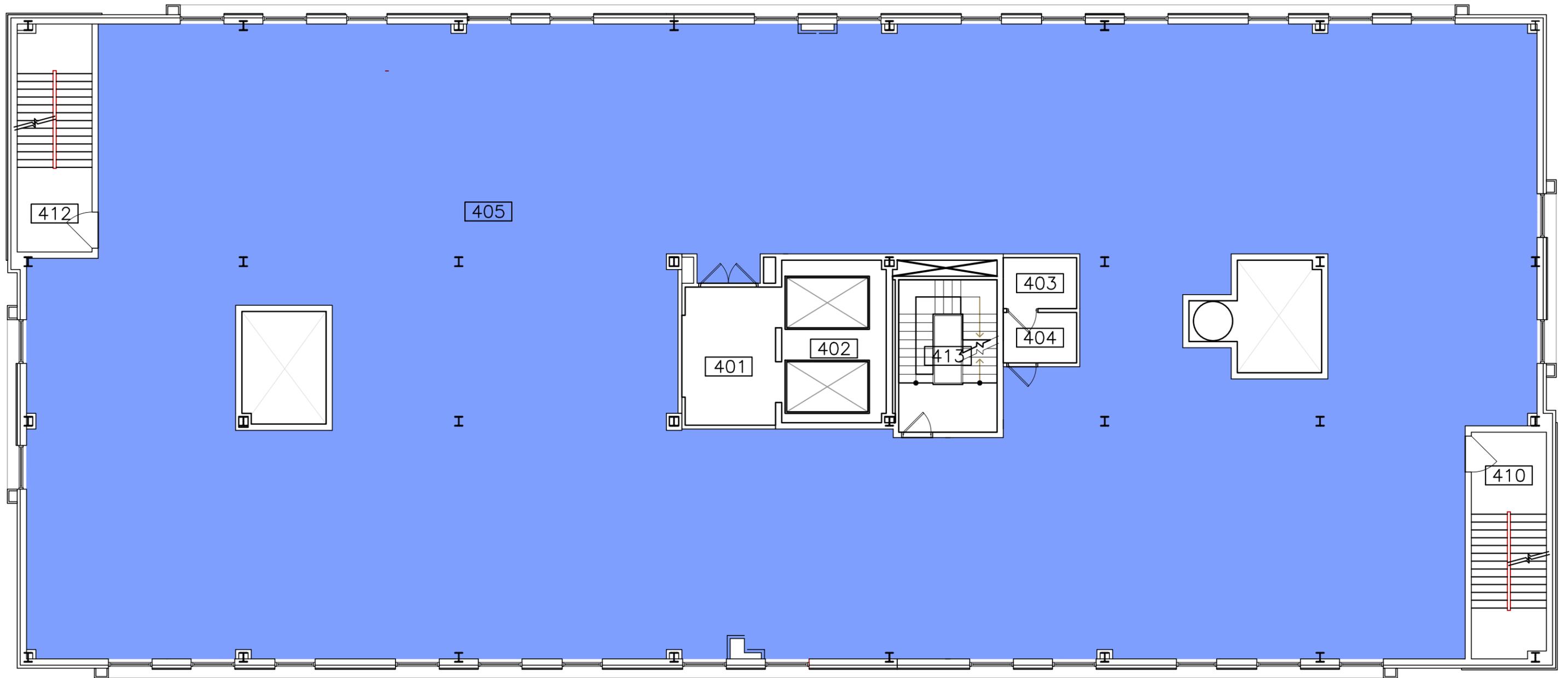
StartUp NY			
		AREA	QTY
	StartUp – Designated	13,662	1
	NSF TOTAL:	13,662	1
	GSF TOTAL:	0	

7th Floor Plan

START-UP NY

UB DESIGNATED SPACES

COMPASS EAST
 SU-138-2-B-0533-001-A
 4TH FLOOR



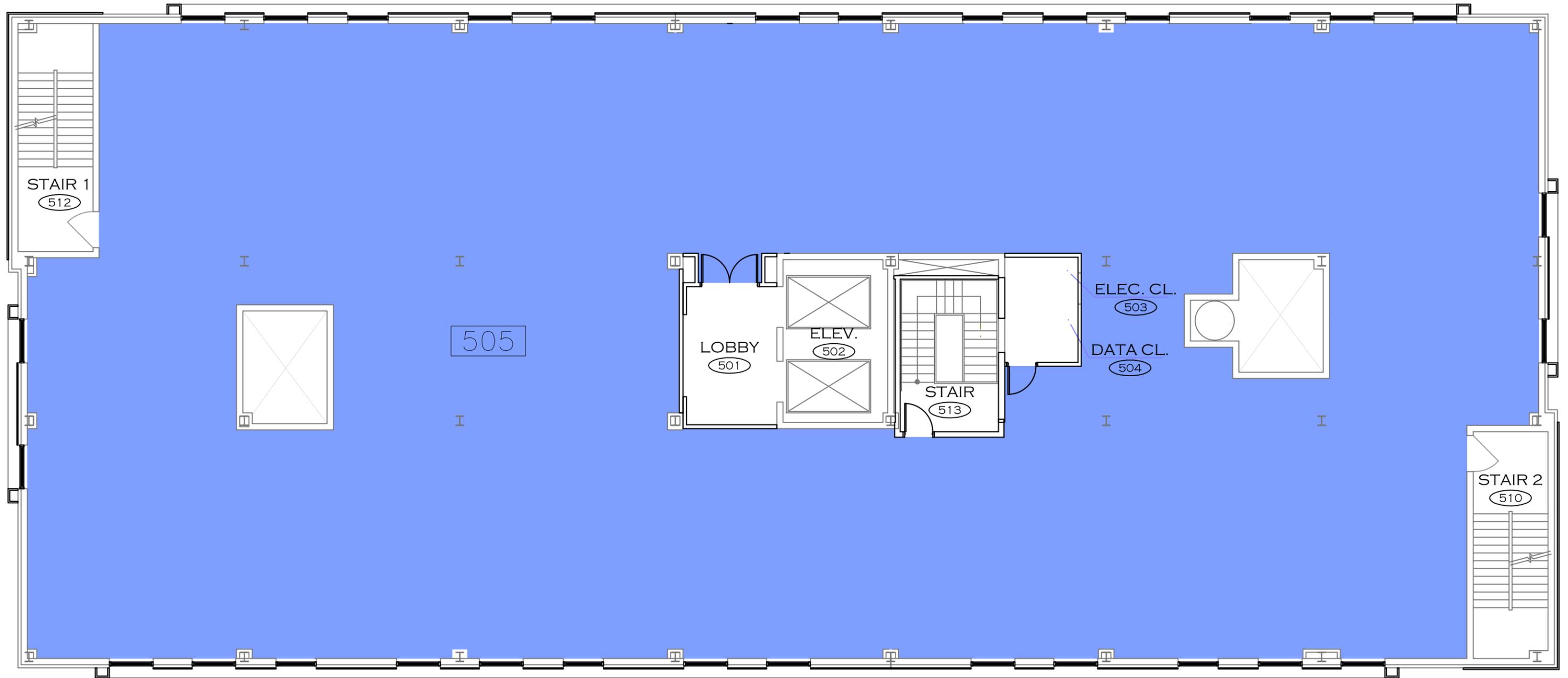
4th Floor Plan

StartUp NY			
	AREA	QTY	
 StartUp - Designated	9,466	1	
NSF TOTAL:	9,466	1	
GSF TOTAL:	0		

START-UP NY

UB DESIGNATED SPACES

COMPASS EAST
 SU-138-2-B-0533-001-A
 5TH FLOOR



Compass East - 5th Floor

StartUp NY			
	AREA	QTY	
 StartUp - Designated	9,462	1	
NSF TOTAL:	9,462	1	
GSF TOTAL:	0		

START-UP NY

UB DESIGNATED SPACES (AMENDED)

COMPASS EAST

SU-138-2-B-0533-001-A
BASEMENT



Basement Plan

StartUp NY		
	AREA	QTY
 StartUp - Amended	7,339	31
 StartUp - Designated	613	1
NSF TOTAL:	7,952	32
GSF TOTAL:	8,455	

START-UP NY

UB DESIGNATED SPACES (AMENDED)

385 CROSSPOINT BUSINESS PARK

SU-138-2-B-0547-001-A

1st Floor



1st Floor Plan - Suite 104

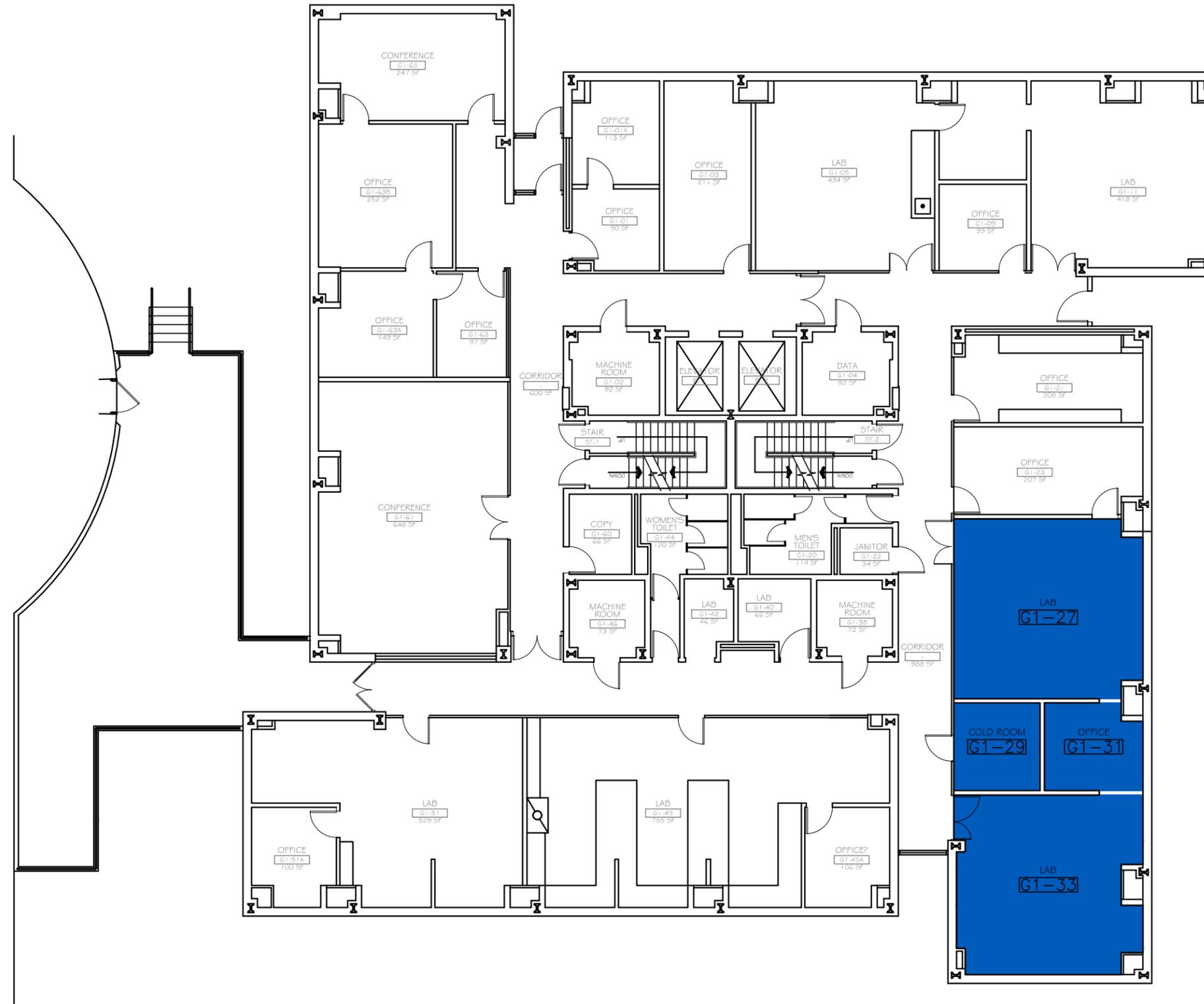
StartUp NY		
	AREA	QTY
 StartUp - Amended	16,452	27
NSF TOTAL:	16,452	27
GSF TOTAL:	17,341	

START-UP NY

UB DESIGNATED SPACES (AMENDED)

ROSWELL PARK CANCER INSTITUTE

SU-138-1-B-B075-001-A
GRACE CANCER DRUG CENTER



1st Floor Plan

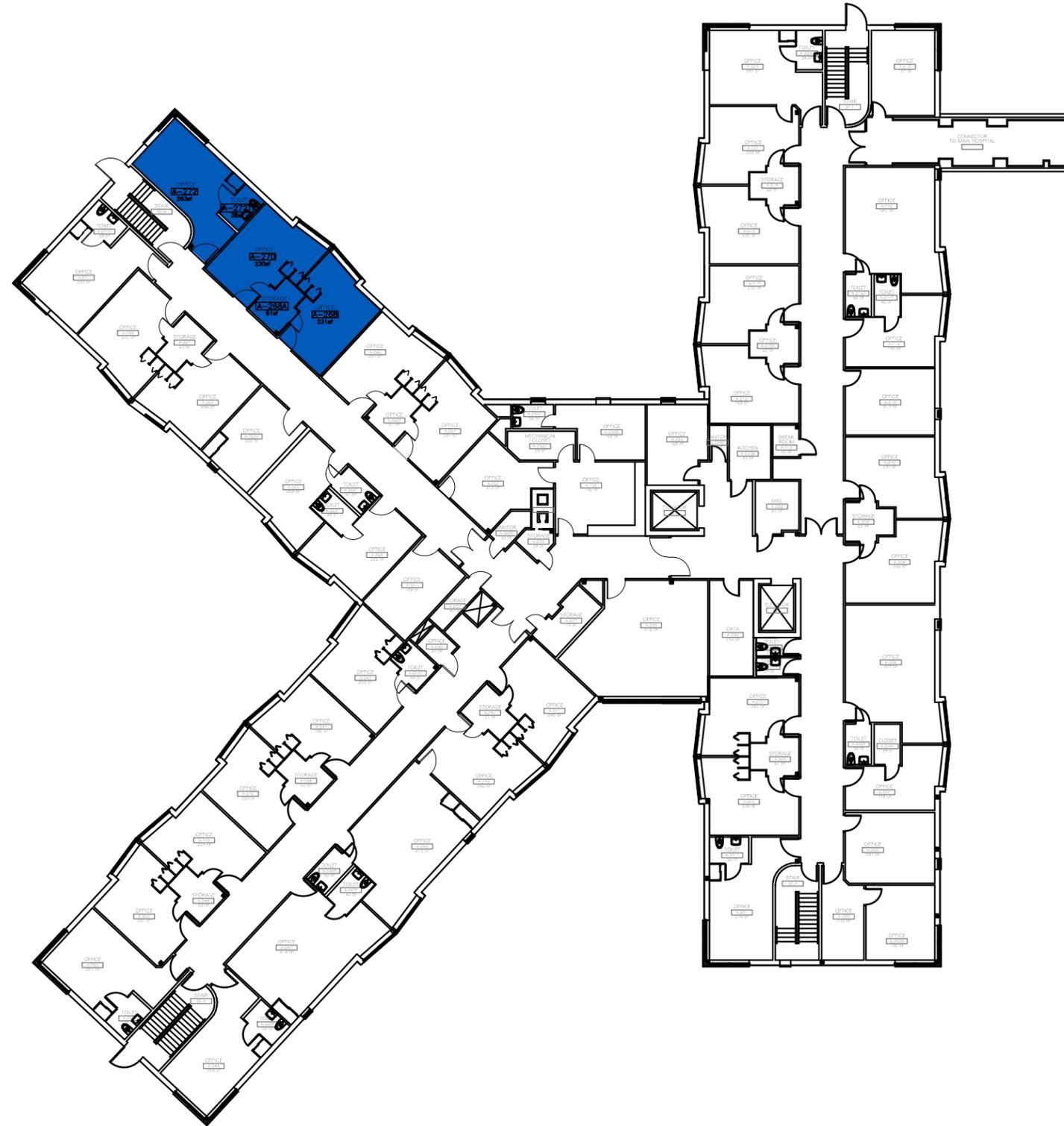
StartUp NY			
	AREA	QTY	
 StartUp - Amended	1,057	4	
NSF TOTAL:	1,057	4	
GSF TOTAL:	0		

START-UP NY

UB DESIGNATED SPACES (AMENDED)

ROSWELL PARK CANCER INSTITUTE

SU-138-1-B-B064-001-A
CARLTON HOUSE



2nd Floor Plan

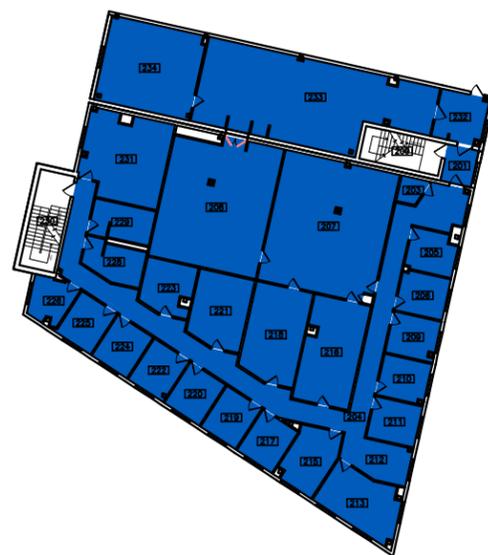
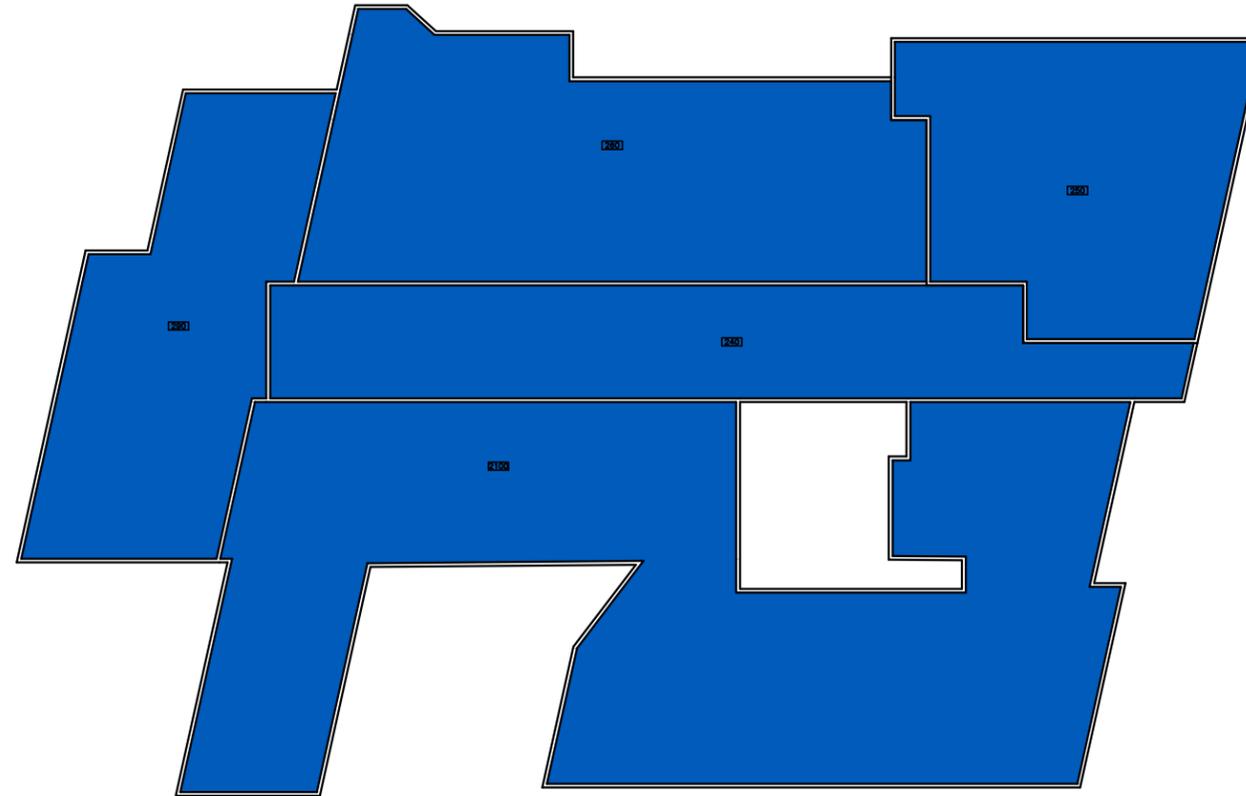
StartUp NY			
		AREA	QTY
	StartUp - Amended	821	5
	NSF TOTAL:	821	5
	GSF TOTAL:	0	

START-UP NY

UB DESIGNATED SPACES (AMENDED)

960 ELLICOTT STREET

SU-138-1-B-0548-001-A
SECOND FLOOR



StartUp NY		
	AREA	QTY
StartUp - Amended	47,687	35
NSF TOTAL:	47,687	35
GSF TOTAL:		0

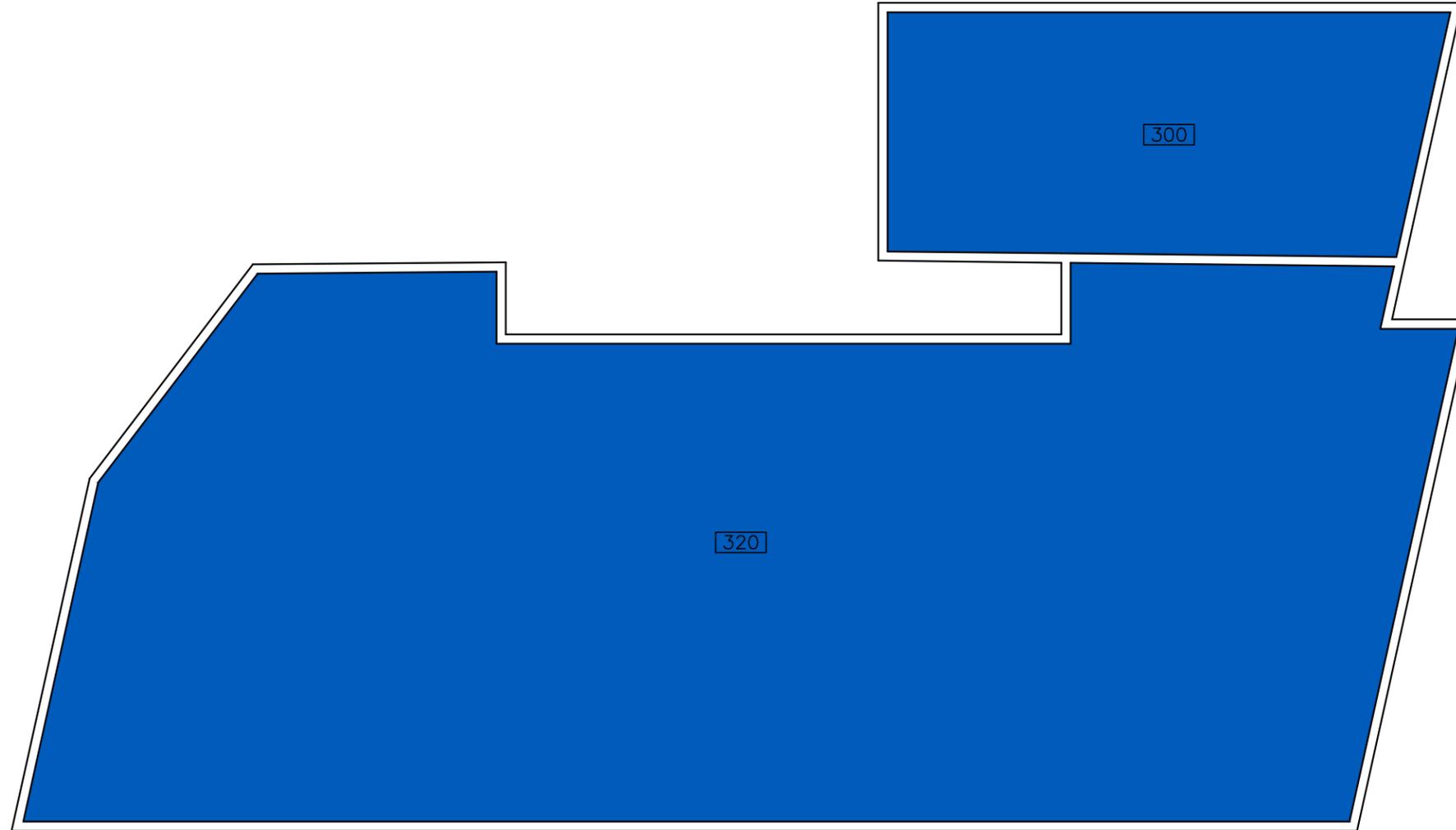
2nd Floor Plan

START-UP NY

UB DESIGNATED SPACES (AMENDED)

960 ELLICOTT STREET

SU-138-1-B-0548-001-A
THIRD FLOOR



3rd Floor Plan

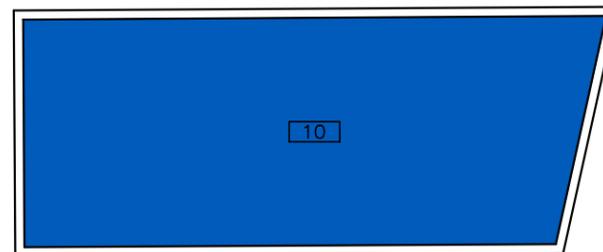
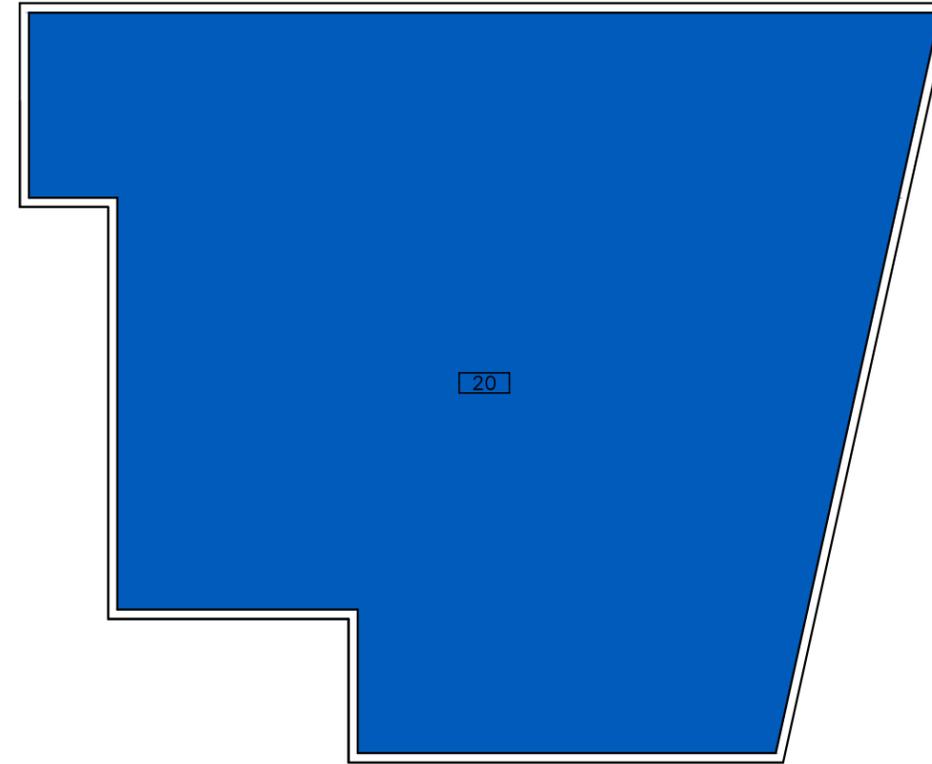
StartUp NY			
		AREA	QTY
	StartUp - Amended	7,783	2
	NSF TOTAL:	7,783	2
	GSF TOTAL:	0	

START-UP NY

UB DESIGNATED SPACES (AMENDED)

960 ELLICOTT STREET

SU-138-1-B-0548-001-A
BASEMENT



StartUp NY			
		AREA	QTY
	StartUp - Amended	6,416	2
	NSF TOTAL:	6,416	2
	GSF TOTAL:	0	

Basement Plan

Appendices

PUBLIC OFFICERS LAW

§ 74. Code of ethics.

- 1. Definition.** As used in this section: The term "*state agency*" shall mean any state department, or division, board, commission, or bureau of any state department or any public benefit corporation or public authority at least one of whose members is appointed by the governor or corporations closely affiliated with specific state agencies as defined by paragraph (d) of subdivision five of section fifty-three-a of the state finance law or their successors.

The term "*legislative employee*" shall mean any officer or employee of the legislature but it shall not include members of the legislature.

- 2. Rule with respect to conflicts of interest.** No officer or employee of a state agency, member of the legislature or legislative employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.
- 3. Standards.**
 - a.** No officer or employee of a state agency, member of the legislature or legislative employee should accept other employment which will impair his independence of judgment in the exercise of his official duties.
 - b.** No officer or employee of a state agency, member of the legislature or legislative employee should accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority.
 - c.** No officer or employee of a state agency, member of the legislature or legislative employee should disclose confidential information acquired by him in the course of his official duties nor use such information to further his personal interests.



- d.** No officer or employee of a state agency, member of the legislature or legislative employee should use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or herself or others, including but not limited to, the misappropriation to himself, herself or to others of the property, services or other resources of the state for private business or other compensated non-governmental purposes.
- e.** No officer or employee of a state agency, member of the legislature or legislative employee should engage in any transaction as representative or agent of the state with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.
- f.** An officer or employee of a state agency, member of the legislature or legislative employee should not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.
- g.** An officer or employee of a state agency should abstain from making personal investments in enterprises which he has reason to believe may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.
- h.** An officer or employee of a state agency, member of the legislature or legislative employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.
- i.** No officer or employee of a state agency employed on a full-time basis nor any firm or association of which such an officer or employee is a member nor corporation a substantial portion of the stock of which is owned or controlled directly or indirectly by such officer or employee, should sell goods or services to any person, firm, corporation or association which is licensed or whose rates are fixed by the state agency in which such officer or employee serves or is employed.

4. Violations. In addition to any penalty contained in any other provision of law any such officer, member or employee who shall knowingly and intentionally violate any of the provisions of this section may be fined, suspended or removed from office or employment in the manner provided by law. Any such individual who knowingly and intentionally violates the provisions of paragraph b, c, d or i of subdivision three of this section shall be subject to a civil penalty in an amount not to exceed ten thousand dollars and the value of any gift, compensation or benefit received as a result of such violation. Any such individual who knowingly and intentionally violates the provisions of paragraph a, e or g of subdivision three of this section shall be subject to a civil penalty in an amount not to exceed the value of any gift, compensation or benefit received as a result of such violation.





Category:
HR / Labor Relations
Legal and Compliance

Responsible Office:
[University Counsel](#)

Policy Title:

Conflict of Interest

Document Number:
6001

Effective Date:
October 01, 1995

This policy item applies to: State-
Operated Campuses

Table of Contents

[Summary](#)

[Policy](#)

[Definitions](#)

[Other Related Information](#)

[Procedures](#)

[Forms](#)

[Authority](#)

[History](#)

[Appendices](#)

Summary

Faculty and staff of the State University of New York (University) are encouraged to foster an atmosphere of academic freedom by promoting the open and timely exchange of scholarly knowledge independent of personal interests and are required to avoid conflicts of interest. Where potential or actual conflicts exist, faculty and staff are expected to consult with appropriate University officers and abide by University policy. This policy represents a restatement of existing University policy and pertinent state and federal law and regulations.

Policy

Faculty and staff of the State University of New York (University) are encouraged to foster an atmosphere of academic freedom by promoting the open and timely exchange of scholarly knowledge independent of personal interests. In keeping with this obligation, they are also required to avoid conflicts of interest.

In instances where potential or actual conflicts exist, faculty and staff are expected to consult with appropriate University officers and abide by this University policy. It is the responsibility of campus officials charged with implementing this policy to identify potential or actual conflicts of interest and take appropriate steps to manage, reduce, or eliminate them.

This policy represents a restatement of existing University policy and pertinent state and federal law and regulations.

1. University faculty and staff may not engage in other employment which interferes with the performance of their professional obligation.
2. University faculty and staff are expected to comply with the New York State Public Officers Law provisions on conflict of interest and ethical conduct.
3. University faculty and staff, to the extent required by law or regulation, shall disclose at minimum whether they (and their spouses and dependent children) have employment or financial interests or hold significant offices, in external organizations that may affect, or appear to affect, the discharge of

professional obligations to the University.

4. University campuses shall ensure that all faculty and staff subject to pertinent laws and regulations disclose financial interests in accordance with procedures to be established by the Chancellor or designee. Campuses shall retain the reported information as required, identify actual or apparent conflicts of interest and seek resolution of such conflicts.

5. Each campus president shall submit to the chancellor's designee the name and title of the person or persons designated as financial disclosure designee(s) and shall further notify the chancellor's designee when a change in that assignment occurs. The chancellor's designee shall also be notified of any reports regarding conflict of interest that are forwarded to state or federal agencies.

Definitions

Conflict of interest — any interest, financial or otherwise, direct or indirect; participation in any business, transaction or professional activity; or incurring of any obligation of any nature, which is or appears to be in substantial conflict with the proper discharge of an employee's duties in the 'public interest. A conflict of interest is also any financial interest that will, or may be reasonably expected to, bias the design, conduct or reporting of sponsored research.

Other Related Information

[Outside Activities of University Policy Makers](#)

[Ethics in State Government - A Guide for New York State Employees](#)

[National Science Foundation, Grant Policy Manual](#)

Procedures

There are no procedures relevant to this policy.

Forms

There are no forms relevant to this policy.

Authority

[42 CFR 50, Subpart F](#)

The following link to FindLaw's [New York State Laws](#) is provided for users' convenience; it is not the official site for the State of New York laws.

[NYS Public Officers Law, Section 73-a, and 73 and 74](#)

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of [New York State Consolidated](#).

[Board of Trustees Policies - Appointment of Employees \(8 NYCRR Part 335\)](#)

State University of New York Board of Trustees Resolution adopted June 27, 1995

History

Memorandum to presidents from the office of the University provost, dated June 30, 1995 regarding revision to University conflict of interest policy to bring it in conformity with federal guidelines issued by the National Science Foundation and the Public Health Service.

Appendices

There are no appendices relevant to this policy.

Research Foundation of SUNY Conflict of Interest Policy

Basis for Policy

The Research Foundation (RF) Board of Directors by Resolution 95-5 adopted this conflict of interest policy.

Applicability and Definitions

As used in this policy, the term "Research Foundation" or "Foundation" shall mean The Research Foundation of State University of New York.

The terms "officer" and "employee" shall include any person employed by, representing or acting on behalf of the Research Foundation, or who is in a significant decision-making capacity with respect to the professional, technical, or scientific aspects of a program or project conducted or administered through the Foundation.

Policy

No officers or employees of the Research Foundation should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature that is in substantial conflict with the proper discharge of their duties in the best interests of the Research Foundation.

No officers or employees of the Research Foundation should have any financial interest that will, or may be reasonably expected to, bias the design, conduct, or reporting of sponsored programs.

Standards

1. No officers or employees of the Research Foundation shall accept other employment that will impair their independence of judgment in the exercise of their duties and responsibilities.
 2. No officers or employees of the Research Foundation shall accept employment or engage in any business or professional activity that will require them to disclose information confidential to the Research Foundation that they have gained by reason of their position or authority.
 3. No officers or employees of the Research Foundation shall disclose information confidential to the Research Foundation acquired by them in the course of their duties except as required by law nor shall they use such information to further their personal interests, unless such information has previously been made public.
 4. No officers or employees of the Research Foundation shall use or attempt to use their position to secure undue privileges or exemptions for themselves or others.
 5. No officers or employees of the Research Foundation shall engage in any transaction as a representative or agent of the Research Foundation with any business entity in which they, their spouse or any dependent, or any business partners have a direct or indirect financial interest that might conflict with the proper discharge of their duties or responsibilities.
 6. No officers or employees of the Research Foundation, or corporation, firm, or association of which they, their spouse or any dependent, or any business partner is a member, shall sell, contract for, or provide goods or services to the Research Foundation in connection with a program or project administered through the Foundation in a manner that is inconsistent with the Foundation's established procurement policy.
 7. Officers and employees of the Research Foundation shall not by their conduct give reasonable basis for the impression that any person can improperly influence them or unduly enjoy their favor in performance of their duties, or that they are affected by the kinship, rank, position or influence of any party or person.
-

8. Officers and employees of the Research Foundation shall abstain from holding personal investments in enterprises that they have reason to believe may be directly involved in decisions to be made by them or that will otherwise create conflict between their duties in the best interests of the Research Foundation and their private interests.

Disclosure Statement

The Disclosure Statement that is made a part of this conflict of interest policy as Exhibit A must be completed by principal investigators or co-principal investigators who:

- are applying for funds from an agency of the federal government that requires completion of a disclosure statement *and*
- have not filed a disclosure statement (SUNY II form) in conformance with SUNY's conflict of interest policy

Disclosure statements must be filed in accordance with campus policy at the time of application and updated either annually or as new reportable significant financial interests are obtained.

Employees of the Albany Central Office of the Research Foundation will file with the president of the Research Foundation, or with the president's designee.

Real, Apparent, or Potential Conflicts

All real, apparent, or potential conflicts of interest as defined under the standards must be disclosed for review and determination as to whether a violation of this policy exists.

In the event of a real, apparent, or potential conflict, the campus operations manager, or designee, shall immediately advise the campus president and the Research Foundation Central Office of General Counsel and Secretary of the substance of the disclosure. The campus shall be the office of record for all final determinations. The campus operations manager shall assure that Research Foundation policies and procedures for maintaining records of such determinations are in place. Copies of final determinations shall be forwarded to the campus president.

Where a conflict of interest as defined by Research Foundation policy is discovered, appropriate steps must be taken to manage, reduce, or eliminate such conflict of interest. These steps can include:

1. public disclosure of significant financial interests
2. monitoring of research by independent reviewers
3. modification of research plan
4. disqualification for participation in the portion of the sponsored research that would be affected by significant financial interests
5. divestiture of significant financial interests
6. severance of relationships that create actual or potential conflicts

The reviewer may allow the research to go forward without imposing such conditions or restrictions if the reviewer determines that imposing conditions or restrictions would be either ineffective or inequitable, and that the potential negative impacts that may arise from significant financial interests are outweighed by interests of scientific progress, technology transfer, or the public health and welfare.

In instances where disciplinary action is contemplated as a result of activities disclosed by the reporting requirements, such actions shall be consistent with Research Foundation policy.

For employees of the Albany Central Office of the Research Foundation, real, apparent, or potential conflicts of interest shall be reported to the president of the Research Foundation, or to the president's designee.

Complaints and Inquiries

Anyone may bring a complaint or make inquiries concerning possible violation of this conflict of interest policy.

All complaints or inquiries should be immediately reported to the campus operations manager or designee who shall immediately advise the campus president, or for employees of the Albany Central Office of the Research Foundation, to the president of the Research Foundation, or the president's designee, for review and determination, in consultation with the Office of General Counsel and Secretary, as to whether a violation of this policy exists.

Upon receipt or notification of such complaint or inquiry, the campus operations manager or designee shall immediately advise the campus president, the person against whom the complaint is made, and the Office of General Counsel and Secretary of the substance of the complaint or inquiry. The procedures for investigating complaints and inquiries shall be consistent with those set forth in Exhibit B of this policy, Procedures for Investigating Conflict of Interest, attached hereto and made a part hereof.

Any determination by the campus operations manager or designee shall be forwarded to the president of the campus. The campus shall be the office of record for all final determinations. The campus operations manager shall assure that Research Foundation policies and procedures for maintaining such determinations are in place.

Appeal

An officer or employee who disagrees with the determination of the campus operations manager may appeal to the president of the Research Foundation, or the president's designee, for reconsideration of such determination. The determination of the president shall be final and binding.

Violation

In addition to any penalty contained in any provision of law or federal policy, officers or employees who knowingly and intentionally violate any of these provisions may be suspended from employment with the Research Foundation, or their relationship with the Research Foundation may be terminated.

Guidelines on Conflict of Interest

The following are official SUNY Research Foundation Guidelines on Conflict of Interest.

As used in this section the term Research Foundation shall mean The Research Foundation of State University of New York. The term "officer" and "employee" shall include any person representing or acting on behalf of the Research Foundation in any capacity in a program or project sponsored through the Research Foundation.

The Rule with Respect to Conflicts of Interest

No officer or employee of the Research Foundation should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his/her duties in the best interests of the Research Foundation.

Standards

- No officer or employee of the Research Foundation should accept other employment which will impair his/her independence of judgment in the exercise of his/her duties and responsibilities.
- No officer or employee of the Research Foundation should accept employment or engage in any business or professional activity which will require him/her to disclose confidential information which he/she has gained by reason of his/her position or authority.
- No officer or employee of the Research Foundation should use or attempt to use his/her position to secure privileges or exemptions for himself or herself or others.
- No officer or employee of the Research Foundation should engage in any transaction as representative or agent of the Research Foundation with any business entity in which s/he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his/her duties or responsibilities.
- An officer or employee of the Research Foundation should not by his/her conduct give reasonable basis for the impression that any person can improperly influence him/her or unduly enjoy his/her favor in the performance of his/her duties, or that he/she is affected by the kinship, rank, position or influence of any party or person.
- An officer or employee of the Research Foundation should abstain from making personal investments in enterprises which s/he has reason to believe may be directly involved in decisions to be made by him/her or which will otherwise create conflict between his/her duties in the best interests of the Research Foundation and his/her private interest.
- An officer or employee of the Research Foundation should pursue a course of conduct which will not raise suspicion that s/he is likely to be engaged in acts that are in violation of his/her trust.

Disclosure

All apparent conflicts of interest must be disclosed to the Campus President or his/her designee, or, for employees of the Albany Office of the Research Foundation, to the President of the Research Foundation for review and determination of whether a violation of this statement exists. Any determination by the Campus President or his/her designee shall be forwarded to the President of the Foundation.

Complaints or Inquiries

All complaints or inquiries concerning possible violation of this Conflict of Interest Statement should immediately be reported to the Campus President or his/her designee, or for employees of the Albany Office of the Research Foundation, to the President of the Research Foundation, for review and a determination as to whether a violation of this statement exists. Any determination by the Campus President or his/her designee shall be forwarded to the President of the Research Foundation.

Violations

In addition to any penalty contained in any provision of law, any such officer or employee who knowingly and intentionally violates any of these provisions may be suspended from employment with the Foundation or his/her relationship with the Foundation terminated.

CONFLICT OF INTEREST POLICY

The purpose of the Conflict of Interest Policy (“Policy”) is to protect the interests of FNUB, Inc. (the Corporation) when it is contemplating entering into certain Covered Transactions (as defined below) involving current and former (within the last five years) Board members, committee members, officers or key employees (as defined in the Glossary to IRS Form 990) of the Corporation or its affiliates (“Covered Persons”) and to manage any conflicts of interests that might call into question an Covered Person’s duty of undivided loyalty to the Corporation or create the appearance of impropriety.

1. **General Principle.** Service as a Covered Person shall not be used as a means for private benefit or inurement. Covered Persons currently serving the Corporation are charged with a duty of loyalty to the Corporation, which requires them to act in the interest of the Corporation.

2. **Transactions With Corporation.** This Policy applies to transactions in which the personal or financial interests of a Covered Person (including through a Family Member or Affiliated Entity) may appear to be advanced by the Corporation’s actions or use of its resources or otherwise whenever a Covered Person’s personal or financial interests could be reasonably viewed as affecting his or her objectivity or independence in fulfilling his or her duties to the Corporation (such transaction or arrangement, a “Covered Transaction”).

A Covered Transaction includes whenever a Covered Person (or Family Member or an Affiliated Entity) has (directly or indirectly):

1. a transaction with the Corporation involving payment for goods or services, such as vendor agreements or compensation agreements;
2. used his or her position, or confidential information or the assets of the Corporation to his or her (or an affiliated party’s) personal advantage or for an improper or illegal purpose;
3. solicited or accepted any gift, entertainment, or other favor where such gift might create the appearance of influence on the Covered Person (other than gifts of nominal value, which are clearly tokens of respect and friendship unrelated to any particular transaction);
4. an opportunity related to the activities of the Corporation that is available to the Corporation or to the Covered Person, unless the Board has made an informed decision that the Corporation will not pursue that opportunity; or
5. been indebted to the Corporation, other than for amounts due for ordinary travel and expense advances.

3. **Disclosure.** Covered Persons currently serving the Corporation shall advise the Chair of the Corporation of any existing or possible Covered Transactions and all material facts in response to an annual questionnaire and at any other time when such Covered Person becomes aware of possible Covered Transaction that has not previously been disclosed. If a Covered Person is unsure whether a Covered Transaction exists, he or she shall disclose the relevant facts to the Chair of the Corporation.

4. **Refrain from Influence and Recusal.** A Covered Person shall leave any meeting for the period of time that the Board or any committee thereof is discussing or voting on a Covered Transaction and otherwise refrain from using his or her personal influence to encourage the Board to approve the Covered Transaction except to answer any questions posed by any Board or committee member concerning such transaction.

5. **Standard for Approval of Covered Transactions.** The Corporation may enter into a Covered Transaction only if the Board or committee, after reasonable inquiry determines that:

(a) the Covered Transaction in its entirety, and each of its terms, is fair and reasonable to the Corporation, while considering (when appropriate) any available alternatives;

(b) entering into the Covered Transaction is in the best interests of the Corporation, while considering the Corporation's ability to manage the conflict during the course of the transaction, and the possibility of creating an appearance of impropriety that might impair the reputation of the Corporation (even if there is no actual conflict); and

(c) the Covered Transaction is not prohibited under state law or applicable SUNY guidelines and does not result in private inurement, an excess benefit transaction, or impermissible private benefit under laws applicable to tax exempt organizations.

6. **Record Keeping.**

(a) The minutes of the meeting of the Board or committee at which a Covered Transaction was discussed shall include the name of the interested Covered Person, the nature of the Covered Person's interest, the recusal from deliberations and abstention from voting on the Covered Transaction, and whether the Board or Committee approved the Covered Transaction.

(b) If the Covered Transaction is approved, the minutes should include the basis for the approval and the nature of the deliberations (such as documents reviewed, alternatives considered, comparative costs or bids, market value information, and other factors considered in deliberations) and any ongoing procedures to manage the approved conflict. If appropriate, the minutes shall reflect that the Board designated a disinterested person to oversee the arrangement and periodically report to the Board or committee.

(c) In addition, certain related party transactions may be required to be disclosed in the notes to the Corporation's audited financial statements and on its annual federal tax filing on Form 990. Conflict disclosures will be reported annually to SUNY Auditor to the extent required by the State University of New York Guidelines for Conflicts of Interest Policies of Campus-Related Foundations.

7. **Staff Member Affiliations.** No member of the staff of the Corporation shall, without previous approval of the Chair of the Corporation, be, or be affiliated with, a vendor to the Corporation.

8. **No Special Consideration Excess Benefit Transactions.** No individual or entity with which a current Covered Person or staff member is affiliated shall receive any special consideration by the Board or staff. There shall be no variation in the procedures for processing transactions and/or specifications with such affiliated entities or individuals, except that additional scrutiny may be applied to such transactions and/or specifications, and the Corporation shall follow such procedures as are necessary or appropriate to assure that any such transaction does not constitute an “excess benefit transaction” under the Internal Revenue Code.

9. **Definition of Affiliated Entities and Family Members**

(a) Affiliated Entity includes an entity in which the Covered Person

- (i) serves as a member of the governing body of the entity;
- (ii) serves as an officer or employee of the entity;
- (iii) has a material economic relationship with the entity;
- (iv) has a Family Member who holds such a position or has such a relationship; or
- (v) otherwise has a substantial financial interest.

(b) Family Member of a person includes any individual who is a spouse, parent, sibling, child, or member of the immediate household of such person.

10. **General Policy Discussions.** Nothing contained in this Policy shall be construed to prohibit a Covered Person from speaking directly on issues of broad policy that are under consideration by the Board or one of its committees, even if such issues may have an effect on an interest of such Covered Person. For example, a Covered Person may participate in a general discussion about computer services for the Corporation even though the Covered Person has an interest in a computer services corporation, Covered Person must not advocate that services be provided by an entity or individual with which or whom he or she is affiliated.

11. **State University of New York Guidelines for Conflict of Interest Policies of Campus-Related Foundations.** The attached Addendum to Conflict of Interest Policy supplements this Policy in compliance with the requirements of the State University of New York Guidelines for Conflict of Interest Policies of Campus-Related Foundations.

ADDENDUM TO CONFLICT OF INTEREST POLICY

The following provisions supplement the attached Conflict of Interest Policy as required by the State University of New York Guidelines for Conflict of Interest Policies of Campus- Related Foundations:

1. **General Principle**. In addition to the requirements set forth in Section 1 of the attached Conflict of Interest Policy, service as a Covered Person shall not be used as a means for private benefit or inurement for the Covered Person, a Family Member or an Affiliated Entity.

2. **Covered Transaction**. In addition to the Covered Transactions listed in Section 2 of the attached Conflict of Interest Policy, a Covered Transaction also includes a transaction between (a) the Corporation, (b) a board member or officer of the Corporation, (c) a Family Member of such board member or officer or (d) an Affiliated Entity of such board member or officer (individually, a "Vendor") and the State University of New York at Buffalo (the "University") under which the Vendor will provide goods or services to the University.

3. **Affiliated Entity**. The definition of "Affiliated Entity" in Section 9 of the attached Conflict of Interest Policy includes an entity in which a Covered Person owns or controls ten percent or more of the stock of the entity (or one percent in the case of an entity the stock of which is regularly traded on an established securities exchange) or in which the Covered Person serves as a partner.

4. **Family Member**. The definition of "Family Member" in Section 9 of the attached Conflict of Interest Policy includes any person who is a direct descendant of a Covered Person's grandparents or the spouse of such descendant.

5. **Defined Terms**. Defined terms used in this Addendum shall have the meanings given to them in the attached Conflict of Interest Policy except as they are otherwise modified by this Addendum.

Checklist for Approving a Conflict

This brief checklist is to be used in conjunction with the Conflict of Interest Policy (“Policy”) to ensure the Policy is followed and the best interests of the Corporation are protected.

Step 1—Identify potential conflicts. See Section 3 of the Policy.

Step 2—Recusal. After answering any questions, the Covered Person must leave any meeting where the transaction is being considered and refrain from voting on any such matter. See Section 4 of the Policy.

Step 3—Consider approval of the Covered Transaction. See Sections 5 and 6 of the Policy.

- Review documents.
- Consider alternatives.
- Compare costs or other bids.
- Consider market value information.
- Consider the best interest of the Corporation as well as any appearance of impropriety.
- Ensure that the transaction is permitted under state law.
- Consider and/or implement any ongoing procedures to manage the conflict.

Step 4—Documentation. The minutes should document the discussion and disclosure of the conflict, and if approved, the factors considered. See Section 6 of the Policy.

CONFLICT OF INTEREST POLICY

The purpose of the Conflict of Interest Policy (“Policy”) is to protect the interests of University at Buffalo Foundation Incubator, Inc. (the Corporation) when it is contemplating entering into certain Covered Transactions (as defined below) involving current and former (within the last five years) Board members, committee members, officers or key employees (as defined in the Glossary to IRS Form 990) of the Corporation or its affiliates (“Covered Persons”) and to manage any conflicts of interests that might call into question an Covered Person’s duty of undivided loyalty to the Corporation or create the appearance of impropriety.

1. **General Principle.** Service as a Covered Person shall not be used as a means for private benefit or inurement. Covered Persons currently serving the Corporation are charged with a duty of loyalty to the Corporation, which requires them to act in the interest of the Corporation.

2. **Transactions With Corporation.** This Policy applies to transactions in which the personal or financial interests of a Covered Person (including through a Family Member or Affiliated Entity) may appear to be advanced by the Corporation’s actions or use of its resources or otherwise whenever a Covered Person’s personal or financial interests could be reasonably viewed as affecting his or her objectivity or independence in fulfilling his or her duties to the Corporation (such transaction or arrangement, a “Covered Transaction”).

A Covered Transaction includes whenever a Covered Person (or Family Member or an Affiliated Entity) has (directly or indirectly):

1. a transaction with the Corporation involving payment for goods or services, such as vendor agreements or compensation agreements;
2. used his or her position, or confidential information or the assets of the Corporation to his or her (or an affiliated party’s) personal advantage or for an improper or illegal purpose;
3. solicited or accepted any gift, entertainment, or other favor where such gift might create the appearance of influence on the Covered Person (other than gifts of nominal value, which are clearly tokens of respect and friendship unrelated to any particular transaction);
4. an opportunity related to the activities of the Corporation that is available to the Corporation or to the Covered Person, unless the Board has made an informed decision that the Corporation will not pursue that opportunity; or
5. been indebted to the Corporation, other than for amounts due for ordinary travel and expense advances.

3. **Disclosure.** Covered Persons currently serving the Corporation shall advise the Chair of the Corporation of any existing or possible Covered Transactions and all material facts in response to an annual questionnaire and at any other time when such Covered Person becomes aware of possible Covered Transaction that has not previously been disclosed. If a Covered Person is unsure whether a Covered Transaction exists, he or she shall disclose the relevant facts to the Chair of the Corporation.

4. **Refrain from Influence and Recusal.** A Covered Person shall leave any meeting for the period of time that the Board or any committee thereof is discussing or voting on a Covered Transaction and otherwise refrain from using his or her personal influence to encourage the Board to approve the Covered Transaction except to answer any questions posed by any Board or committee member concerning such transaction.

5. **Standard for Approval of Covered Transactions.** The Corporation may enter into a Covered Transaction only if the Board or committee, after reasonable inquiry determines that:

(a) the Covered Transaction in its entirety, and each of its terms, is fair and reasonable to the Corporation, while considering (when appropriate) any available alternatives;

(b) entering into the Covered Transaction is in the best interests of the Corporation, while considering the Corporation's ability to manage the conflict during the course of the transaction, and the possibility of creating an appearance of impropriety that might impair the reputation of the Corporation (even if there is no actual conflict); and

(c) the Covered Transaction is not prohibited under state law or applicable SUNY guidelines and does not result in private inurement, an excess benefit transaction, or impermissible private benefit under laws applicable to tax exempt organizations.

6. **Record Keeping.**

(a) The minutes of the meeting of the Board or committee at which a Covered Transaction was discussed shall include the name of the interested Covered Person, the nature of the Covered Person's interest, the recusal from deliberations and abstention from voting on the Covered Transaction, and whether the Board or Committee approved the Covered Transaction.

(b) If the Covered Transaction is approved, the minutes should include the basis for the approval and the nature of the deliberations (such as documents reviewed, alternatives considered, comparative costs or bids, market value information, and other factors considered in deliberations) and any ongoing procedures to manage the approved conflict. If appropriate, the minutes shall reflect that the Board designated a disinterested person to oversee the arrangement and periodically report to the Board or committee.

(c) In addition, certain related party transactions may be required to be disclosed in the notes to the Corporation's audited financial statements and on its annual federal tax filing on Form 990. Conflict disclosures will be reported annually to SUNY Auditor to the extent required by the State University of New York Guidelines for Conflicts of Interest Policies of Campus-Related Foundations.

7. **Staff Member Affiliations.** No member of the staff of the Corporation shall, without previous approval of the Chair of the Corporation, be, or be affiliated with, a vendor to the Corporation.

8. **No Special Consideration Excess Benefit Transactions.** No individual or entity with which a current Covered Person or staff member is affiliated shall receive any special consideration by the Board or staff. There shall be no variation in the procedures for processing transactions and/or specifications with such affiliated entities or individuals, except that additional scrutiny may be applied to such transactions and/or specifications, and the Corporation shall follow such procedures as are necessary or appropriate to assure that any such transaction does not constitute an “excess benefit transaction” under the Internal Revenue Code.

9. **Definition of Affiliated Entities and Family Members**

(a) Affiliated Entity includes an entity in which the Covered Person

- (i) serves as a member of the governing body of the entity;
- (ii) serves as an officer or employee of the entity;
- (iii) has a material economic relationship with the entity;
- (iv) has a Family Member who holds such a position or has such a relationship; or
- (v) otherwise has a substantial financial interest.

(b) Family Member of a person includes any individual who is a spouse, parent, sibling, child, or member of the immediate household of such person.

10. **General Policy Discussions.** Nothing contained in this Policy shall be construed to prohibit a Covered Person from speaking directly on issues of broad policy that are under consideration by the Board or one of its committees, even if such issues may have an effect on an interest of such Covered Person. For example, a Covered Person may participate in a general discussion about computer services for the Corporation even though the Covered Person has an interest in a computer services corporation, Covered Person must not advocate that services be provided by an entity or individual with which or whom he or she is affiliated.

11. **State University of New York Guidelines for Conflict of Interest Policies of Campus-Related Foundations.** The attached Addendum to Conflict of Interest Policy supplements this Policy in compliance with the requirements of the State University of New York Guidelines for Conflict of Interest Policies of Campus-Related Foundations.

ADDENDUM TO CONFLICT OF INTEREST POLICY

The following provisions supplement the attached Conflict of Interest Policy as required by the State University of New York Guidelines for Conflict of Interest Policies of Campus- Related Foundations:

1. **General Principle**. In addition to the requirements set forth in Section 1 of the attached Conflict of Interest Policy, service as a Covered Person shall not be used as a means for private benefit or inurement for the Covered Person, a Family Member or an Affiliated Entity.

2. **Covered Transaction**. In addition to the Covered Transactions listed in Section 2 of the attached Conflict of Interest Policy, a Covered Transaction also includes a transaction between (a) the Corporation, (b) a board member or officer of the Corporation, (c) a Family Member of such board member or officer or (d) an Affiliated Entity of such board member or officer (individually, a "Vendor") and the State University of New York at Buffalo (the "University") under which the Vendor will provide goods or services to the University.

3. **Affiliated Entity**. The definition of "Affiliated Entity" in Section 9 of the attached Conflict of Interest Policy includes an entity in which a Covered Person owns or controls ten percent or more of the stock of the entity (or one percent in the case of an entity the stock of which is regularly traded on an established securities exchange) or in which the Covered Person serves as a partner.

4. **Family Member**. The definition of "Family Member" in Section 9 of the attached Conflict of Interest Policy includes any person who is a direct descendant of a Covered Person's grandparents or the spouse of such descendant.

5. **Defined Terms**. Defined terms used in this Addendum shall have the meanings given to them in the attached Conflict of Interest Policy except as they are otherwise modified by this Addendum.

Checklist for Approving a Conflict

This brief checklist is to be used in conjunction with the Conflict of Interest Policy (“Policy”) to ensure the Policy is followed and the best interests of the Corporation are protected.

Step 1—Identify potential conflicts. See Section 3 of the Policy.

Step 2—Recusal. After answering any questions, the Covered Person must leave any meeting where the transaction is being considered and refrain from voting on any such matter. See Section 4 of the Policy.

Step 3—Consider approval of the Covered Transaction. See Sections 5 and 6 of the Policy.

- Review documents.
- Consider alternatives.
- Compare costs or other bids.
- Consider market value information.
- Consider the best interest of the Corporation as well as any appearance of impropriety.
- Ensure that the transaction is permitted under state law.
- Consider and/or implement any ongoing procedures to manage the conflict.

Step 4—Documentation. The minutes should document the discussion and disclosure of the conflict, and if approved, the factors considered. See Section 6 of the Policy.



Category:
Academic Affairs
Community Colleges
Legal and Compliance
Research

Responsible Office:
[Academic Affairs](#)

Policy Title:
START-UP NY Program Participation Policy

Document Number:
6800

Effective Date:
February 10, 2014

This policy item applies to:
Community Colleges
State-Operated Campuses

Table of Contents

[Summary](#)
[Policy](#)
[Definitions](#)
[Other Related Information](#)
[Procedures](#)
[Forms](#)
[Authority](#)
[History](#)
[Appendices](#)

Summary

START-UP NY is a state economic development program that positions SUNY campuses as magnets for entrepreneurs and businesses from around the globe. START-UP NY aligns with SUNY's mission of teaching, research and public service; enabling engagement with industry, knowledge acceleration, translation of research into practical applications, and delivering the 21st century workforce businesses need to grow and thrive. START-UP NY will transform university communities to deliver unprecedented economic benefits to New York. To participate in the program, all campuses must comply with this policy and any applicable rules and regulations issued by the NYS Commissioner of Economic Development.

This policy governs the review process that all participating campuses must follow to secure SUNY's approval of the plans, applications, and other documents required by the NYS Commissioner of Economic Development to participate in the START-UP NY program. It also prescribes special requirements for the disclosure and management of actual or potential conflicts of interest in matters pertaining to the campus' START-UP NY program. Any conflict between this policy and any other applicable Conflict of Interest policy shall be resolved in favor of disclosure of any potential, actual, or perceived conflict of interest relating to the campus' START-UP NY program to the President or Chief Executive Officer of the sponsoring campus.

Policy

- A. **Campus Plans for Designation of Tax-Free Area(s):** Any campus intending to submit a Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan") to the NYS Commissioner of Economic Development must first have it reviewed and approved by the Chancellor or designee. The Chancellor or designee shall approve or reject all Campus Plans within fifteen (15) business days of receipt. Any rejected Campus Plan shall be accompanied by an explanation of the basis for rejection. Once approved by the Chancellor or designee a campus may submit its Campus Plan to the NYS Commissioner of Economic Development in accordance with the Commissioner's rules and regulations. Any Campus Plan that is rejected can be resubmitted for Chancellor

or designee approval and will be reviewed in accordance with this policy and related procedures. Any amendments to approved Campus Plans must be submitted for Chancellor or designee approval and will be reviewed in accordance with this policy and related procedures.

- B. Sponsoring University or College Applications for Business Participation:** Any campus intending to submit a Sponsoring University or College Application for Business Participation ("Sponsor Application") to the NYS Commissioner of Economic Development must first have it reviewed and approved by the Chancellor or designee. The Chancellor or designee shall approve or reject all Sponsor Applications within thirty (30) business days of receipt. Any rejected Sponsor Application shall be accompanied by an explanation of the basis for rejection. Once approved the campus may submit the Sponsor Application to the NYS Commissioner of Economic Development in accordance with the Commissioner's rules and regulations. Any Sponsor Application that is rejected can be resubmitted for Chancellor or designee approval and will be reviewed in accordance with this policy and related procedures. Any amendments to approved Sponsor Applications must be submitted for Chancellor or designee approval and will be reviewed in accordance with this policy and related procedures.
- C. Delegations:** The Chancellor or designee may charge a group of individuals, collectively called the SUNY START-UP NY Proposal Review Team, to evaluate all submitted Campus Plans and Sponsor Applications prior to accepting or rejecting them.
- D. Conflicts of Interest:** Service as an Official shall not be used as a means for private benefit or inurement for any Official, a Relative thereof, or any entity in which the Official or Relative thereof has a Business Interest. A conflict of interest exists whenever an Official has a Business Interest or other interest or activity outside of the university that has the possibility, whether potential, actual, or perceived, of (a) compromising the Official's judgment, (b) influencing the Official's decision or behavior with respect to the START-UP NY Program, or (c) resulting in personal or a Relative's gain or advancement. Any Official who is an owner or employee of an entity that is the subject of any matter pertaining to the university's START-UP NY Program, or who has a Business Interest in any entity that is the subject of any matter pertaining to the university's START-UP NY Program, or whose Relative has such a Business Interest, shall not vote on or otherwise participate in the administration by the university of any START-UP NY matter involving such entity. Any Official or other campus representative who becomes aware of a potential, actual or apparent conflict of interest, either their own or that of another Official, related to a sponsoring university or college's START-UP NY program must disclose that interest to the President or Chief Executive Officer of the sponsoring college or university. Each such President or Chief Executive Officer shall maintain a written record of all disclosures of actual or potential conflicts of interest made pursuant to this policy, and shall report such disclosures on a calendar year basis, by January 31st of each year, to the University Auditor or to the Chancellor's designee, in which case the University Auditor shall be copied on the correspondence to such designee. SUNY shall then forward such reports to the Commissioner of Economic Development for the State of New York, who shall make public such reports.
- E. Exceptions:** There are no exceptions to this policy.

Definitions

Business Interest means that an individual (1) owns or controls 10% or more of the stock of an entity (or 1% in the case of an entity the stock of which is regularly traded on an established securities exchange); or (2) serves as an officer, director or partner of an entity.

Official means an employee at the level of dean and above as well as any other person with decision-making authority over a campus' START-UP NY Program, including any member of any panel or committee that recommends businesses for acceptance into the START-UP NY program.

Relative means any person living in the same household as another individual and any person who is a direct descendant of that individual's grandparents or the spouse of such descendant.

Sponsoring College or University means any entity defined or described in NYS Education Law Sec. 352 and Article 126.

START-UP NY Program means the SUNY Tax-free Areas to Revitalize and Transform Upstate New York Program established by Article 21 of the Economic Development Law.

Tax-Free NY Area means vacant land or space designated by the Commissioner of Economic Development Article

21 of the Economic Development Law that is eligible to receive benefits under the START-UP NY program.

Other Related Information

[Start-Up NY Regulations](#); available at the [Start-Up NY Website](#).

At least thirty days before submitting the Campus Plan to the Commissioner of Economic Development the campus must provide a copy of the Plan to the chief executive officer of the municipality or municipalities in which the proposed Tax-free NY Area is located, local economic development entities, the applicable university or college faculty senate, union representatives and the campus student government. The campus shall include in their submission to the Commissioner of Economic Development certification of such notification, as well as a copy of any written response from chief executive officer of the municipality or municipalities in which the proposed Tax-free NY Area is located, local economic development entities, the applicable campus or college faculty senate, union representatives and the campus student government.

[StartUp-NY.gov](#) website and program information.

Procedures

[START-UP NY Program Participation, Procedures for](#)

Forms

[SUNY START-UP NY Campus Plan for Designation of Tax-Free Area\(s\) Memorandum](#)

[SUNY START-UP NY Campus Plan for Designation of Tax-Free Area\(s\) Template](#)

[START-UP NY Sponsoring University or College Application for Business Participation Memorandum](#)

[ESD START-UP NY Sponsoring University or College Application for Business Participation](#)

[ESD START-UP NY Business Application Instructions](#)

[ESD START-UP Business Application](#)

Authority

[State University of New York Board of Trustees Resolution 14-\(\) . START-UP New York Program Administration, adopted January 14, 2014](#)

[Law, New York Economic Development Law Article 21 \(Start-Up NY Program\)](#)

[Start-Up NY Regulations](#)

History

Enacted into law in June 2013, START-UP NY is a groundbreaking new initiative from Governor Andrew M. Cuomo that provides major incentives for businesses to relocate, start up or significantly expand in New York State through affiliations with public and private universities, colleges and community colleges. Businesses will have the opportunity to operate state and local tax-free on or near academic campuses, and their employees will pay no state or local personal income taxes.

Appendices

There are no appendices relevant to this policy.