

# Rubric for Determining Permitted Uses under the Esri Education Institution Agreement

Higher education institutions like yours commonly adopt a three-part mission of teaching, research, and service. In addition, institutions perform administrative functions. All four of these overlapping categories benefit from the use of Esri technology. The Esri Education Institution Agreement is designed to provide higher education institutions with broad access to Esri technology at an affordable price. See the [Esri Education Institution Agreement Overview](#) for a description of the agreement.

Because the Esri Education Institution Agreement offers discounted license fees, certain categories of uses are not permitted under the terms of the agreement. Sometimes it is unclear whether a particular use is permitted under the terms of the Esri Education Institution Agreement or requires a standard commercial license. We prepared this document to provide a framework within which license administrators and Esri staff can make informed and reasoned decisions about such matters. We welcome your inquiries if questions remain.

## Teaching/Instruction

Teaching/instruction is the process by which existing knowledge is imparted and learned. Both formal and informal teaching and learning take place at higher education institutions.

**I.A. Formal teaching and learning** typically involves classes/courses in which students register to earn academic credit but may involve other purposeful activity that is required to earn a degree, certificate, or other academic credential.

**I.B. Informal teaching and learning** includes outreach programs and extracurricular activities that are not required for a degree or other credential, but which contribute to students' intellectual

and social development. Some kinds of informal education, such as internships and other student employment that supports educational objectives, may involve compensation to the student.

**Use of Esri products included in the Education Institution Agreement is permitted for both formal and informal teaching/learning so long as registered students are the primary beneficiaries of such uses.** This includes teaching/learning in medical centers and hospitals operated by or affiliated with the university. If a third party is the primary beneficiary, see section II.B.ii. *Sponsored Research - Contracts* below.

## II. Research

Research is the process by which new knowledge is produced. Both faculty members and students participate in this kind of learning. Four categories of research take place at most higher education institutions—personal research, sponsored research, consulting, and institutional research.

**II.A. Personal research** is the independent scholarly activity that is part of most educators' jobs and students' training. Personal research may involve reviewing pertinent scholarly literature, writing an article for a research publication, or presenting one's work at a professional conference. Scholars receive no extra compensation for such activity. Neither is any particular outcome or deliverable specified by a supervisor or sponsor. The educator or student is the primary beneficiary of the activity.

**Use of Esri products included in the Education Institution Agreement is permitted for personal research, so long as higher education staff and students are the primary beneficiaries of such uses, and that no *quid pro quo* arrangement is in effect with any other entity.** This includes research in medical centers and hospitals operated by or affiliated with the university.

**II.B. Sponsored research** is a common term for scholarly activity that is funded by an external entity but managed within the educational institution, typically through its "sponsored programs" office. Sponsorships may take the form of a grant or a contract.

**II.B.i. Grants** entail no particular deliverables specified in advance by the granting agency as a condition of the grant award. Society is the primary beneficiary of the research, insofar as the grant yields new knowledge.

**Use of Esri products included in the Education Institution Agreement is permitted for research sponsored through grants, provided that deliverables produced as a result of the grant primarily benefit society and not a third party.** This includes research in medical centers and hospitals operated by or affiliated with the university.

**II.B.ii. Contracts** entail particular deliverables specified in advance by the sponsor as a condition of the sponsorship. The sponsor is the primary beneficiary of the research.

**Use of Esri products included in the Education Institution Agreement is not permitted for research sponsored through contracts.** This includes research in medical centers and hospitals operated by or affiliated with the university. Standard commercial licenses are required for contract work. Please contact [Esri's Sales Team](#) for information about acquiring commercial licenses.

**II.C. Consulting** is a form of sponsored research that is carried out by scholars independent of their college- or university-sponsored programs apparatus. Consulting involves contracts in which a third party contractor identifies particular deliverables in advance as a condition of the contract. The third party is the primary beneficiary of the research.

**Use of Esri products included in the Education Institution Agreement is not permitted for independent consulting.** Third parties should provide, or consultants should acquire, commercial or non-profit licenses as appropriate for such work.

**II.D. Institutional research** is a common term for work intended to inform planning and decision-making in areas such as admissions, finance, curriculum, enrollment management, staffing, facilities, and alumni relations.

**Use of Esri products included in the Education Institution Agreement is permitted for institutional research, except for products specifically excluded for Administrative purposes.**

### III. Service

Service to one's profession, one's community, and society is expected of faculty members and students at many higher education institutions. This service mission frequently overlaps with teaching and research missions, causing ambiguities about permitted uses under the Esri Education Institution Agreement. A typical example of service to the profession is editing a scholarly journal or serving on a volunteer committee in support of a professional organization.

In addition, service learning is an increasingly common element of formal and informal instruction in higher education. Service topics and deliverables may originate with students and educators themselves, or they may be proposed by a third party. By definition, service activities are voluntary and involve no compensation to the volunteers.

**Use of Esri products included in the Education Institution Agreement is permitted for public and professional service activities by higher education staff, provided that those activities primarily**

**benefit a public agency or not-for-profit organization. Uses for service activities carried out by students are also permitted, but only if these activities are conducted in the context of formal or informal instruction** (see section *I. Teaching/Instruction* above).

## IV. Administration

Administrative uses include operational activities such as property and facilities management, space planning, institutional research, student recruiting, fundraising, and campus security. These functions are not directly related to institutions' teaching, research, and service mission.

**Use of Esri products included in the Education Institution Agreement is permitted for administrative uses, except for products specifically excluded for such use, and except for administrative uses related to providing patient services in medical centers and hospitals operated by or affiliated with the university.** Standard commercial licenses are required for providing patient services in a medical center or hospital. Please contact [Esri's Sales Team](#) for information about acquiring commercial licenses.

## Ask Us

No document can anticipate and answer every possible question about permitted uses under the Esri Education Institution Agreement. This document is meant to assist you in determining which activities are consistent with the intent of the Education Institution Agreement and which require another type of license, such as a standard, commercial license. Questions about ambiguous situations should be addressed to the Esri Education team at [highered@esri.com](mailto:highered@esri.com).

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