

Date September 2013
From David DiBiase & Angela Lee
To Esri Educational Site License Coordinators
Subject Rubric for determining permitted uses under Educational Site License Program



Higher education institutions like yours commonly adopt a three-part mission of teaching, research, and service. In addition, your institutions perform administrative functions. All four of these overlapping categories benefit from the use of Esri technology. The [Esri Educational Site License Program](#) is designed to provide broad access to Esri technology at an affordable price for academic purposes. However, because the Educational Site License Program offers discounted license fees, certain categories of uses are not permitted for certain software and data products under the terms of the Program. Sometimes it is unclear whether a particular use is permitted under the terms of the Site License Program or instead requires a standard commercial license. We prepared the following document to provide a framework within which Site License Coordinators and Esri staff can make informed and reasoned decisions about such matters.

I. Teaching/Instruction

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

IA. *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.

IB. *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 educational site license is permitted for both formal and informal teaching and learning, so long as registered students are the primary beneficiaries of such uses. If a third party is the primary beneficiary, see IIB. 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. Three categories of research take place at most higher education institutions—personal research, sponsored research, and independent consulting.

IIA. *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 educational site license is permitted for personal research except for products specifically limited to teaching use, 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.** (see Table 1C of the Esri Educational Site License Program description).

IIB. *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.

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 educational site license is permitted for research sponsored through grants except for products specifically limited to teaching use, provided that deliverables produced as a result of the grant primarily benefit society, not a third party** (see Table 1C of the Esri Educational Site License Program description).

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 educational site license is not permitted for research sponsored through contracts.**

See Esri's [Educational License Options](#) for licensing options for personal and grant-sponsored research when using products limited under the terms of the Educational Site License program to teaching. When using products for contract work, a standard commercial license is required.

IIC. *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 educational site license is not permitted for independent consulting.**

Third parties should provide, or consultants should acquire, commercial or non-profit licenses as appropriate for such work.

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 Educational Site License Program. 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 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 educational site license except for products specifically limited to teaching 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 above).

IV. Administration

Administrative uses include operational activities such as property and facilities management, space planning, 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 educational site license is permitted for administrative uses, except for products specifically excluded for such use** (see Tables 1B,1C and 2 of the Esri Educational Site License Program description).

Ask Us

No document can anticipate and answer every possible question about permitted uses under the Esri Educational Site License. This document is meant to assist you in determining which activities are consistent with the intent of the Educational Site License 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.