Terms of Use of the Core Facility Flow Cytometry (CF FlowCyt) at the Biomedical Center (BMC), Ludwig-Maximilians-Universität

Version 4/10_2020_engl
issued by the BMC Steering Committee *on November 9th, 2020*

§1 Tasks and User Categories of the Core Facility Flow Cytometry

1. CF FlowCyt grants BMC employees (user category A) access to flow cytometric instruments and services, and related applications. The available services and the instruments including their technical specifications are published on the CF FlowCyt website (https://www.flowcytometry.bmc.med.uni-muenchen.de).

2. The service mentioned above can also be made available to academic users outside the BMC (user category B), as well as non-academic users (user category C).

§2 Scope of the Terms of Use

1. The CF FlowCyt Terms of Use regulate:
   a) the organization of the service operation and the self-operated use of the CF FlowCyt.
   b) the integration of the CF FlowCyt in the Biomedical Center (BMC).
   c) the relation with users and customers.

2. The terms of use are created by the CF FlowCyt Scientific Manager (§3) and updated as required, and the respective current version is issued by the BMC Steering Committee.

3. The Terms of Use are binding to all users, and receipt and consent have to be acknowledged in written form.

§3 Scientific Management

1. Responsibility for and leadership of the CF FlowCyt lies with the *Scientific Manager*. The Scientific Manager is appointed by the BMC Steering Committee. Professor Dr. Ludger Klein (Institute for Immunology) is currently appointed as Scientific Manager.

2. Tasks of the Scientific Manager are:
   a) representation of the interests of the CF FlowCyt, its Technical Manager as well as its users in the face of the BMC Steering Committee.
   b) purposeful allocation and usage of CF FlowCyt resources.
   c) counseling and support of the CF FlowCyt Technical Manager regarding all his tasks.
   d) determination of user fees.

§4 Technical Management

1. The *Technical Manager* of the CF FlowCyt is appointed by the Scientific Manager. Dr. Benjamin Tast is currently appointed as Technical Manager.

2. The Technical Manager organizes the operations of the facility in agreement with the Scientific Manager, and in accordance with the Terms of Use. The Technical Manager reports to the Scientific Manager and the BMC Steering Committee.

3. Tasks of the Technical Manager include:
   a) services in the field of flow cytometry (service operation) or their coordination.
   b) allocation and guidance of CF FlowCyt employees.
   c) supervision, guidance and counseling of users ('training').
   d) organization of internal operations.
   e) optimization of the state of the instruments and ensuring their routine maintenance, , including decision on Standard Operating Procedures.
   f) maintenance of the information technological infrastructure of the CF FlowCyt.

4. Pursue of an independent research project in the field of flow cytometry aiming at shaping the scientific profile of the Technical Manager is possible and desirable. Acquisition of third-party funds, preservation of the routine operations of the facility and consent of the Scientific Manager are considered prerequisites.

§5 User Committee

1. The *User Committee* advises the CF FlowCyt, aiming at identifying the demand for optimization of routines as well as at efficient communication between users and CF FlowCyt Management.

2. The User Committee consists of:
   a) one delegate of each BMC institute. Substitute delegates should be appointed in addition and are also invited to meetings. The delegates of the institutes should be experienced users of the CF FlowCyt services.
   b) the CF FlowCyt Scientific Manager who acts as chairman .
   c) the CF FlowCyt Technical Manager.

3. The User Committee meets upon invitation of the Scientific Manager. Meetings are held routinely in order to discuss the interests of the CF FlowCyt.

§6 User Rights and Booking of Services and Instruments

1. Using the CF FlowCyt instruments and services requires the assignment of User Rights by the CF FlowCyt management. User Rights are assigned in stages and in an instrument-specific way:
   a) New Users can request User Rights electronically via the *PPMS* booking platform (https://ppms.eu/lmu/login/?pf=5). This allows the user to book services and to request training sessions (billable instrument time for training by CF FlowCyt staff, or a person authorized by CF FlowCyt staff to deliver training).
   b) After successful instrument-specific training, the user is granted *Novice* User Rights at the discretion of the CF FlowCyt management. After some rounds of successful supervised instrument usage (*assisted session*), the rights are extended to *Autonomous* User Rights which allow independent use of the specific instrument.
   c) *Autonomous* User Rights can be granted directly at the discretion of the CF FlowCyt management if the user can present evidence of adequate experience.

2. The CF FlowCyt Scientific Manager can limit the use of the facility by individual users in order to ensure equitable access to services and instruments for all users. The CF FlowCyt Scientific Manager may implement prioritization at times of high degree of capacity utilization. Users of category A will get preferred access to CF FlowCyt services compared to users of categories B and C.

§7 User Fees

1. The currently applied user fees for services and self-operated use of instruments are accessible through the CF FlowCyt website (https://www.flowcytometry.bmc.med.uni-muenchen.de), and visible for the user in the online booking calendar of the respective instrument.

2. The User Fees defined in 'DFG-Vordruck 55.04 Hinweise zu Gerätenutzungskosten und zu Gerätezentren' served as guideline for the User Fees for academic users (user category A and B), but are not binding.

3. The deadline for unbooking/cancelation as well as the invoiced quota in case of non-timely cancelation are decided upon by the CF FlowCyt Management depending on capacity and user behavior, and are announced on the CF FlowCyt website (https://www.flowcytometry.bmc.med.uni-muenchen.de).

§8 Handling of Data

1. All data generated in the routine of the CF FlowCyt need to be transferred to a suitable data storage medium. For service operations, a data storage medium needs to be supplied to the CF FlowCyt staff. It is the user's duty to verify in advance that all data storage media used within the premises of the CF FlowCyt are free of malware.

2. The CF FlowCyt and its staff are not responsible for safety or storage of any generated data.

3. All data generated in the routine of the CF FlowCyt remain the intellectual property of the user.

§9 Regulations with respect to 'GenTAufzV' and 'IfSG' concerning Project Leadership, Biological Safety Officer, Access and Discretionary Power

GenTG = Act on Genetic Engineering (Gentechnikgesetz)
IfSG = Infection Protection Act (Infektionsschutzgesetz)
Biological Safety Officer = Beauftragter für Biologische Sicherheit (BBS)
Discretionary Power = Weisungsbefugnis; Leitungsfunktion

1. The users agree to appropriately and correctly inform CF FlowCyt Staff about the GenTV and/or IfSG status of the introduced material, as well as any other safety risks (e.g. toxic properties) related to the material introduced to the CF FlowCyt premises.

2. All users are subordinate to the Discretionary Power of Prof. Dr. Thomas Brocker or authorized deputies regarding their experiments in the premises of the CF FlowCyt.

3. Project leader according to *'GenTG'*:
   a) experiments with material of level S1 according to GenTG, that are conducted in another site: For work with material of level S1 according to GenTG the project leader of the respective project (usually the PI of the respective user) has to be appointed project leader according to GenTG in the CF FlowCyt (Anlage 1102) with the same project title. To this end, the user or his/her PI has to submit the form 'Registration of Material' via PPMS, including the 'Ernennungsurkunde zum Projektleiter' (provided by us).
   b) experiments with material of level S2 according to GenTG, that are conducted in another site: For work with material of level S2 according to GenTG, that is submitted to handling by the CF FlowCyt staff, the CF FlowCyt Scientific Manager (Prof. Dr. Ludger Klein) has to be appointed as additional project leader by Prof. Dr. Thomas Brocker. To this end, the user or his/her PI has to submit the form 'Registration of Material' via PPMS, thereby submitting the name of the current project leader, the project title, and the registration number ('Aktenzeichen der Stellungnahme der Regierung von Oberbayern') via the PPMS tool.

   The declaration appointing the Project Leader will be forwarded to the responsible administrative department. All further work with material of that same project, also when conducted by other users from the respective group, are covered by this declaration.

4. Biological Safety Officer:
   Prof. Dr. Anne Krug is appointed Biological Safety Officer for all work relating to *GenTG* in the premises of the CF FlowCyt.

5. For experiments with material of level 2 according to IfSG that is submitted to analysis by the CF FlowCyt staff, the user or his/her PI has to submit the request 'Registration of Material' via the PPMS tool.

6. Access to the CF FlowCyt is limited to users that have been granted access by the project leader. Prerequisites are the registration of the user in PPMS, acknowledgement of the Terms of Use, and the registration of the material.

§10 Further User Obligations

Each user agrees:

a) to obey the directions of the CF FlowCyt staff regarding rules of conduct within the premises of the CF FlowCyt, and regarding use of the instruments.
b) not to bring any third people into the rooms of the CF FlowCyt without informing the CF FlowCyt staff, and not to provide training to third parties or other users without the knowledge of the CF FlowCyt staff and the necessary documentation.
c) not to offer analysis or sorting as service (regardless of it is charged or not) to third parties.
d) to appropriately acknowledge the use of the CF FlowCyt in publications ('Acknowledgements' or co-authorship for projects) and to promptly inform the CF FlowCyt about his relevant publications using CF FlowCyt resources via the PPMS System.
e) to promptly document and report any instrument malfunctions via the PPMS System ('Incident Report').
f) to follow the 'Betriebsanweisungen' (operating procedures), the 'Hygieneplan' (hygiene plan) as well as the BMC-wide 'Entsorgungskonzept' (waste management concept).

§11 Revocation of User Rights

Violation of the Terms of Use, deliberate infringement of the directions of the CF FlowCyt staff or of Prof. Dr. Thomas Brocker, as well as willful or grossly negligent misconduct that disturbs or threatens the routine of the CF FlowCyt may lead to revocation of User Rights, or invoicing of any repair or personnel costs resulting from this behavior.

Planegg-Martinsried, November 9th, 2020
Prof. Dr. Ludger Klein
Scientific Manager / Wissenschaftlicher Leiter

Confirmation

User:

- I confirm that I have read and understood the CF FlowCyt Terms of Use document, and hereby agree to the conditions stated in the Terms of Use.
- I have rightfully declared all information for PPMS account request and will notify the administrator in case of any changes concerning the information given. I will not lend my PPMS credentials to others or book on their behalf.

Date Name (readable) Signature

The supervisor / project leader:

- I, the supervisor, hereby agree to the conditions and pricing rules stated in the Terms of Use.
- I agree to cover for the usage fees caused by the user. The user may also obtain consumables (e.g. Accudrop beads, dead-live dye etc.) from the facility at cost price (please tick):
  ☐ yes ☐ no

Date Name (readable) Signature