



Division of Research and Sponsored Programs

Tennessee State University

THE PRINCIPAL INVESTIGATOR'S HANDBOOK

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100.00 INTRODUCTION

Tennessee State University (TSU) receives awards for research, training, and technical assistance from extramural funding sources, including the Federal Government and private organizations. Policies and procedures on research and sponsored programs are diverse and complex. The Handbook seeks to guide administrators, faculty and staff from the development of a research idea to the administration of an award. In addition to answering the most common questions, the Handbook provides information on Federal regulations and policies dealing with civil rights and intellectual property on patents and copyrights. The Handbook also deals with compliance policies on OMB Circulars A-21, A-110, and A-133, (or the former Circular A-128, as therein consolidated, and as supplemented) as well as the protection from research risks involving human subjects, animal care and use, radiation safety, hazardous materials, and controlled substances. Principal investigators (PI) are encouraged to review the OMB Circulars which are available at http://www.whitehouse.gov/omb/circulars_default.

200.00 DIVISION OF RESEARCH AND SPONSORED PROGRAMS

The Division of Research and Sponsored Programs (RSP) provides research leadership, information, technical assistance, and a myriad of services to encourage faculty and staff to engage in research and training programs through extramural funding sources. One of the major goals of RSP is increase TSU's research capacity while strengthening its instructional programs and infrastructure. The University

displays a broad spectrum of sponsored programs including: basic research, applied research, training, faculty and student development. The programs range from individual projects to major research collaborations. RSP serves as a liaison between funding agencies, principal investigators (PI) or project directors (PD), and the administrative units of the University. Some of the functions of RSP are as follows:

- assist with locating potential funding sources,
- coordinate compliance policies on human subjects, animal care and use, research standards of conduct and integrity, and biosafety with federal, state, and local regulations,
- guide faculty and staff through the grant/contract application process,
- route proposals through channels for approvals and endorsements,
- maintain University award files and records,
- establish research partnerships, collaborations, and cooperative agreements,
- conduct workshops and seminars on grant writing and administration,
- negotiate and manage intellectual property (IP) rights which include patents, copyrights, and publication agreements,
- administration of research grants, contracts, and cooperative agreements,
- disseminate information via the [Research Website](#) on availability and deadlines for external funding opportunities in research,
- manage technology transfer, commercialization, and licensing of University's IP, and
- review proposals for research and fiscal compliance which includes budget review and negotiation of indirect costs.

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205.00 THE ORGANIZATION OF THE DIVISION OF RESEARCH AND SPONSORED PROGRAMS

The Division of Research and Sponsored Programs consists of a vice president, director, research and technology specialist, program director of fiscal affairs, research compliance coordinator/officer, program development specialist, technical grant writer, contracts specialists/manager, technology transfer and licensing manager, and a biomedical faculty liaison. RSP works closely with Business and Finance and Technology and Administrative Services in the administration of grants, contracts, and cooperative agreements through purchasing agents and financial analysts that indirectly report into RSP. The RSP staff directory and organizational chart can be found at the [Research Website](#)

210.00 RESEARCH AND SPONSORED PROGRAMS STAFF

210.05 Associate Vice President of Academic Affairs for Research and Sponsored Programs

The Vice President for Research and Sponsored Programs is the academic officer responsible for the vision, direction and guidance of the University's research mission, policy formulation, and oversight related to the research process and education/training in the responsible conduct of research and creative thinking. The Vice President for Research and Sponsored Programs promotes the creation of a university environment that strongly encourages and supports faculty to move towards the forefront of knowledge as educators and on the leading edge of research as investigators. The Vice President for Research and Sponsored Programs is also responsible for patents, copyrights and technology transfer arising from inventions and discoveries by the faculty, research associates and adjunct professors of the University. All research centers and institutes report to the Vice President for Research and Sponsored Programs who reports directly to the President of the University.

210.10 Director

The Director of RSP develops procedures for implementing the policies set forth by the Vice President for Research and Sponsored Programs and is responsible for supervising the day-to-day office operations and staff. The Director assists in development of research plans for Research and Sponsored Programs staff and selected faculty, reviews proposal content and budgets, converses with various federal agencies on program announcements, active grants, contracts and cooperative agreements. This person manages university funded faculty incentive and research development initiatives, oversees university compliance committees on biohazards, human subjects, animal care and use, and intellectual property; and serves as a liaison between funding agencies and University staff. He/she provides oversight of research budgets, requests and negotiation of F&A/indirect cost rate reductions or waivers, approval of all matching funds (in-kind or cash), management of sponsored accounts, including federal related accounts as well as identifies funding sources to underwrite the University's research objectives. The Director manages grant proposal development for the University including the oversight of the design, content and technical maintenance of the RSP web site and the evaluation of campus Centers, Schools, Colleges, Institutes, and Departments for planning of pre-award efforts for achieving the University's funding goals.

210.15 Expenditure Monitoring Policy

SciQuest, the procurement system of Tennessee State University, ties directly to departmental accounts through the Banner system, and it verifies that there are adequate funds to complete the purchase transaction, which is processed by the PI. If sufficient funds are not available, the transaction is cancelled and noted by the system, so that the PI, or the departmental designee, is aware of the lack of funds necessary to complete the purchase. This system also authenticates that only authorized personnel are making purchases from this account.

210.20 Proposal Development Specialist

Each department may choose to incorporate or employ a technical grant writer or a Proposal Development Specialist (PDS), who is responsible for providing pre-award services and technical assistance to the faculty, staff and research associates; assist with proposal preparation and review, facilitate routing of proposals through endorsement and approval process; act as a liaison between RSP, principal investigators, university administration, and funding agencies. The PDS assists in program development to facilitate new research initiatives and maintains an electronic database for tracking pending proposals and funded projects.

210.25 Specialist in Academic/Research Contracts

Each department may choose to incorporate or employ a Specialist in Academic/Research Contracts (SARC) for initiating and pre-approving all grants, academic/research contracts, cooperative agreements, and subcontracts for faculty and staff. The SARC works closely with faculty in developing the statement of work, generating a cost proposal, assisting with negotiating the terms and conditions of the contract, payment method and all other aspects of contract preparation. In addition, the SARC assists the faculty and staff with proper management and administration of all contracts throughout the duration of the projects by providing assistance with renewals, no-cost extensions, modifications and other contract management issues.

210.30 Technical Grant Writer

The departmental Technical Grant Writer (TGW) is responsible for assisting the Director of Research and Sponsored Programs in the training of the faculty and staff to write winning proposals. The TGW will assist the faculty and staff in taking a good idea in a specific area and developing it into a solid proposal. The main focus of the TGW is to edit and review all proposals for coherence, grant format, style, sponsor guidelines, budget and budget justifications, grammatical errors, spelling errors and syntax before grant application is submitted to the sponsor.

210.35 Administrative Secretary

The Administrative Secretary (AS) performs administrative and secretarial functions for division. The AS is responsible for performing daily office functions and services such as coordinating routing of proposals, awards and other incoming documents for the division. The AS provides information regarding status of documents routed through the division.

210.40 Compliance Coordinator

The Compliance Coordinator of RSP is responsible for coordinating the Animal Care and Use Committee, Biosafety Committee and Radiation Safety Subcommittee, Human Subject Committee, and the Research Integrity Committee.

210.45 Biomedical Faculty Liaison

The Biomedical Faculty Liaison (BFL) is responsible for finding funds for faculty, research associates, post-doctoral fellows, and graduate students conducting biomedical research at TSU. The BFL manages the NIH EARDA grants, a project funded by the NIH, which is designed to encourage faculty to engage in biomedical research. The grants provide "seed money" for the faculty to conduct pilot research projects.

215.00 RESEARCH COMMITTEES

Research at Tennessee State University has become an important part of the overall mission, goals, and objectives of the University. To ensure that research operations are efficient and in compliance with Federal, state, and local regulations, several research committees were established to advise the Office of Sponsored Research on its research and sponsored program activities. The Biosafety Committee, Radiation Safety Sub-Committee, Human Subjects Committee, and Animal Care and Use Committee approve all research involving hazardous materials, human subjects, and experimental animals. The

Research Council advises RSP on policies and procedures governing the research programs at the University. The committees are:

- Research Council
- Institutional Review Board/Human Subjects Committee
- Biosafety Committee
- Radiation Safety Subcommittee
- Research Integrity Committee
- Animal Care and Use Committee

215.05 RESEARCH COUNCIL

The purpose of the Research Council is to advise the Division of Research and Sponsored Programs in developing realistic goals, procedures governing the research programs, and new research initiatives at the University. The Committee reviews policies and procedures, makes appropriate recommendations and follow-ups to ensure adequate implementation on relevant issues.

The membership of the Research Council, as appointed by the VP of RSP, include the deans or their designee from various academic units, the directors of the research units, VP of RSP, selected members of the RSP staff, the VP of Business and Finance or designee, selected principal investigators, representatives from industry, government agencies, and other universities. The Research Council will meet at least quarterly or as needed.

See section [500.00 COMPLIANCE POLICIES](#) for a detailed description of the roles and responsibilities of the remaining committees.

300.00 FUNDING SOURCES

The University receives funding for research and sponsored programs from Federal agencies, corporations, small businesses, and private foundations. RSP will assist potential PIs in the earliest stages of the proposal by identifying potential sponsors for the project. The PI may access an enormous amount of information from the [Research Website](#). RSP maintains webpage addresses, reference books, application kits, reports, electronic databases, guidelines, directories, and newsletters from federal, state, local and private agencies for PI information and use. A primary resource for funding sources is the Community of Science website, www.cos.com. This website contains information relating to funding for many disciplines including arts and sciences, social sciences, humanities as well as basic science and engineering. More information can be found on the [Research Website](#).

400.00 PROPOSAL DEVELOPMENT

All academic grants, contracts, and cooperative agreements are managed by the Division of Research and Sponsored Programs. The elements of a proposal generally include title page, abstract, project description, budget narrative, and appendices. The project description should clearly define the purpose, significance, objectives, methods, evaluation plan, and anticipated outcomes. PIs are encouraged to review and consult proposal guidelines from the funding agency for each proposal.

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405.00 QUALIFICATIONS OF A PI/PD

Before a PI writes a competitive research proposal or a demonstration project for extramural funding, it is critical that the PI has a well-conceived idea that falls within his or her area of expertise. Competency in an area of expertise must be supported by the PI's level of education, relevant experience, familiarity of the literature in the area of interest, and peer-reviewed publications and presentations. The PI should have an excellent research reputation in order to be seriously considered by external review panelists. It must be clear that the proposed PI has the ability and capacity to implement the proposed research project or activity. Some important components of qualified PIs or PDs are listed below:

- Earned degrees, dates, and institutions(s)
 - Grants, contracts and cooperative agreements received
 - Employment status at the University
 - Recent refereed publications with relevance to proposed project
 - Refereed presentations
 - Research interests and teaching experience
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410.00 PROPOSAL CONTENT

For the most part, each sponsor or funding agency will define specific requirements and guidelines for proposal components and content. In general, a solid proposal, based on a well-conceived idea, implementation plan and current knowledge in the field, will assume the following format:

- Cover Sheet
- Certification Pages (usually federal)
- Table of Contents
- Project Summary
- Project Description
- Evaluation
- Biographical Sketches
- References
- Budget
- Appendices

The principal investigator or project director should use a checklist that is relevant to the proposal. An online proposal checklist can be found on the [Research Website](#) .

410.05 Cover Sheet

Each federal or private sponsor usually provides its own cover sheet. Cover sheets normally consist of information about the applying institution such as its name, PIs name, funds requested, project duration, name of institutional representative, address, telephone, fax, e-mail, name of the project, and signatories. Only the President or the Vice President of Research and Sponsored Programs may sign as the authorized representative of the University on the cover sheet. The proposal preparation fact sheet provides much of the information requested about the University on agency coversheets and can be found on the [Research Website](#) .

410.15 Certification Pages

Federal agencies require that all PIs and Co-PIs certify by checking appropriate boxes on drug free workplace, lobbying activities, and debt/debarment and suspension by signing specific certification forms. The institutional representative must certify that statements contained in the proposal are true and complete to the best of his or her knowledge, and that the institution agrees to accept the obligation to comply with award terms and conditions. It is further required that the institutional representative certify that the University has implemented and is enforcing a policy on conflicts of interest. Only the President or the Vice President of Research and Sponsored Programs may sign as authorized representatives of the University.

410.20 Table of Contents

All solid proposals should contain a useful table of contents. It should point to each major topic in the proposal as well as important minor topics.

410.25 Project Summary

The solid proposal must contain a one page project summary of the proposed activity written in the third person and suitable for publication. The project summary should not be an abstract of the proposal, but rather a self-contained summary of the activities to be undertaken. It should contain project objectives, methods to be employed, anticipated outcomes and the significance. The project summary, for the most part, is usually written for a broad audience. Abstracts may be used instead of a project summary when appropriate and required by sponsoring agencies.

410.30 Project Description

The main body of the proposal should be a clear statement of the work to be undertaken. It should include the following:

- Objectives for the period of the proposed work (preferably measurable)
- Significance of proposed project
- Review of current knowledge in the field of study in which the application is made
- Work plan including project design of activities to be undertaken
- Description of experimental methods and procedures

Projects that involve collaborations or partnerships must be fully described and documented with an official letter from each collaborator or partner in this section of the proposal and reflected in the budget.

410.35 Evaluation

The purpose of an evaluative scheme is to determine whether the objectives of proposed project have been met. In general, formative evaluation will be used to monitor the day to day implementation of the project. Summative evaluation is normally employed to determine the final outcome of the project. For more information, contact the RSP staff.

410.40 References

All references should come from peer-reviewed journals (if at all possible). Citations must be complete, including full name of all authors, publication name, title and page location.

410.45 Biographical Sketches

The biographical sketch of the PI should contain information or document on his or her expertise in a specific area. It should also contain the overall qualification of the PI to conduct the proposed research or training program. Important components of a biographical sketch are listed below:

- Earned Degrees,
- Dates of Earned Degrees,
- Academic Institution(s) in which degree(s) were earned
- Grants and Contracts Received (include agency, brief project description and the dollar amounts)
- Recent Refereed Publications with relevance to proposed project,
- Refereed Presentations

- Research Interests and Teaching Experiences

410.50 Budget Development

The cost elements of a budget must correlate well with the objectives outlined in the project description. Cost estimates of individual line items should be carefully calculated so that the requested funds are adequate, but not excessive. Many proposals require cost sharing or matching funds to be included in the budget. Cost sharing may be either in the form of cash payments or special services provided by the University. A good budget always contains budget details, summary, and justifications. The budget falls into two broad categories: Direct Costs and Indirect Costs (Facilities and Administration or simply F&A).

Direct Costs

Direct costs usually include salaries and wages, fringe benefits, equipment, travel, participant support, and other direct costs.

A. Senior Personnel Costs

This section includes principal investigators, co-principal investigators, research faculty, project directors, and other senior research associates. The senior personnel may add an inflation factor of 3% to the base salary charged to the grant.

No extra service pay or any compensation may be paid from a sponsored project unless it is specifically identified as such and requested from the agency in the proposal and approved. Summer salaries for senior personnel shall not exceed 33% of the academic salary unless it is restricted by the funding agency.

B. Other Personnel Costs

Other personnel costs consist of post-doctoral associates, technicians, computer programmers, graduate students, undergraduate students, and secretarial/ clerical persons. Use current salary figures adding 3% inflation factor for post-doctoral fellows, technicians, computer programmers, and clerical/ secretarial persons. If these positions are new, contact the Director of Human Resources to establish an approximate grade and salary. Contact the Dean of the Graduate School for information on wages for graduate students.

C. Fringe Benefits

Fringe benefits include social security (FICA), retirement, unemployment, and insurance. The fringe benefits for full time principal investigators, project directors, faculty, computer programmers, clerical/secretarial persons, technicians and other non-student employees are 24% of salary and wages (for part-time 7.65%). Twenty four percent is established as a minimum for benefits. When a funding agency allows for a higher rate, the higher rate may be charged.

For graduate students and undergraduate students, the fringe benefits are 0%.

D. Equipment

Equipment at the University is defined as an item of property that has an acquisition cost of \$5000.00 or more with a service life of more than one year. Items valued at less than \$5000.00 are considered supplies.

E. Travel

Allowable travel must adhere to OMB Circular A-21 and TSU policy. It includes professional meetings, travel for consultation, field work, project director's meetings, relevant workshops, and visits with directors and managers at Federal agencies. There are two broad kinds of recognized travel at the University, domestic and foreign:

- **Domestic Travel:** Travel within the continental United States is considered to be domestic. Domestic travel includes air (economy) and ground (car, rail, bus, and taxi), lodging, food (per diem), and parking.

Per diem rates, mileage rates, lodging limitation rates for in-state and out-of-state are available in the Division of Business and Finance. Information may also be obtained from the TSU Travel website.

- **Foreign Travel:** All foreign travel must be approved by the President of TSU and the Tennessee Board of Regents. Proposals that involve foreign travel are non-standard. All persons on foreign travel must include adequate insurance for coverage of accidents, sickness, and death. Refer to the TSU Travel website for more information concerning foreign travel.

F. Participant Support Costs

This budgetary category refers to costs of transportation, per diem, stipends, and other related cost for participants or trainees (participants or trainees are not employees) in connection with conferences, meetings, training activities, and workshops. Indirect costs are not generally allowed for trainees and consultants.

G. Other Direct Costs

Other direct costs include materials and supplies, publications, subcontracts, consultants, computer services, all communication costs, repair, and maintenance.

Materials and Supplies

The budget should indicate in general terms the type of expendable materials and supplies that are required, with the estimated costs. All materials and supplies must be in compliance with OMB Circular A-21.

Publications

The budget may request funds for the costs to document, prepare, disseminate, and publish the findings from the research activity.

Subcontracts

Collaboratives or research partnerships may include closely related and coordinated activities with another institution. The intent to enter in such an arrangement with another institution(s) should be fully disclosed and detailed in the proposal. These arrangements may result in a subcontract.

Consultant Services

This category consists of services rendered by others to Tennessee State University. It includes consultant and professional services, honoraria, and speaker fees.

Computer Services

The cost of computer services, including computer-based retrieval of scientific, technical and educational information as well as telecommunication services.

Communications

This budget category includes telephone, facsimile, postage, advertising, data lines, and associated costs.

Repairs and Maintenance

This section includes costs for maintaining property such as maintenance contracts, computers, photocopiers, and other office equipment.

Indirect Costs (Facilities and Administration or F&A)

Indirect costs are those that are incurred in conducting research and sponsored program activity at an educational institution. At Tennessee State University, the Department of Health and Human Services negotiated and approved indirect cost rate (F&A) is 49% of base salaries and wages on-campus and 19.5% for off-campus (>75% of work conducted off-campus). This rate can be applied to all grants that require the use of a negotiated indirect cost rate. In some cases, private foundations and corporations may allow the use of a rate based on the actual cost of research administration that is higher than the negotiated indirect cost rate. Please contact RSP if there are questions concerning the indirect cost rate. Refer to the [Research Website](#) for additional information and to verify the current negotiated indirect cost rate.

420.00 PROPOSAL ROUTING AND APPROVAL FORM

All PIs are required to complete an [RSP Registration and Review Form](#). The form should be completed in its entirety prior to submission of the proposal to RSP for authorization and final approval. The Proposal Routing and Approval Form provides pertinent information concerning the proposed activity and the resources required to complete the project. A copy of the proposal should be attached to the approval form; in addition, an electronic copy of the proposal should be forwarded to RSP as an Adobe Acrobat pdf file. The department head and dean must complete the required information, review and approve the form before forwarding to RSP. The proposal approval form must be completed, approved and transmitted to RSP at least five working days prior to submission deadline.

Prior to writing the proposal, the PI should contact RSP to obtain guidance concerning the proper forms and the formatting specifications. The PI may also obtain forms from the [Research Website](#) . The important checklist should generally include:

- Cost sharing contributions and percentages
- Appendix materials allowable
- Maximum budget allowed
- Special budget forms and application checklist
- Table of contents requirements
- Indirect costs (F&A) allowed and percentages
- Special assistance forms and required format
- Prior approval signatures
- Mailing address for proposals
- Application deadline (postmarked or received)
- Minimum and maximum of proposal pages per section
- Number of copies required
- Project duration (number of years of support allowed by sponsor)

430.00 PROPOSAL REVIEW, APPROVAL AND SUBMISSION

Prior to submission and institutional approval, all proposals should be reviewed by the PI's department head/director, dean and a Proposal Review Panel (PRP). Details of University's proposal review, approval and submission process are explained in the sections below. The process is graphically depicted the [Proposal Routing and Review Flowchart](#).

After obtaining the required information and signatures of the department head and dean, a proposal packet should be submitted to the Division of Research and Sponsored Programs (RSP) no less than 5 business days before the proposal deadline. The proposal packet should contain the following items.

1. Proposal routing form
2. Agency coversheet
3. Proposal narrative
4. Proposal budget
5. Agency certification and assurance forms
6. Approval of appropriate compliance committee(s), if required
7. Letters of University endorsement (if applicable)

Only complete packets will be considered for RSP review and VP RSP signature. Incomplete proposal packets will be returned to the PI before processing.

430.05 Review by Department Head/Director

To process a proposal, the PI submits the proposal to the department head/director for review and approval. Since the head/director is charged with directing the PI's efforts at the University, this is a critical step in the proposal review and approval process. The review will focus on the following:

- the substance of the proposal, including the academic appropriateness and desirability of the proposed research or other sponsored activity;
- commitments of faculty and staff time, and their possible effects on the teaching and other obligations of the personnel involved (not to exceed 100% effort);

- salary arrangements (e.g., provision for summer support or a distribution of effort supported during the academic year);
- proper identification of proprietary information;
- requirements for space and facilities;
- the budget, especially a verification that all costs, including indirect costs, are provided for, that all needs are realistically estimated and stated, that items included are in compliance with the policies of the University and the sponsor, and that cost sharing funds are available when indicated in the proposal; and
- the identification of special conditions requiring review, such as the use of human subjects, biohazards, radioactive materials, etc. (If applicable, the proposal is sent to the appropriate committee for simultaneous review).

Once approved within the department/center, the proposal is forwarded to an Proposal Review Panel (PRP). The roll of the PRP is described below.

430.10 Proposal Review Panel

The purpose of the PRP is to ensure that all proposals have merit and are well written. Also, in the event that a dean, director or department head refuses to approve a proposal, members of the PRP would serve as mediators between the PI and administrator.

Each department of a school, college or center of the University should establish its own PRP. Small schools, colleges or centers may wish to have only one PRP. Each PRP should meet regularly to review proposals and to promote scholarly activity among faculty and staff. However, special call meetings can be held to address urgent matters or to meet impending deadlines.

A good proposal has, as its core, a good idea. It must be innovative, forward-looking and creative as well as address a specific need. In a research proposal, the "good idea" must emanate from good science, education, engineering or technology. It normally takes considerable time and effort to transform a good idea into a solid proposal. A solid proposal is a document with sponsor-oriented structure. It should describe the "WHAT," "WHY," "HOW," "WHEN," and "WHO." Each panel member should address the intellectual merit of the proposal via the following queries:

- How important is the proposed activity to advancing knowledge and understanding within its own field or across different fields?
- To what extent does the proposed activity suggest and explore creative and original concepts?
- How well conceived and organized is the proposed activity?
- Is there sufficient access to resources?

In addition, panel members may also consider the following to address the broader impacts of the proposed activity:

- How well does the proposed activity advance discovery and understanding while promoting teaching, training and learning?
- How well does the proposed activity broaden the participation of the underrepresented groups (e. g. gender, ethnicity, disability, geographic locations, etc.)?
- To what extent will it enhance the infrastructure for research and education, such as facilities, instrumentation, networks, and partnerships?
- Will the results be disseminated broadly to enhance scientific, educational, and technological understanding?
- What are the benefits of the proposed activity to society?

- What is the potential for commercialization and creation of intellectual property assets?

430.15 Compliance Committee Review

If applicable, proposals are forwarded by the department head/director to the appropriate compliance committee for review. Approval must be obtained from a compliance committee before it is forwarded to the VP RSP for signature. In the interest of expediency, the compliance committee review takes place simultaneously with other steps in the review and approval process (see [Proposal Routing and Review Flowchart](#)). Section 500 contains detailed information on the role and activities of all University committees.

430.20 Review By Dean

After receiving approval from the department head, proposals are forwarded to the college dean. The dean's approval is required to insure that the proposal is in keeping with the goals and objectives of the college. In the event that a dean is inclined to reject a proposal, members of the PRP would serve as mediators between the PI and the dean.

430.25 Review By RSP Staff

After obtaining the required information and signatures of the department head and dean, a proposal packet should be submitted to the Division of Research and Sponsored Programs (RSP) no less than 5 business days before the proposal deadline. The proposal packet should contain the following items detailed in section 430.00.

The RSP staff review is conducted to insure that all proposals are in compliance with University guidelines for externally funded projects. Additionally, the RSP review emphasizes fine tuning elements of the proposal that may have been overlooked by previous reviews. Without refinement a technically outstanding proposal may not be funded.

The RSP review focuses on the following.

- Abstract - More reviewers read the abstract than the proposal itself. Great care should be given to its preparation; its importance cannot be overrated.
- Format - A clean, flawless format facilitates a professional evaluation of the science and relevance of the proposal, and prevents diversion by trivial considerations (e.g., typos, format errors).
- Clarity and Consistency - Proposals that are too general, too ambitious, or unfocused with unclear objectives and unfounded hypotheses or work plans draw the most common criticism.
- Document Details - Relatively minor matters such as poor spelling, low grade typing and copying, inadequate exposition, and incorrect citations of the literature are common weaknesses that are viewed unfavorably.

430.30 University Authorization

All proposals must be signed by an official authorized to sign on behalf of the University. The signature of the authorized official is necessary to indicate University endorsement of, and commitment to, the

project. In many cases this authorization certifies compliance with federal regulations. In other cases the authorization represents pre-acceptance of terms and conditions of the award.

The Vice President of Research and Sponsored Programs is the authorized institutional official for TSU. Please use the name and information below when referring to the authorized institutional official for all grant proposal cover pages, certifications, etc.

Michael Busby, Ph.D.
Interim Associate Vice President of Academic Affairs
for Research and Sponsored Programs
3500 John A. Merritt Boulevard
Nashville, Tennessee 37209-1561
Phone (615) 963-7631
FAX (615) 963-5068
E-Mail Address: research@tnstate.edu

430.35 Submission to Agency

Once a proposal has been signed by the VP RSP, it is ready for submission to the funding sponsor. It is the responsibility of the PI to duplicate and mail proposals. The number of copies of a proposal required by sponsoring agencies varies. In addition to the original to be submitted to the sponsor, one copy is required for the official University file maintained by RSP. If in doubt, the PI should contact the sponsor to determine the number of copies required if the guidelines do not give specific instructions.

To ensure timely proposal submission, the PI should be aware of what type of deadline the sponsor has indicated.

- A receipt deadline is the date by which the sponsor must receive the proposal.
- A postmark deadline means that the proposal must be postmarked by that date, not necessarily received by the sponsor.

In most instances a proposal will not be considered if it misses the agency deadline. To meet a critical deadline, familiarity with the available express courier services will facilitate timely proposal submission.

430.40 Electronic Submission of Proposals

An increasing number of funding agencies require electronic submission of proposals. Electronically submitted proposals are subject to the same University review and approval process as paper proposals. Proposals should not be transmitted to the sponsor until the University review and approval process is complete – this includes obtaining the signature of the VP RSP on the TSU Proposal Approval form. Each sponsor has a different procedure for electronic submission. Please consult the agency's web site for submission instructions.

500.00 COMPLIANCE POLICIES

The Compliance Coordinator of RSP is responsible for coordinating the Institutional Animal Care and Use Committee, Biosafety Committee and Radiation Safety Subcommittee, Institutional Review Board/Human Subject Committee, and the Research Integrity Committee. The Research Compliance Committee members are recommended by the Director of RSP to the Vice President for Research and Sponsored Programs. Compliance issues involving the Office of Management and Budget (OMB) and its Circulars, particularly, Circular A-21, A-110 and A-133 are summarized.

- **505.00 HUMAN SUBJECTS COMMITTEE/ INSTITUTIONAL REVIEW BOARD**
- **510.00 BIOSAFETY COMMITTEE**
- **515.00 ANIMAL CARE AND USE**
- **520.00 RESEARCH INTEGRITY COMMITTEE**
 - 520.05 ACTION STEP I: INQUIRY OF RESEARCH MISCONDUCT
 - 520.10 ACTION STEP II: INVESTIGATIONS OF RESEARCH MISCONDUCT
- **530.00 OFFICE OF MANAGEMENT AND BUDGET (OMB) CIRCULARS**
- **535.00 OMB DEFINITIONS OF RESEARCH AND INSTRUCTION**
 - 535.05 OMB DEFINITION OF ORGANIZED RESEARCH
 - 535.10 OMB DEFINITION OF INSTRUCTION
 - 535.15 OMB DEFINITION OF OTHER SPONSORED ACTIVITIES
 - 535.20 OMB DEFINITION OF OTHER INSTITUTIONAL ACTIVITIES
- **540.00 OMB DEFINITION OF UNALLOWABLE COSTS**
- **545.00 OMB DEFINITION OF ALLOWABLE COSTS**
- **550.00 COST ACCOUNTING STANDARDS**
- **555.00 DISCLOSURE STATEMENTS**
- **560.00 FINANCIAL CONFLICTS OF INTEREST**

505.00 HUMAN SUBJECTS COMMITTEE/ INSTITUTIONAL REVIEW BOARD

The University adheres to 45 CFR 46, Protection of Human Subjects, as amended by federal policy, effective August 19, 1991. These Federal regulations require the University to submit to the funding agency a statement of specific assurance for each research proposal involving human subjects. It is therefore required that each proposed project seeking funds from a external agency involving human subjects be reviewed by the Institutional Review Board/Human Subjects Committee, except where expedited review procedures are implemented by the Chair of the Human Subject Committee or the Compliance Coordinator of RSP. Expedited review procedures may be carefully used only when:

- Some or all of the research appearing on the list and found by the reviewer to involve no more than minimum risk.
- Minor changes in previously approved research during the period of one year or less for which approval is authorized.

The Human Subjects Committee has the authority to suspend or terminate approval of research that is not being conducted in accordance with the Human Subjects Committee's requirements or that has been associated with unexpected serious harm to subjects. In the event of a suspension or a termination of approval, a statement indicating the justifications for such actions taken by the Human Subjects Committee will be issued to the principal investigator.

The general requirements for Informed Consent, where a human is used as a research subject, mandate that the principal investigator obtain the legally effective informed consent of the subject or the subject's

legally authorized representative. A principal investigator shall seek such consent only under circumstances that provide the prospective subjects or the authorized representative sufficient opportunity to consider whether or not to participate and to avoid the minimal possibility of coercion or undue influence on the subject. The information given to the subject or authorized representative must be in understandable language. No Informed Consent, whether oral or written, may include any exculpatory language through which the subject or the authorized representative is made to waive or appear to waive the subject's legal rights or releases. Also, it must not appear to release the principal investigator, the sponsor, the University or its agents from liability for negligence (45 CFR 46.16).

The Human Subjects Committee shall prepare and maintain adequate documentations of committee activities, including the following:

- Copies of all research proposals reviewed, scientific evaluations, if any, that accompany proposals, approved sample consent documents, progress reports submitted by principal investigators, and reports of injuries to subjects
- Minutes of the Committee meetings which shall be sufficient in detail to show attendance at the meetings, actions taken by the Committee, votes on these actions taken including the number of members for, against, and abstaining. Minutes should contain the basis for changes in or disapproving the research, and a written record of the controverted issues
- Records of continuing review activities of Human Subjects Committee must be carefully filed
- Copies of all correspondence between the Committee and the PIs
- A list of the Committee members in detail as in section 46.103(b)(3)
- Written procedures for the Committee in detail as in section 46.103(b)(4) and 46.103(b)(5)
- The records required by this policy, shall be retained for at least 3 years after completion of the research. All records shall be accessible for inspection and copying by authorized representatives of the Office for the Protection from Research Risks (OPRR)
- Statements of significant new findings provided to subjects as required in section 46.116(b)(5).

In the event research is undertaken without the intention of involving human subjects, but is later proposed to involve human subjects in the research, the research project must be first reviewed and approved by the Human Subjects Committee, as provided by this policy, the research and certifications must be submitted by the University to the Office for the Protection from Research Risks (OPRR). Each Human Subjects Committee shall have at least five members with varying backgrounds to promote a complete and adequate review of research activities commonly conducted by the University. The Human Subjects Committee at the University, as required by 45 CFR 46, should have a community person, attorney, psychologist, and physician to deal with the varying array of human subjects research projects. The Committee usually meets twice per month to review research projects, and to participate in seminars and workshops on the protection of human subjects against research risks (See Clearance Form III). Call meetings are scheduled according to need.

510.00 BIOSAFETY COMMITTEE

The University conducts research and academic laboratory activities that involve the use of hazardous materials. These materials, if not properly used, stored, transported, and disposed of, may pose a risk to persons or the environment by virtue of their properties such as toxicity, corrosiveness, reactivity, flammability, infectivity, and others. It is the University's position that it will adhere to 49 CFR 173. To be in full compliance with local, state, and federal regulations, TSU seeks to provide a research environment free from recognized biohazards and comply with agencies such as the Tennessee Occupational Safety and Health Administration (TOSHA), the Tennessee "State Regulations for Protection Against Radiation," Department of Environment and Conservation (Division of Radiological Health), Occupational Safety and Health Administration (OSHA), and the Environmental Protection Agency (EPA). The Biosafety Committee

includes the Radiation Safety Subcommittee, a special subcommittee designed to ensure the safe use of radioactive materials, radiation-producing equipment, and all uses of ionizing radiation within the confines of Tennessee State University. The Radiation Safety Subcommittee must have a Radiation Safety Officer (RSO) to provide expertise as well as training for the Subcommittee, the faculty and students who are involved with radiation research. The Radiation Safety Officer of the Subcommittee and the Compliance Coordinator of RSP are responsible for obtaining and maintaining a permit (license) to conduct research involving the use of radioactive materials. The Radiation Safety Officer is also required to conduct at least three workshops per annum (Fall and Spring semesters, and Summer) on radiation safety, storage, monitoring, and disposal.

The membership is minimally comprised of faculty representatives from the departments generally involved in the use of hazardous materials. The Committee usually meets on a quarterly basis or by special reviews on urgent proposals by electronic mail. The membership consists of six members plus the Chair and the Radiation Safety Officer. The duration for both memberships (Committee and Subcommittee) is four years.

515.00 ANIMAL CARE AND USE

Federal regulations require that institutions using animals as research subjects must carefully monitor animal care and use. The University adheres to Subchapter A, "Animal Welfare" of Title 9 of the Animal Projects Act. The standards contained in the PHS/NIH Guide for the Care and Use of Laboratory Animals govern the use of animals in research and teaching at Tennessee State University. The Committee is charged with the responsibility of approving all studies and proposals involving experimental animals. Its functions include inspection of the facilities; evaluation of programs and animal activity areas; submission of reports to the Director of Research and Sponsored Programs; review of proposed uses of animals in research, testing or education; and establishment of a mechanism for receipt and review of concerns involving the care and use of animals at the University.

It is the responsibility of the Committee to oversee and evaluate the University's animal program, procedures, and facilities to ensure that they are consistent with the recommendations of the Federal Animal Welfare Regulations (referred to as AWRs - CFR 1085) and the PHS Policy. It is also the responsibility of the University through RSP to provide suitable orientation, background materials, access to appropriate resources, and if necessary, specific training to assist the members of the Animal Care and Use Committee in the understanding and the evaluating issues brought before the Committee. The Committee membership should be broadly comprised of diverse individuals from the community and the University. The Committee meets on a quarterly basis or by electronic mail as necessary. The Committee membership should include the following:

- A Veterinarian, who is certified with the American College of Laboratory Animal Medicine (ACLAM) or well versed in the use of the species in question,
- At least one practicing scientist who is experienced in research involving animals, and
- At least one public member to represent the general community's interests in the proper care and use of animals. The public member should not be a laboratory animal user, affiliated with Tennessee State University, or members of the immediate family of a person who is affiliated with the University.

520.00 RESEARCH INTEGRITY COMMITTEE

To ensure research at Tennessee State University is conducted effectively, objectively and without improper influence or the appearance of improper influence, the Research Integrity Committee was

established. This Committee is not required by the Office of Research Integrity, but serves a very useful purpose in meeting several PHS requirements on allegations involving scientific misconduct in research and other requirements by the Alcohol, Firearms and Tobacco (AFT) Organization. The Committee has oversight of all inquiries and investigations associated with allegations of scientific misconduct. Many queries involve questions of "honest differences" in interpretation or judgments of data, which are specifically excluded under the PHS definition (45 CFR 50,102). These inquiries and investigations on scientific misconduct include the following:

- Research Fraud
- Falsification
- Plagiarism
- Fabrication
- Other Serious Deviations

520.05 ACTION STEP I: INQUIRY OF RESEARCH MISCONDUCT

STRUCTURE

The inquiry process at Tennessee State University is handled by the Research Integrity Committee. It is the responsibility of the Committee to ensure that the inquiry is conducted in a fair and just manner. The members of the Committee must not have a conflict of interest involving the inquiry process. Members with conflicts of interests or the appearance of a conflict of interest must withdraw from the inquiry process.

Tennessee State University will consult with its legal counsel to minimize the risk of liability for actions taken in the conduct of the inquiry and investigation. The University will make clear any policies on providing legal help to complainants and respondents involved in the allegation.

PURPOSE

When an allegation or a complaint involving the possibility of fraud is made, the Chair of Research Integrity Committee will initiate the inquiry. In the inquiry stage, factual information is gathered and expeditiously reviewed to determine if an investigation of the charge is warranted. An inquiry is not a formal hearing; it is designed to separate allegations deserving further investigations from frivolous, unjustified, or clearly mistaken allegations.

PROCESS

Upon the initiation of an inquiry, the Committee is responsible for notifying the respondent within a reasonable amount of time of the charges and the process that will follow. It will depend upon the nature of the allegations and the evidence available whether or not a case can be reviewed effectively without the involvement of the complainant. Cases that depend specifically on the observation or statements of the complainant cannot proceed without the open involvement of the alleged principal investigator.

FINDINGS

The completion of the inquiry is marked by determination of whether or not an investigation is warranted. There must be a written documentation to summarize the findings. Some cases that can rely on documentary evidence may permit the complainant to remain anonymous. While it may be desirable to keep the identity of the complainant confidential during the inquiry phase, local laws that provide for

open access to certain records may make such confidentiality impossible. During the inquiry, confidentiality is desirable in order to protect the rights of all parties involved.

When the inquiry is initiated, the respondent should be reminded of the obligation to cooperate by providing material necessary to conduct the inquiry. Due to the sensitivity of allegations of fraud, the University will make every effort to resolve all cases expeditiously. Deadlines will be established to facilitate the process.

THE INQUIRY PROCESS MUST BE COMPLETED WITHIN 30 DAYS (1986 PHS guidelines and 1987 NSF regulations). The PI may consult with the Compliance Coordinator in RSP, or download additional information on federal policies and procedures from related websites. The respondent should be informed by the Committee whether or not there will be further investigation. If there is a complainant, he or she should also be informed.

Allegations found to require investigation should be forwarded immediately to RSP who will then notify the agency sponsoring the research. If an allegation is found to be unsupported, but has been submitted in good faith, no further formal action, other than informing all parties involved, should be taken.

The proceedings of an inquiry, including the identity of the respondent, should be held in strict confidence to protect the parties involved. If confidentiality is breached, reasonable steps must be taken to minimize the damage to reputations that may result from inaccurate reports.

520.10 ACTION STEP II: INVESTIGATIONS OF RESEARCH MISCONDUCT

STRUCTURE

The Chair of the Research Integrity Committee may select ad hoc members to the Committee to participate in the investigative process to avoid conflicts of interest or the appearance of conflicts of interest of official members of the Committee. Regardless of the structure chosen, conflicts of interest must be examined scrupulously and any relationship with "parties to the matter" must be fully disclosed.

PURPOSE

An investigation should be initiated when the inquiry issues a finding that an investigation is warranted. The purpose of an investigation is to explore further the allegations and determine whether fraud has been committed. In the course of an investigation, additional information may emerge that justifies broadening the scope of the investigation beyond the initial allegations. The respondent should be informed when significant new directions of the investigation are undertaken. The investigation should focus on accusations of fraud (as defined previously) and materials of each case.

PROCESS

Upon receipt of the inquiry findings that an investigation is warranted, the Committee will initiate the investigation promptly while notifying both the complainant and the respondent of such investigation. All involved parties are obligated to cooperate with the proceedings in providing information relating to the case. All necessary information should be provided to the respondent in a timely manner to facilitate the preparation of a response. The respondent should have the opportunity to address the charges and the evidence in detail. The University's policies and procedures will address the role of legal counsel in the investigation. The University's policy requires that an investigation be conducted as expeditiously as possible. The Committee must complete the entire investigation of the case within 120 days to be in

compliance with the PHS guidelines and NSF regulations. If the deadline of 120 days of investigation cannot be met, the Committee may request an extension from the Director, Research and Sponsored Programs through the Compliance Coordinator.

FINDINGS

The findings of the Committee should be submitted in writing to the Director, RSP. The respondent should receive the full report of the investigation. When there is more than one respondent, each shall receive all those parts that are pertinent to his or her role. All federal agencies, private foundations, or other entities initially informed of the investigation, must also be notified promptly. The University should retain the findings of the investigation in a confidential and secure file. Investigations into allegations of fraud may result in various outcomes, including:

- a finding of fraud,
- a finding of serious scientific misconduct short of fraud,
- a finding that no culpable conduct was committed, but serious errors were discovered
- a finding that no fraud, misconduct, or serious scientific error was committed.

Thus, an investigation of fraud may disclose evidence that requires further action even in those cases in which no fraud is found. Every effort should be made to prevent retaliatory action against the complainant if the allegations, however incorrect, are found to have been made in good faith. If the allegations are found to have been maliciously motivated, disciplinary actions may be taken against those responsible.

APPEAL/FINAL REVIEW

The University may choose to provide respondents with an additional appeals process at this point through a written appeal of the Committee's decision. Appeals must be restricted to the body of evidence already presented, and the grounds for appeal should be limited to failure of the Committee to follow appropriate procedures in the investigation or arbitrary and capricious decision making.

New evidence may warrant a new investigation. The appeal should be filed promptly after a finding has been made. On some critical cases, after an appeal is concluded, the University through the Chair of the Committee may decide to have a final review done by the President or his designee. The decision of the review made by the President of the University is final.

DISPOSITION

The responsibility for determining the nature and severity of disciplinary action should be specified in the University's policy. This may, but need not necessarily, be done through the University's regular faculty disciplinary or grievance procedures. Many actions may be available to the University. They may include, but not limited to:

- Removal from the project
- Letter of reprimand and special monitoring of future work
- Probation
- Salary reduction
- Suspension
- Rank reduction
- Barred from University sponsored leaves
- Termination of Employment
- Ineligible for University Awards

- Termination of Research/ Training Incentive Pay
- Travel Restrictions
- Barred from Conducting Future Research Projects at TSU

Consideration in the process will also be given to the formal notification of other concerned parties not previously notified, such as:

- Funding Sources
- Co-authors, Co-investigators, and Collaborators
- Editors of Journals in which Fraudulent Research was Published
- State Professional Licensing Boards
- Professional Societies
- Criminal Authorities where Appropriate
- Other Colleges , Universities, and Corporations

The Committee meets on a quarterly basis to promote high standards of research integrity, make inquiries, and perform investigations on allegations of fraud in research at TSU. Special call meetings are held as often as needed to address urgent cases of research misconduct or fraud. The Research Integrity Committee also has oversight of research on ethical issues such as the use of controlled substances, research with racial overtones, and unauthorized human subjects experiments. All controlled-substances, including absolute alcohol, must be purchased through the Compliance Coordinator or the Committee Chair.

The membership consists of at least five regular committee members, a community person, an attorney, co-chair, the committee chair, and the Compliance Coordinator. The Vice President for Academic Affairs, Vice President of RSP, Director of RSP, and the Deans of Schools and Colleges are ex-officio members. All members, including the chair and co-chair, are recommended to the Vice President of Research and Sponsored Programs by the Director, RSP, for appointments up to four years.

The membership reflects broad expertise of tenured senior level faculty members from diverse backgrounds of research areas of specialization. They are the stakeholders of research and creative thinking at Tennessee State University. Ad hoc members are selected by the Chair or the Compliance Coordinator to serve on the Committee when special expertise is needed or conflicts of interest or the appearance of conflicts of interest exist within the regular membership.

530.00 OFFICE OF MANAGEMENT AND BUDGET (OMB) CIRCULARS

The predominant mission of the Office of Management and Budget (OMB) is to assist the President of the United States in overseeing the preparation of the Federal budget, and to supervise its administration with the Executive Branch agencies. In an effort to formulate the President's spending plans, OMB evaluates the effectiveness of agency programs, policies, and procedures. It also assesses the competing funding demands among agencies, and sets funding priorities. In addition, OMB oversees and coordinates the Administration's procurement activities, financial management, information, and regulatory policies.

The OMB Circulars are identified by the letter "A" and a number. When an instruction in an OMB Circular is revised, the pertinent circular will be re-issued with the same number and a new date. There is a large number of OMB Circulars in existence at the Office of Management and Budget, which includes A-21, A-110, and A-133.

OMB Circular A-110 sets forth standards for obtaining consistency and uniformity among federal agencies in the administration of grants to and agreements with institutions of higher education. OMB Circular A-

133 is issued pursuant to a Single Audit Act of 1984, P.L., 98-502, and Single Audit Act Amendments of 1996, P.L., 104-156. It sets forth standards for obtaining consistency and uniformity among federal agencies for the audit of State and Local Governments, and non-profit organizations expending federal awards. Although OMB Circulars A-110 and A-133 are important, only OMB Circular A-21 is directly applicable to most research, training and service (or outreach) issues of educational institution. A-21 supersedes Federal Management Circular 73-8, dated December 19, 1973.

The purpose of OMB Circular A-21 is to establish principles for determining costs applicable to grants, contracts, and cooperative agreements with educational institutions. The principles deal with the subject of cost determination and make no attempt to identify the circumstances or dictate the extent of agency and institutional participation in the financing of a particular project.

535.00 OMB DEFINITIONS OF RESEARCH AND INSTRUCTION

Major functions of the University refer to instruction, organized research, other sponsored activities, and other institutional activities. The following Office of Management and Budget descriptions are summarized below:

535.05 OMB DEFINITION OF ORGANIZED RESEARCH

Organized research means all research and development activities of the University that are organizationally structured and separately budgeted and accounted for. It includes the following:

Sponsored Research

Sponsored Research means all organized research and development activities that are sponsored or funded by federal agencies or private organizations. This term includes activities involving the training of individuals in research techniques where such activities utilize the same facilities as other research and development activities, and where such activities are not included in the instructional category.

University Research

University Research includes all organized research and development activities that are separately budgeted and accounted for by the University under an internal application of institutional funds.

535.10 OMB DEFINITION OF INSTRUCTION

Instruction involves the teaching and training activities of the University. It includes all teaching and training activities, whether they are offered for credits toward a degree, certificate or on a non-credit basis; and whether they are offered through regular academic departments or separate divisions. Also, considered as a part of this major function, are departmental research, and in some cases, university research.

Sponsored Instruction and Training

Sponsored instruction and training are specific instructional or training activity established by grant, contract, or cooperative agreement. For purposes of cost principles, this activity may be considered a

major function even though the University's accounting treatment may include it in the instruction function.

Departmental Research

Departmental research means research, development and scholarly activities that are not organized research and consequently, that does not have a separate budget and account. Departmental research is not considered a major function, but a part of the instruction function of the University. For all practical purposes, departmental research at Tennessee State University is designed to train students the methods of research, and the ways in which scientists work and solve problems.

535.15 OMB DEFINITION OF OTHER SPONSORED ACTIVITIES

Other sponsored activities mean programs and projects financed by federal agencies and private organizations which involve the performance of work other than instruction and organized research.

535.20 OMB DEFINITION OF OTHER INSTITUTIONAL ACTIVITIES

Other institutional activities include all activities other than instruction, departmental research, organized research, and other sponsored activities.

540.00 OMB DEFINITION OF UNALLOWABLE COSTS

The costs listed below, whether direct costs or indirect costs, cannot be charged to the sponsored agreement on grants, contracts or cooperative agreements unless specially approved in such grant or contract, as outlined in OMB Circular A-21. The PI may obtain full information on this issue through the [Office of Management and Budget website](#). The list includes:

- Advertising, Public Relations Costs, ALCOHOL, Alumni Activity Costs, Bad Debts, and Local Civil Defense Costs not on the University's premises;
- Commencement and Convocation Costs;
- University Furnished Automobile Costs for Personal Use, Contingency Provision Costs, Defense and Prosecution of Criminal and Civil Proceedings, Claims, Appeals and Patent Infringement Costs;
- Depreciation Reserves Costs, Donations or Contributions, and Entertainment Costs (Includes amusement, diversion and social activities);
- Executive Lobbying Costs, Fines and Penalties (including late fees);
- Goods and Services Costs for Personal Use, and Housing and Personal Living Costs;
- Insurance Costs to Protect against Defects in the University's Materials or Workmanship, and Interests, Fund-Raising and Investment Management Costs;
- Loses on Other Sponsored Agreements, and Student Activity Costs;
- Membership Costs in Civic Clubs, Community Organizations, Country Clubs, Social or Dining Clubs or Organizations;
- Recruiting Costs for Help-Wanted Advertising, and Pre-Agreement Costs Prior to effective Date of Agreement;
- Selling and Marketing Costs of Products or Services of the University;
- Severance Costs in Excess of the University's Normal Severance Pay;
- Specialized Service Facilities Charges in an amount more than an Aggregate Costs of Service over a Long-Term Period; and

- Airfare Travel Costs in Excess of the Lowest Available Commercial Discount Airfare or Customary Standard Coach Airfare

545.00 OMB DEFINITION OF ALLOWABLE COSTS

a) A cost is allocable to a particular cost objective if the goods or services involved are chargeable or assignable to such cost objective in accordance with relative benefits received or other equitable relationship. Subject to the foregoing, a cost is allocable to a sponsored agreement under the following conditions:

- It is incurred solely to advance the work under the sponsored agreement.
- It benefits both the sponsored agreement and other work of the University, in proportions that can be approximated through use of reasonable methods.
- It is necessary to the overall operation of the University and, in light of the principles provided in this Circular, is deemed to be assignable in part to sponsored projects. Where the purchase of capital items (or equipment) are specifically authorized under sponsored agreement, the amounts thus authorized subsequently be made part of the capital items (or equipment) involved.

b) Any costs are allocable to a particular sponsored agreement under the standards provided in this Circular. Such costs may not be shifted to other sponsored agreements in order to meet deficiencies caused by overruns or other fund considerations, to avoid restrictions imposed by law or by terms of the sponsored agreement, or other reasons of convenience.

c) Any costs allocable to activities sponsored by industry, foreign governments or other sponsors may not be shifted to federally-sponsored agreements.

d) The allocation and documentation standard include the following:

- Cost Principles: The recipient University is responsible for ensuring that costs charged to a sponsored agreement are allowable, allocable and reasonable under these cost principles
- Internal Controls: The University's financial management system shall ensure that no one person has complete control over all aspects of a financial transaction
- Direct Cost Allocation Principles: If a cost benefits two or more projects or activities in proportions that can be determined without undue effort or cost, the cost should be allocated to the projects based on the proportional benefits. If a cost benefits two or more projects or activities in proportions that cannot be determined because of the interrelationship of the work involved, then notwithstanding subsection b, the costs may be allocated or transferred to benefited projects on any reasonable basis, consistent with subsection d. (1) and (2) of this Circular.
- Documentation: Federal requirements for documentation are specified in this Circular, Circular A-110, "Uniform Administrative Requirements for Grants and Agreements with the Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations," and specific agency policies on cost transfers.

550.00 COST ACCOUNTING STANDARDS

The Cost Accounting Standards Board (CASB) was established by Congress and currently located in the Office of Management and Budget (OMB) is authorized to promulgate and maintain standards to achieve uniformity and consistency in measuring and allocating costs to negotiated defense and civilian contracts and subcontracts.

Prior to January 5, 1995, educational institutions were exempt from cost accounting standards (CAS) as well as disclosure statements. Under this requirement, educational institutions receiving contracts in excess of \$500,000 must be CAS-covered. There are four cost accounting standards applicable to educational institutions:

501) Consistency in Estimating Accounting and Reporting Costs

502) Consistency in Allocating Costs Incurred for the Same Purpose

505) Accounting for Unallowable Costs

506) Cost Accounting Period

555.00 DISCLOSURE STATEMENTS

Educational institutions receiving more than \$25 million in a federally-sponsored agreement during their most recently completed fiscal year, must file CASB's disclosure statement (DS-2). There are two types of disclosure statements:

Disclosure Statement 1(DS-1): DS-1 applies to Commercial Contractors

Disclosure Statement 2 (DS-2): DS-2 applies to Universities

The actual disclosure of the statement (CASB DS-2) is found in the OMB circular a-21. Each reporting unit is required to complete various portions of the casb ds-2. The CASB DS-2 is a 24- page document that provides a summary of an educational institution's cost accounting system for federal grants and contracts. Download from http://www.whitehouse.gov/sites/default/files/omb/procurement/casb_ds-2.pdf.

560.00 CONFLICTS OF INTEREST AND FINANCIAL CONFLICTS OF INTEREST (FCOI)

Conflict of Interest (Disclosure of Financial Interest) - For NSF and PHS a certification requires an institutional representative to certify that the institution has implemented and is enforcing a written policy on conflicts of interest consistent with federal regulations, all financial disclosures required by the conflict of interest policy were made; and that conflicts of interests, if any, were, or prior to the institution's expenditure of any funds under the award, will be satisfactorily managed, reduced or eliminated in accordance with the institution's conflict of interest policy and/or disclosed to the agency (as required by the agency). For university policy on financial conflict see TSU Internal Audit website at <http://www.tnstate.edu/internalaudit/policies>.

FINANCIAL CONFLICTS OF INTEREST (FCOI)

1. Tennessee State University investigators must be familiar with the requirements of university FCOI policy as stated herein.
2. Tennessee State University investigators must complete FCOI training and receive a certificate for such training at least every four (4) years.

3. Tennessee State University investigators must complete and sign the Proposal Routing and Review Form of Research and Sponsored Programs (RSP), and attach the investigator's most recent FCOI-training certificate to such RSP form, before the investigator engages in, or applies for, grant-funded research, at:
<http://www.tnstate.edu/research/rsp/proposalprep/epras.aspx>.
4. Tennessee State University investigators should be cognizant that the RSP Proposal Registration and Review Form, and its requisite FCOI training, is a required tool for a grant proposal to be submitted on-time to an external funding agency or entity. The form is due for each and every grant proposal, at:
<http://www.tnstate.edu/research/rsp/proposalprep/epras.aspx>. The form provides RSP with the internal information necessary to effectively coordinate and plan such timely submission of the many proposals that are sent to RSP from across the university. The goal of the RSP Proposal Registration and Review Form is thus to inform the RSP office with a formal "heads-up", far in advance, about the (1) intention of the TSU researcher to seek external funding, and (2) existence of any potential conflicts-of-interest, including significant financial interests, and financial conflicts of interests. The form serves to alert or reserve the RSP resources that are necessary to help both the researcher and RSP engage in *sufficient* discussion and deliberation in order to check, review, and troubleshoot each unique proposal for accuracy, compliance, and propriety *before* the approved proposal can be *timely* submitted to an external funder. To ensure such planning and coordination for an on-time grant submission, the properly completed RSP Proposal Registration and Review Form must be submitted to RSP at the same time that the PI starts initial work on a grant proposal, or at least 5 days before the proposal deadline, whichever period is the earliest possible date before the submission deadline established by the external funder.
5. Tennessee State University investigators must immediately complete FCOI training anew, and receive a fresh certificate, prior to the regular 4-year renewal period, when any of the following circumstances apply, pursuant to 42 CFR 50.604(b):
 - (a) The university revises its financial conflict of interest policies or procedures in any manner that affects the requirements of investigators;
 - (b) An investigator is new to the university; or,
 - (c) The university finds that an investigator is not in compliance with the university's financial conflict of interest policy or management plan.
6. Tennessee State University investigators must certify, and by engaging in, or applying for, grant-funded research, do hereby accept, the terms of university research, as stated or restated on the RSP Proposal Registration and Review Form, as follows:

The signature of the principal investigator(s)/project director(s) certifies that: 1) the budget represents the best estimate of the full costs, including the salaries of faculty and staff applicable to the project, fringe benefits, allowable indirect costs, facilities requirements, supplies, equipment, etc.; 2) the information submitted within the application is true, complete, and accurate to the best of the PI's knowledge; 3) any false, fictitious, or fraudulent statements or claims may subject the PI to criminal, civil, or administrative penalties; 4) the PI agrees to accept responsibility for the scientific conduct of the project and to provide the required progress reports if a grant is awarded as a result of the application; 5) the PI agrees to assign the rights to all intellectual property resulting from this project to the University; 6) the PI shall disclose to the University, no later than the date of application to the external funder, all significant financial interests (42 CFR 50.603) of the PI (including immediate family) (i) which would reasonably appear to be affected by the research or educational activities funded or proposed for funding by this proposal; or (ii) in entities whose financial interests would

reasonably appear to be affected by such activities; and, 7) the researcher has completed the financial conflicts of interest (FCOI) online tutorial, <http://grants.nih.gov/archive/grants/policy/coi/tutorial/fcoi.htm>, and attached, to this signed form, the resulting *Certificate of Completion* issued by the NIH Office of Intramural Research.

7. Tennessee State University investigators must submit an updated disclosure of significant financial interests, pursuant to 42 CFR 50.604(e)(2), at least annually, unless otherwise directed by RSP to submit within a shorter time frame, during the period of the award. Such disclosure shall include any information that was not disclosed initially to the university, or in a subsequent disclosure of significant financial interests (e.g. any financial conflict of interest that was transferred from another institution to the university), and shall include updated information regarding any previously disclosed significant financial interests (e.g. the updated value of a previously disclosed equity interest).
8. Tennessee State University investigators must submit an updated disclosure of significant financial interests, pursuant to 42 CFR 50.604(e)(3), within thirty (30) days of discovering or acquiring (e.g. through purchase, marriage, or inheritance) a new significant financial interest.
9. Tennessee State University investigators must certify, and by engaging in, or applying for, grant-funded research, do hereby accept, that the university is the final arbiter, authority, and judgment on the existence of a significant financial interest and a financial conflict of interest, pursuant to 42 CFR 50.604(f).
10. Tennessee State University investigators must certify, and by engaging in, or applying for, grant-funded research, do hereby acknowledge that research activities, and all other professional activities related to research, must be in compliance with the research or employment policies of the university, as a regulated state institution receiving federal funds, including, but not limited to, university policies and government regulations, or policies, regarding the Responsible Conduct of Research, and that these activities are thus subject to the research misconduct, academic misconduct, or other applicable policies of the university and the research misconduct regulations of the applicable federal agencies.

600.00 CONTRACT AND GRANT ADMINISTRATION

Grants are awarded to the University to conduct basic and applied research or other sponsored program activities from federal agencies and private foundations. Contracts, on the other hand, are agreements between the University and the sponsor to provide a service or deliver a product. For this reason, research or sponsored programs that are awarded as contracts are called deliverables.

- **600.05 PROPOSAL AWARD RECEIPT**
- **600.10 NEGOTIATIONS**
- **605.00 GRANT AND CONTRACT RESPONSIBILITIES**
 - 605.05 PRINCIPAL INVESTIGATOR
 - 605.10 Program Manager for Fiscal Affairs
 - 605.15 DEPARTMENT HEAD
 - 605.20 COLLEGE DEAN/DIRECTOR
 - 605.25 FINANCE AND ACCOUNTING STAFF
 - 605.30 VICE PRESIDENT FOR Research and Sponsored Programs
 - 605.35 DIRECTOR OF RESEARCH AND SPONSORED PROGRAMS
- **610.00 TIME AND EFFORT REPORTING SYSTEM**

- [610.05 TIME AND EFFORT CERTIFICATION PROCEDURE](#)
 - [610.10 CORRECTING TIME AND EFFORT INACCURACIES](#)
 - **[615.00 SPECIAL PURCHASING ARRANGEMENT](#)**
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 - **[620.00 CHANGES IN RESEARCH /TRAINING BUDGET](#)**
 - **[625.00 TECHNICAL RESEARCH AND TRAINING REPORTS](#)**
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600.05 PROPOSAL AWARD RECEIPT

An award to the University from a sponsoring agency obligates the University to a contractual commitment. An award may simply be in the form of a letter issued by an authorized agent of the sponsor, or it may consist of a detailed contract.

The Division of Research and Sponsored Programs, Business and Finance or the President normally receives notification of the acceptance or rejection of proposals. If award notices or letters of rejection come directly to the President, RSP or the principal investigator, the original copies should be forwarded to Grants Office in Finance and Accounting. Upon receipt of an award, RSP staff reviews the award letter with the PI to ensure that the scope, timetables, work statements, and deliverables are acceptable. RSP sends the appropriate documents to the Grants Office in Finance and Accounting for processing. RSP staff also assists the PI in setting up the budget, obtaining an account number through Finance and Accounting, and reviewing information on the University's policies and procedures on grant and contract administration within the terms and conditions outlined by the agency. If a signature is required on the award receipt letter, only the President or the Vice President of Research and Sponsored Programs is authorized to sign on behalf of the University.

Awards for proposals not authorized by the University, and not having completed approval forms with appropriate signatories may be rejected by the University. IN ALL CASES, THE UNIVERSITY RESERVES THE RIGHT TO REJECT AN AWARD.

The University does not permit work to be performed on any proposed project until the sponsor has granted the award and the PI has been certified by attending the RSP Principal Investigator Certification Workshop. No charges may be incurred against a sponsored project until RSP has received and processed the formal award notification from the sponsor and an account number has been issued by Finance and Accounting. No commitments to personnel or subcontractor should be made prior to receipt of an official award document.

On occasion, the actual document of the sponsor authorizing project expenditures may be delayed. If a short delay will impede the progress of the project, the principal investigator may request approval for limited early expenditures. Such requests are channeled through RSP. These and other exceptions to policy are based on a written request from the PI and the approval by the Vice President for Research and Sponsored Programs and Vice President for Business and Finance.

600.10 NEGOTIATIONS

The Division of Research and Sponsored Programs negotiates the type of contract, terms, conditions and financial arrangement including the budget, while the principal investigator and the sponsor negotiates the technical aspect of the proposal. Although the technical aspects of the proposal are negotiated by the PI with the sponsor, RSP should be notified immediately of any changes made in the proposal. This is needed because any change in project scope may affect the costing arrangement and other contractual aspects, especially the duration and performance. It is mutually beneficial for the PI and the University to work together to develop strategies and options in negotiating. RSP is the official negotiator involving the

budget, implementation, and interpretation of University policy. If the negotiations result in major contractual or technical changes to the original proposal, the revised proposal must be re-submitted through the proposal approval process of the University.

605.00 GRANT AND CONTRACT RESPONSIBILITIES

When a proposal becomes a grant or a contract, the PI works with RSP and Grants Accounting staff to manage the award. In general, the PI performs the technical aspects of the award, while RSP and Grants Accounting staff members handle the financial aspects of the grant or contract. The specific responsibilities of the PI, Program Manager for Fiscal Affairs, Department Head, Dean/Director, Financial Analysts in Finance and Accounting, Director of RSP, and Vice President for Research and Sponsored Programs are summarized in the following sections.

605.05 PRINCIPAL INVESTIGATOR

The principal investigator is charged with the responsibility of the successful implementation of his or her project. The overall responsibilities for the PI are listed below.

- Work with RSP staff to obtain an account number from Finance and Accounting,
- Ensure that the project is carried out in a timely fashion as outlined in the proposal,
- Consult with teaching unit heads, college dean or director for the appropriate level of percent effort to be devoted by the faculty, adjunct professors, research associates, and post doctoral fellows according to grant or contract provisions,
- Manage the budget according to the terms and conditions of the award,
- Recruit and hire personnel in accordance with University policies and procedures, including affirmative action,
- Ensure adherence to University policies and procedures,
- Work closely with the RSP financial personnel on the rate of spending, purchasing, and no-cost extensions,
- Supervise project personnel according to the criteria established by the contract, grant or cooperative agreement,
- Prepare and submit interim and final project reports to the Department Head, RSP, and the sponsor,
- Consult with the RSP and the program manager of the sponsor when major changes in the project are needed.

605.10 Program Manager for Fiscal Affairs

The Program Manager for Fiscal Affairs (PMFA) is the central link between the principal investigator, Financial Analysts in Finance and Accounting, and the sponsor. The PMFA is responsible for the overall management and administration of all grants, contracts and cooperative agreements. The specific responsibilities are listed below.

- Inform principal investigator, department head, and college dean or center director of the award,
- Review aspects of the contract with principal investigator when appropriate,
- Prepare and distribute "project briefs" and authorization of budget,
- Assist with funding changes
- Ensure that project expenditures adhere to University and sponsor guidelines,
- Prepare consulting agreements and subcontracts,
- Handle negotiations in areas of property disposal or transfer,

- Establish accounts for PIs through Financial Analysts in Finance and Accounting,
- Provide no-cost extensions to PIs through the sponsor,
- Monitor the rate of spending of the PI,
- Oversee time certifications through department heads and directors
- Assist in the internal management of the project,
- Handle the reconciliation of research funds, and
- Advise the Finance and Accounting Staff along with the PIs on closeout dates.

605.15 DEPARTMENT HEAD

The department head is the official supervisor for the principal investigator or project director within his or her departmental unit for all schools and colleges. In some cases, as in institutes or centers, the principal investigator or project director reports to the Director of that center or institute. Federal regulations require an effort reporting system, known as Time and Effort Certification, to support and document salary charges to federal grants and contracts, as well as to determine the administrative effort charged in the facilities and administration of direct cost rate. It is the responsibility of the department head to ensure that its time and effort reports are accurate. The department head must review, correct, and certify the accuracy by signing off on the forms for each PI or PD supported by a federal grant or contract. Time and Effort for federally funded projects is documented on monthly and bimonthly payroll timesheets. The University's Time and Effort policy is detailed in section 610.00.

605.20 COLLEGE DEAN/DIRECTOR

The college dean or center director is responsible for each department head within his or her college, school or center to implement the overall research plan. The dean or director encourages department heads to engage their faculty or research staff into leading edge research and innovative training projects. The responsibilities are to:

- Develop a research action plan,
- Allocate the colleges/center resources involved in implementing research proposals resulting from research awards,
- Advise RSP negotiators concerning negotiating strategies and options preferred,
- Review and revise college proposal commitments based on negotiations,
- Ensure that all principal investigators follow University policies and assume project administrative responsibilities, and
- Review and authorize appropriate forms for payroll authorizations, new hires, purchases, and other project related expenses.

605.25 FINANCE AND ACCOUNTING STAFF

The Finance and Accounting staff reside in the Division of Business and Finance. The appropriate Finance and Accounting staff works closely with RSP post-award personnel in the overall administration and management of the grant or contract. The responsibilities of the staff are listed below.

- Prepare attribute sheets for Assistant Director of Finance and Accounting to set up account numbers requested by the PI or PD,
- Make budget revisions,
- Prepare invoices and make "cash draw downs" from appropriate federal agencies,
- Prepare inventory property reports,
- Review travel requests,

- Make reports to Federal agencies,
- Endorse personnel action forms.

Although the members of the finance and accounting staff report to the Vice President for Business and Finance, they work closely with and in some cases indirectly report to RSP.

605.30 VICE PRESIDENT FOR RESEARCH AND SPONSORED PROGRAMS

The Vice President for Research and Sponsored Programs (VP-RSP) is the Chief Research Officer of the University. The Division of Research and Sponsored Programs is the unit responsible for research administration at the University. The major post-award responsibilities for the VP-RSP include the following.

- Approve exceptions to policy,
- Serve as final arbitrator of the University's negotiating position,
- Determine all legal actions relative to sponsored projects and coordinate resolution of financial issues.

605.35 DIRECTOR OF RESEARCH AND SPONSORED PROGRAMS

The Director of Research and Sponsored Programs is administratively responsible for the overall administration and management of all research and training grants, contracts, and cooperative agreements. In circumstances where it is not clear to the PIs or PDs who they are to contact in RSP for specific information, the Director will assist the PI in contacting the appropriate RSP staff member.

610.00 TIME AND EFFORT REPORTING SYSTEM

This process is handled by the Grants Accounting Office. Federal agencies, as well as the University, require documented accountability of personnel supported partially or totally by federal funds (OMB Circular No. A – 21). All federal agencies that sponsor research and development, training, and other work require that Time and Effort Certification Forms be submitted on a regular and timely basis as summarized below.

610.05 TIME AND EFFORT CERTIFICATION PROCEDURE

The monthly and bimonthly timesheets that are distributed for processing payroll are the University's official document for certifying time and effort for all University employees paid on federally funded grants. The employee should double check the timesheet to ensure that the pre-printed information (account number with corresponding percent effort) is correct before signing for a given time period. After the employee has signed the form, it must be certified by the immediate supervisor. An immediate supervisor is defined as someone who has first-hand knowledge of an employee's work effort.

610.10 CORRECTING TIME AND EFFORT INACCURACIES

In the event that the time and effort information on the monthly or bimonthly timesheet is incorrect, a Time and Effort Correction Form (located on the RSP web site) should be completed by the employee, certified by the immediate supervisor and forwarded to RSP. A Personnel Action Request Form must also be completed to ensure that the corrections are made before the printing of the next payroll time sheet.

615.00 SPECIAL PURCHASING ARRANGEMENT

The nature of research and training projects make it difficult for PIs and PDs to always properly plan or anticipate their purchasing needs that are critical in conducting the research or training grant. Concomitant with the above purchasing problems, are the unexpected technical problems, expected "rate of spending" by the sponsoring agency, invoicing the foundation or agency funds, date of completing the project of a research/training grant or cooperative agreement, and the time frame for delivering a product or service in a contract. Failure to execute the negotiated requirements in a timely manner may result in poor management of the grant, contract or cooperative agreement, which could result in termination of the contract or grant. To avoid this problem or the appearance of it, grants, contracts, and cooperative agreements will be given high priority and special purchasing approvals to satisfy the terms and conditions of the awards accepted by the University.

Competitive Bidding

All procurement transactions or purchasing activities must be conducted in a manner to provide free and open competition to the general public as outlined in the Revised OMB Circular A-110. For further information, you may review the Portfolio of Purchasing and Business Services Publication and contact the Director of Purchasing and Business Services at the University.

Sole Source Procurement

Principal Investigators or Project Directors may only use sole source procurements (non-competitive bidding) when the purchase, sealed bid, or competitive bidding are not possible or feasible. Sole Source Procurements must consist of one or more of the following.

- The item to conduct the specific research or carry out the training is available from only one source.
- There is an exigency or emergency need for the item, and cannot be delayed under the competitive bidding process.
- The sponsor authorizes non-competitive solicitations to purchase items for specific research and training activities.
- After several competitive "biddings" from a number of sources, competition is determined inadequate or futile.

The PI may obtain the appropriate form and more information on how to develop and use sole source requests from Purchasing and Business Services.

615.05 PROPERTY MANAGEMENT

All agencies that provide funds for the acquisition of equipment require that items be accounted for annually and properly maintained. The policy manuals of the federal agencies will provide the regulations governing equipment purchased with federal funds.

Principal investigators and project directors are required to make annual inventories for federal agencies as well as for Tennessee State University. The University requires inventories to be made on all equipment with a life expectancy of at least one year and costing \$5000 or more.

620.00 CHANGES IN RESEARCH /TRAINING BUDGET

Funds of academic grants, contracts, or cooperative agreements involving research and training must not be transferred from one object code to another without approval from RSP. Major changes in the budget of a research or training project may change the nature and content of the original proposal, under which was funded by the sponsor. Moving funds from one object code to another object code may lead to unallowable purchases or even misappropriation of federal funds. OMB Circular A-21, under certain conditions, permits small changes in budget categories not to exceed 10%. However, if major budgetary changes are needed, the PI must seek and obtain written permission from the project manager of the sponsoring. The RSP staff would be happy to assist the PI in making a formal request to the sponsor for major budgetary changes. RSP will make every effort to endorse all requests for budgetary changes for the Financial Analyst in Finance and Accounting as soon as written permission from the sponsor is granted.

625.00 TECHNICAL RESEARCH AND TRAINING REPORTS

All federal agencies and private foundations require grant/contract recipients to make progress reports on their research or training projects in compliance with Attachment H, OMB Circular A-110. Information may also be provided from agency publications. A copy of all reports must be forwarded to RSP.

700.00 RESEARCH AND SPONSORED PROGRAMS POLICIES

Research, training and other creative activities are vital components of Tennessee State University's mission. Faculty, staff, and students undertake research to fulfill one of the obligations of all institutions of higher education, the systematic advancement of knowledge. In addition, through sponsored programs, the faculty, staff, and students develop professionally, enhance the University's research resources, strengthen the academic programs, and provide for student participation and public service.

This section of the handbook seeks to assist the faculty and staff with understanding the research policies and procedures of the University in preparing proposals for research and sponsored programs, and to administer the resultant grants, contracts, and cooperative agreements.

- **700.05 DRUG-FREE WORKPLACE**
- **700.10 RESEARCH INCENTIVE AWARD**
- **715.00 EXTRA SERVICE PAY (ESP)**
- **720.00 FACULTY RELEASE TIME**
- **725.00 TRAVEL**
- **730.00 LEAVES**
 - 730.05 ANNUAL LEAVE
 - 730.10 SICK LEAVE
- **735.00 NO-COST EXTENSION**
- **740.00 CARRYOVER FUNDS**
- **745.00 TRANSFER OF GRANT OR CONTRACT**
- **750.00 SUB-CONTRACT AND SUBRECIPIENT MONITORING, AND CLOSE-OUT**

700.05 DRUG-FREE WORKPLACE

The University is committed to maintaining a work environment free from illegal drugs and drug abuse. In addition to its own Drug Abuse Policy, the University complies with the requirements of the Drug-Free Workplace Act of 1988, as well as special Drug-Free Work Force rules issued by the U. S. Department of Defense and other federal agencies. Principal investigators working on federally sponsored projects have a responsibility to ensure a drug-free workplace and work force. The University is also required to notify the federal contracting agency after learning of any employee's criminal drug conviction in the workplace.

700.10 RESEARCH INCENTIVE AWARD

The Division of Research and Sponsored Programs (RSP) has been established to intensify the university's research efforts and to increase extramural funding to \$100 million. Therefore, the establishment of a mechanism to provide a financial bonus for principal investigators will play a critical role in increasing externally funded research and scholarly activity. Research incentive award (RIA) will assist in accomplishing the following.

- Reward active researchers for their efforts, thus encouraging continued participation in the research enterprise.
- Encourage inactive faculty/staff to conduct research thus increasing the number of faculty involved in externally funded projects.
- Attract world-class researchers who can establish research labs/centers in areas of "high growth".
- Encourage retention of productive researchers.

In order to comply with federal cost principles in OMB Circular A-21, it is important that the cost to the external sponsor remain unchanged as a result of the university's research incentive award. In general, federal grants do not allow extra compensation to be direct charged. Thus, it is unallowable to direct charge an incentive award to a federal grant.

Most federal grant programs provide for facilities and administrative costs (indirect costs) to be recovered. Once the university receives indirect costs funds from a federal sponsor, the funds are incorporated into the university's budget and become state funds. These funds can then be used to provide RIA without violation of federal cost accounting principles.

For many years, TBR limited extra compensation to 20% of annualized salary. The 20% limit was liberalized with the approval of TBR policy 5:01:05:00 "Outside Employment and Extra Compensation."

However, Tennessee law still limits the number of extra hours faculty are allowed to work and so extra compensation is limited by Tennessee law. In contrast, Tennessee law does not limit incentive awards because incentive awards are a bonus and require no additional hours of work.

Research incentive award is a financial bonus; it does not require additional work beyond 100% effort. Thus, it is exempt from the extra service compensation limit. Conversely, extra service pay is compensation that requires additional work beyond 100% effort. Consequently, it is subject to the extra service compensation cap set by TBR. Faculty may receive both incentive compensation and extra compensation if the situation warrants. Put another way, payment of extra compensation does not preclude the payment of an incentive award.

Research Incentive Award Guidelines

Below is a list of suggested guidelines for a research incentive award policy.

- For researchers to be eligible for RIA, they must successfully obtain external funding with an indirect cost component.
- For research projects (as defined by NSF), a minimum of 10% of indirect costs recovered from a grant will be paid to the principal investigator. Five percent will be given directly to the PI as incentive award and 5% will go the PIs lab/project. For all other grants and awards (service, training and other), 6% of the indirect costs will be paid to the PI, 3% to the PI and 3% to the PIs lab/project. Exceptions will be recommended by the VP RSP for approval by the President.
- In the case of collaborative efforts, incentive award will be calculated from the indirect costs recovered by TSU only.
- When a project has multiple PIs, the incentive award will be divided according to percent effort on project.
- PI must be in full compliance with TSU Research & Sponsored Programs policies to receive RIA.
- When funding terminates, RIA associated with the award will also terminate.
- RIA will be distributed during the fall semester each year based on the preceding fiscal year.
- Research and Sponsored Programs will administer the RIA program, and mediate issues that may arise concerning the program.
- Reevaluation of the incentive award policy will take place annually.

715.00 EXTRA SERVICE PAY (ESP)

Extra Service Pay (ESP) for principal investigators and project directors, who are conducting research and training projects, is discouraged. PIs and PDs should request release time from teaching or other assignments in order to conduct externally funded projects in lieu of requesting Extra Service Pay. Extra Service Pay is considered to be an exception to policy and must be endorsed by the supervisor and approved by the Vice President for Research and Sponsored Programs and/or the Vice President for Academic Affairs.

720.00 FACULTY RELEASE TIME

Faculty release time for potential PIs or PDs is discussed at the departmental level with the Department Head during the early preliminary stages of developing the proposal, and if the PI's idea is aligned with the vision of the department and college/school/center, the pre-proposal will be approved by the Dean/Director. The amount of release time requested for the PI or PD by the Department Head and approved by the Dean or center Director should be proportional to the amount of time and effort required to conduct the funded research or training grant.

725.00 TRAVEL

All research travel, foreign or domestic, must adhere to the provisions under OMB Circular A-21 and TSU policy. The PI must secure adequate personal insurance coverage and obtain TSU and TBR approvals for all foreign travel. However, all faculty and staff on official business for the University are covered under the University's Workers Compensation and Group Life Insurance Policies. For further information, please contact the University's travel office the Division of Business and Finance.

730.00 LEAVES

Tennessee State University has several types of leaves which include: annual leaves, professional leaves, sick leaves, jury duty, and military duty.

730.05 ANNUAL LEAVE

Annual leaves are only applicable to 12-month employees. The University awards each employee two days per month or 24 days per year not to exceed 45 accumulated days. All accumulated days over the 45 day limit will be transferred into the sick leave category. Employees may transfer from state funds to restricted and conversely.

Transfer From State Funds to Restricted Funds

A person with accumulated annual leave who is currently supported totally or partially on state funds, and who transfers to a restricted funds program shall be paid for this annual leave prior to the transfer to the restricted funds. Also, annual leave shall be taken in the amount of accumulated leave prior to the termination date of the state funded employment.

Transfer From Restricted Funds to State Funds

A person with accumulated annual leave who is currently supported totally or partially on restricted funds and who transfers from restricted funds to state funds, or who is terminated, shall be paid or used in lieu of the annual leave amount, prior to transfer or termination.

Each year, the accumulated annual leave for persons funded totally or partially on restricted funds, must be taken or used prior to and within each budget year of the grant. Prior to the close out date of any program funded by restricted funds, all personnel so employed are required to take "days off" or be paid for any and all accumulated annual leave.

730.10 SICK LEAVE

Each permanent employee on state funds is given one day per month for sick leave (9 days per year for nine-month employees and 12 days per year for 12-month employees). Sick leave may be either personal or family related. Any unused sick leave earned by an employee who is transferring from state to restricted funds, shall be placed in escrow at the time of the transfer to restricted funds. This sick leave balance shall be maintained on record by the Department of Human Resources and will be available for re-instatement upon re-employment on state funds.

735.00 NO-COST EXTENSION

A no-cost extension (NCE) provides for an additional period of performance to accomplish project goals without additional funding. The PI must request permission for NCE from the sponsor. If permission is granted or if the agency requires RSP approval for NCE, the PI must notify RSP.

740.00 CARRYOVER FUNDS

Sponsor policies vary in their handling of funds unspent at the end of the budget period. PIs working under multiyear awards should check with the individual sponsors to avoid potential issues. Requests for the carryover funds are routed through RSP to the sponsor, explaining why such funds exist and how they will be used during the next budget period.

745.00 TRANSFER OF GRANT OR CONTRACT

A faculty member coming from another institution may wish to transfer a sponsored project to Tennessee State University. Such a transfer requires the approval of both the originating institution and the sponsoring agency. To initiate the transfer process, a new or revised proposal is prepared and routed through RSP.

A principal investigator who is leaving the University may want to continue his or her sponsored project at a new institution. A request to transfer the unspent portion of grant or contract must proceed through RSP, obtain the consent of the department head, college/school dean or center director, budget director, Vice President for Business and Finance, Vice President for Research and Sponsored Programs and the President of the University.

750.00 SUB-CONTRACT AND SUBRECIPIENT MONITORING, AND CLOSE-OUT

A Sub-contract will be defined as an agreement that is written under the authority of, and consistent with, the terms and conditions of a prime award, and authorizes a portion of the substantive effort to be performed by another organization. Substantive work is effort in which the collaborator engages directly in the performance of the specific aims of the project. TSU and the subcontractor mutually agree on how the substantive work will be performed and how it will be measured.

Subcontract Process at the Proposal Stage

Most funding agencies require written approval before a subcontract is issued. The PI should determine the potential need for a subcontract at the proposal stage. The following information is normally requested from the potential sub-recipient. Depending on the proposal guidelines from the sponsor, other information may also be required, such as letter of intent, biographical sketches, current and pending other support, and available facilities information.

1. A scope of work to be completed by the sub-recipient
2. A budget that meets the requirements of the sponsor and TSU
3. A letter of intent with an authorized signature indicating the potential subcontract institutions commitment to perform the proposed scope of work, assuring the accuracy and reasonableness of the budget, and agreeing to enter into a subcontract if the proposal is funded
4. All required representations, certifications and assurances (e.g. human subjects assurance).

F&A is charged on only the first \$25,000 of a subcontract but on the entire amount of a vendor contractual arrangement.

The budget consists of a categorical breakdown of sub-recipient costs, which could include both direct and facilities and administrative (F&A) costs, if allowed by the funding agency. If F&A costs are included in the potential sub-recipient budget, a copy of their most current F&A Cost Agreement must be provided to the TSU RSP for verification of the F&A rate used in the budget. The budget should also show a categorical breakdown of sub-recipient cost sharing, if cost sharing is required.

The scope of work outlines the work to be accomplished by the sub-recipient.

It is not uncommon for the sponsor to request revised information, e.g., budget after the initial review of the proposal by the sponsor. This revision may or may not impact a potential sub-recipient. If it does, the TSU PI would contact the subcontract PI for the required revisions. All revised documentation from the sub-recipient would once again require an institutional/organizational authorized representative signature.

Issuing the Subcontract

After the awarding agency has approved the selection of a subcontract, whether by issuing an award that contains provisions for the sub-recipient or by approving the selection of a sub-recipient after the award has been made, the PI initiates the issuance of a subcontract by contacting the RSP with a copy of the sub-recipient's budget and statement of work.

Upon receipt of this request, RSP prepares the subcontract and ensures that the sub-recipient has supplied appropriate financial information. RSP staff works with the PI/PD and the proposed sub-recipient to design and negotiate acceptable subcontract wording in keeping with sponsor guidelines and regulations and TSU policies and procedures.

The subcontract incorporates a subrecipient monitoring policy. The TSU [Subaward-Subrecipient Services Contract](#) includes a sub-recipient policy at paragraphs B(3)(B), C(8)(G), and 10, as follows:

(B).The Contractor hereby acknowledges and accepts that invoicing is a key tool of subrecipient monitoring by the Institution, in addition to the provisions of paragraph 8(G) ("Monitoring") and paragraph 10 ("Reporting") below; therefore, each monthly or periodic invoice, and the final invoice, delivered to the Institution by the Contractor must be an itemized statement that briefly describes and reports the specific portion of completed performance of the Contractor, thereby providing the performance-progress basis for each such respective invoice.

(G). Monitoring.

(1).The Contractor's activities conducted and records maintained pursuant to this Agreement shall be subject to monitoring, evaluation, visits, and auditing by the awarding agency, the Institution, the Comptroller of the Treasury, or the duly appointed representatives of each, pursuant to 2 CFR 215.51 and 2 CFR 215.26. The Institution and its authorized representatives shall have the right of expeditious and unrestricted access to any books, documents, papers, technical records, financial records, or other records of Contractor which are pertinent to this Agreement upon request, in order to make audits, examinations, reviews, excerpts, transcriptions, and copies of such documents. This right includes speedy and reasonable access to the Contractor's personnel for the purpose of interview, inquiry, and discussion related to such documents, not inconsistent with federal and state law. This right of access is

not limited to the required retention period pursuant to 2 CFR 215.53, but shall last as long as the documents are retained.

(2).The Contractor agrees that the Institution reserves the right to perform administrative and technical site visits on the premises of the Contractor and to otherwise confirm, via the full cooperation of the Contractor as hereby agreed, that the Contractor is in current and continuing compliance, as also hereby agreed, with the applicable cost and other compliance principles, including but not limited to, (1) OMB Circular A-21 [as relocated to 2 CFR, Parts 215 and 220] entitled *Cost Principles for Educational Institutions*, (2) OMB Circular A-87 [as relocated to 2 CFR, Part 225] entitled *Cost Principles for State, Local, and Indian Tribal Governments*, (3) OMB Circular A-122 [as relocated to 2 CFR, Part 30] entitled *Cost Principles for Non-Profit Organizations*, (4) 45 CFR, Part 74 Subpart E entitled *Special Provisions for Awards to Commercial Organizations*, (5) 45 CFR, Part 74 Appendix E entitled *Principles for Determining Costs Applicable to Research and Development Under Grants and Contracts With Hospitals*, (6) Federal Acquisition Regulation (FAR) 48 CFR, Part 31 entitled *Contract Cost Principles and Procedures*, and (7) the federal financial conflicts of interest (FCOI) rules at 42 CFR, Part 50, Subpart F entitled *Responsibility of Applicants for Promoting Objectivity in Research for Which PHS Funding Is Sought*, and the respective administrative requirements of each above-stated provision.

(3).If there are findings arising from the above-stated monitoring, evaluation, visits, or auditing, Contractor agrees to be fully cooperative, responsive, and active to address and correct these findings, issues, problems, or other instances or areas of non-conformity or non-compliance.

10. **Reporting.** The Contractor shall submit to the Institution progress, financial, and technical reports upon request and within thirty (30) days of any such request. Contractor shall record and maintain all research and financial data, documents, records, notebooks, test results, and findings in a form and manner that permit evaluation of the progress, conduct, and management of the above-stated statement or work. Contractor agrees to complete a Tennessee Board of Regents (TBR) Annual Title VI Survey and/or cooperate with the TBR Title VI compliance audit if it receives federal funds under or via this Agreement.

RSP will send two originals of the subcontract to the sub-recipient for signature by an authorized institutional official. Sub-recipient s are requested to return both copies of the signed subcontract, along with other supporting documents as needed (e.g., audit certification, subcontract questionnaire), to RSP for countersignature by the University Representative.

After the subcontract has been fully executed, University Council will forward a fully-executed original to the sub-recipient and a copy to the PI/PD. A requisition for purchase along with a copy of the fully executed subcontract should be prepared by the PI/PD and submitted into SciQuest. A Purchase Order for the amount of the subcontract will be issued.

Paying the Sub-recipient Invoices

Sub-recipients send their invoices for payment to the PI/PD. The PI/PD is responsible for approving all invoices with regard to the subcontractor's performance. All invoices submitted shall include current and cumulative costs (including costs sharing). The PI/PD then sends the invoice and documentation to

Accounts Payable to be paid. Accounts Payable will not pay a subcontractor's invoice without signatures of the PI/PD on the invoice and without a Purchase Order number.

Sub-recipient Monitoring By PI

The PI is responsible for:

Verifying that work performed by the sub-recipient is conducted in a timely manner and is acceptable

Reviewing and approving sub-recipient invoices

Maintaining regular contact with the sub-recipient regarding the technical aspects of the project

Performing site visits as necessary to review fiscal and programmatic records and/or observe programmatic activities

Ensuring that all deliverables (e.g. technical, equipment, and invention reports) required under the subcontract are being provided.

Sub-recipient Monitoring By RSP

RSP will be responsible for:

1. Informing each sub-recipient of the CFDA title and number, award name and number, and name of the federal agency providing funding
2. Advising sub-recipients of the requirements imposed on them by federal laws, regulations, the provisions of the prime award, or provisions of TSU
3. Ensuring that non-profit sub-recipient's expending \$500,000 or more in federal awards during the sub-recipient's fiscal year have met the audit requirements of OMB Circular A-133
4. Issuing a management decision (when sub-recipients have A-133 audit findings) within six months after receipt of the sub-recipient's audit report and ensuring that the sub-recipient takes appropriate and timely corrective action
5. Considering whether sub-recipient audits necessitate adjustment of TSU own records
6. Requiring each sub-recipient to permit TSU and auditors to have access to the records and financial statements as necessary for audit purposes

Sources of Federal Guidelines

OMB Circular A-21: A Cost Principles for Educational Institutions

<http://www.whitehouse.gov/omb/circulars/a021/a021.html>

OMB Circular A-133: AAudits of States, Local Governments, and Non-Profit Organizations

<http://www.whitehouse.gov/omb/circulars/a133/a133.html>

OMB Circular A-110: Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations

<http://www.whitehouse.gov/omb/circulars/a110/a110.html>

Federal Acquisition Regulations <http://farsite.hill.af.mil>

Close-Out

RSP incorporates the close-out policy of TSU Grants Account, as follows:

Restricted Fund Accounting

Grant Close-Out: Reporting, Refund, Inventories (5.11.07)

POLICY

All administrative actions required for the close-out of a grant or contract will be performed in accordance with the grant terms and conditions and university policy, where applicable.

Expiring grants will be monitored by the Financial Analyst III to ensure that, upon expiration, only expenditures incurred or commitments made during the grant period are reflected on the fund. After the grant has expired and all encumbrances have been paid or liquidated, the Financial Analyst III will close-out the budget and the Associate Director for Grants Accounting and Payroll will set the appropriate expenditure/termination dates in the university accounting system.

The Financial Analyst III will be responsible for preparing final reports for the funding agency, generally within 90 days after the expiration date or in accordance with the grant or contract guidelines. These reports usually include the final financial status, reports on inventions, patents and equipment and/or other reports prescribed by the funding agency. Each report will be reviewed by the Associate Director for Grants and Payroll and approved by the Associate Vice President for Business and Finance.

All excess cash will be refunded to the grantor or disposed of as stipulated in the terms and conditions of the grant or contract.

REFERENCES

5.11.04 Restricted Budget Contracts and Revisions

Revised 1/10

800.00 INVENTIONS, PATENTS, AND INTELLECTUAL PROPERTY

As a leading, research intensive institution, Tennessee State University (TSU) through the Office of Technology Transfer and Licensing in the Division of Research and Sponsored Programs encourages the faculty, staff, students, and volunteers to engage in research activities that lead to inventions and innovation, discoveries that are copyrightable or qualify for a trademark, technology transfer, and the development of intellectual property (see TBR Policy No. 5:01:06:00). In addition, it is also the policy and responsibility of TSU and other affiliated organizations, such as a university-connected research corporation, to encourage the use of such discoveries and inventions for the good of the public and to provide equitable distribution between TSU and the investigator/inventor(s) of licensing revenues resulting from the commercialization of novel discoveries and inventions in which the University is deemed to have an interest.

- **800.05 RESEARCH**
- **800.10 APPLICABILITY**
- **805.00 RESPONSIBILITY FOR UTILIZATION**
- **810.00 INVENTION DISCLOSURES**
- **815.00 OWNERSHIP OF INTELLECTUAL PROPERTY**
- **820.00 RIGHTS AND OBLIGATIONS OF THE PARTIES**
 - 820.05 Inventor rights
 - 820.10 Inventor obligations
 - 820.15 University rights
 - 820.20 University obligations
 - 820.25 INTELLECTUAL PROPERTY PROCEDURES
- **825.00 APPEALS**
- **830.00 Licensing**
- **835.00 Distribution of Proceeds**

800.05 RESEARCH

The research covered by this policy shall include all research conducted in the course of an investigator's employment with TSU and/or other affiliated organizations such as a university-connected research corporation (including but not limited to the performance of a grant, contract or award made internally or by an extramural agency) or any research activity conducted with the use of TSU and/or other University-affiliated resources.

800.10 APPLICABILITY

This policy applies to all discoveries, developments, or inventions made by persons employed (either as full-time, part-time or temporary employees) by TSU and/or affiliated organizations, students, volunteers, and other persons using University facilities and resources if such discoveries and inventions are:

(1) results of research investigation performed by or under the direction of any faculty member, staff, student, trainee or volunteer of the University or affiliated organizations of which the cost was partially or wholly paid for with funds under the control of or administered by the University and/or affiliated organizations, or

(2) a result of efforts by a TSU faculty member, staff, student, trainee or volunteer utilizing TSU and/or affiliated organizations facilities, laboratories or other resources available to such faculty member, staff, student, trainee or volunteer because of their status within TSU or University-affiliated organizations.

Contracts for works for hire between TSU and/or affiliated organizations, and independent contractors should define the respective rights and responsibilities of the parties with respect to ownership of any intellectual property developed as a result of the contract.

805.00 RESPONSIBILITY FOR UTILIZATION

The factors to be considered in establishing the responsibility for the utilization of any invention, discovery, or intellectual property as well as sharing of the proceeds are:

- The University sponsorship of the project leading to the invention, discovery, technology transfer or intellectual property,
- Significant use of the University's facilities, services or equipment in the discovery or production process, and
- Sponsorship of the project through the University by agencies or persons outside the University.

In the event that any one of these three factors exists, the University shall have an interest in the invention, discovery, copyrights, trademarks, or other intellectual property. The University's interest shall not be affected by whether or not the researcher continues to be employed by the institution after University resources are committed to the project.

810.00 INVENTION DISCLOSURES

Inventions, discoveries and other developments conceived or first reduced to practice in the furtherance of research conducted by University and personnel, as defined in Section 800.10 above, shall be promptly disclosed in writing to the Division of Research and Sponsored Programs through the Office of Technology Transfer and Licensing. The standard disclosure forms provided by the University (Invention Disclosure or Copyrightable Work Disclosure) should be used for this reporting process and may be obtained from the [Research Website](#). Graduate students, visiting scientists, and post-doctoral fellows, are responsible for disclosure if inventions, discoveries, copyrightable material and trademarks directly result from classwork or programs of study, or if significant University resources were utilized.

815.00 OWNERSHIP OF INTELLECTUAL PROPERTY

All rights to and interests in discoveries, developments, inventions or other intellectual property resulting from research or investigation conducted in the course of the discoverer's or inventor's employment with TSU and/or affiliated organizations (including but not limited to the performance of a grant, contract or award made internally or by an extramural agency) or with the use of University resources shall be the sole and exclusive property of TSU, and no other person or entity shall have any rights of ownership or interest in such discoveries, inventions or intellectual property. Any and all exceptions to this policy shall be determined and approved by the President upon the recommendation of the Vice President of Research and Sponsored Programs in consultation with the advisory committee.

Intellectual property developed outside an employee's scope of employment, on the employee's own time and without the use of significant University resources shall be the sole and exclusive property of the Inventor or Author. In consideration of University support in evaluating the intellectual property, seeking

patent protection and/or pursuing commercialization activities, the University and the Inventor or Author may agree to assign all or a portion of the ownership rights to his or her invention or work to TSU.

The University will not assert ownership of "scholarly" works, regardless of whether the circumstances surrounding creation of the work satisfy one or more of the four tests outlined in this policy for determining University ownership. Disclosure of "scholarly" works is nonetheless required, subject to the condition that only those copyrightable works which could reasonably be expected to have commercial value must be disclosed.

820.00 RIGHTS AND OBLIGATIONS OF THE PARTIES

All rights to and interests in discoveries, inventions or intellectual property arising in the course of research or investigation sponsored by TSU and/or university-affiliated organizations, any government or private agency or other sponsored research are controlled by the terms of the applicable research agreement, which must be reviewed, negotiated and approved by the Division of Research and Sponsored Programs prior to execution. In the absence of provisions to the contrary contained in any such research agreement, the following shall apply.

820.05 INVENTOR RIGHTS

The inventor has the right to: (1) receive notice within a reasonable time of the University's intention to file a patent application or otherwise to retain title to the discovery or invention after disclosure to the University of a discovery or invention; (2) receive a share of any licensing fees or royalties received by the University from the commercialization of the discovery or invention according to the distribution schedule contained in Section 835.00 of this Policy; (3) receive from TSU title to any discovery or invention subject to this Policy in the event TSU elects not to retain title; and (4) timely publication of their research findings.

820.10 INVENTOR OBLIGATIONS

The inventor is obligated to: (1) report promptly to the Division of Research and Sponsored Programs through the Office of Technology Transfer and Licensing by the preparation of an Invention Disclosure, a summary of the concepts, relevant data, observations and general claims with respect to any invention, discovery or development, as well as the name(s) of any collaborator(s); (2) assign title to the discovery or invention to the University; and (3) cooperate to the extent necessary as determined by the University in reasonably delaying of publication to allow for submission of a patent application, prosecuting all patent applications and other required documents, participating in the defense of such patents during prosecution for interference or infringement, and assisting with licensing or marketing efforts related to the discovery or invention.

820.15 UNIVERSITY RIGHTS

TSU has the right to: (1) assign to the inventor title to any invention, discovery or development subject to this Policy for which TSU chooses not to retain title; and (2) make, use, license, assign or sell to a third party the rights and interests of any patented or unpatented discovery, invention or development owned by TSU, and exclude others from doing so.

820.20 UNIVERSITY OBLIGATIONS

TSU is obligated to: (1) make faculty, staff, students, trainees and volunteers aware of this Policy and of any ongoing agreements with external sources to evaluate and/or market such discoveries and inventions; (2) after a discovery, invention or development is reported, act in a timely fashion to determine whether TSU chooses to retain title, to submit to an external source for evaluation, and/or determine whether a patent application is to be filed; (3) give notice to an inventor, within a reasonable time after disclosure of a discovery or invention, of the University's decision to file a patent application or otherwise retain title to the discovery, invention or development; (4) expedite intellectual property protection so as to minimize the delay of publication; and (5) distribute licensing fees or royalties received by the University for any discovery, invention or development according to the schedule contained in Section 835.00 of this Policy.

820.25 INTELLECTUAL PROPERTY PROCEDURES

The Vice President of Research and Sponsored Programs, with the active assistance of TBR Legal Counsel, will:

- advise the President on all matters relating to TBR Policy No. 5:01:6:00,
- conduct investigations to assess the rights and responsibility of all parties involved in the process,
- receive all disclosures made by employed members of the University community concerning all inventions, discoveries, and intellectual property, and
- act expeditiously to determine the extent to which the invention, discovery or intellectual property resulted from the University sponsorship or external funding sources.

In the event the determination is made that no University sponsorship, external funding or significant use of University resources was involved, the Vice President shall advise the University to waive all claims. On the other hand, if the findings show that significant sponsorship by either the University or an external agency was involved in the project as well the use of University resources, the Vice President through the Office of Technology Transfer and Licensing shall determine the terms of the sponsorship agreement as it relates to patents and copyrights, and so advise the President.

In evaluating inventions, discoveries, intellectual property, filing patents and copyrights applications, licensing, administration of patents and copyrights, the University is authorized to obtain legal and technical assistance or external services from independent patent and copyright organizations.

825.00 APPEALS

The Inventor or Author may appeal decisions of the President or those of his or her designee. If the Inventor or Author disagrees with an initial decision, he or she may request a re-evaluation by the President. The President is not authorized to delegate responsibilities relative to appeals. The request must be received within thirty calendar days of notification to the Inventor or Author of the initial decision. The Inventor or Author may submit documents or other evidence in support of his or her position. A second and final decision by the President relating to ownership or royalty distribution may be appealed to the Chancellor of the Tennessee Board of Regents. Decisions of the TBR Chancellor shall be binding.

830.00 LICENSING

It is the policy of the University to encourage the development, marketing and commercialization of inventions resulting from research so as to achieve a public usefulness and benefit. It is recognized that such a policy may require various forms of agreements including the granting of exclusive licenses.

The University may, in appropriate circumstances with due consideration to the perspective licensee and when consistent with law applicable to federally supported research, license a patented invention on an exclusive or nonexclusive basis for a reasonable period up to the full term of the patent, provided that such license shall contain provisions to promote the likelihood that the invention provides a public benefit, such as a requirement of due diligence and march-in rights when the licensee does not adequately perform. TSU also may elect to license unpatented technology on an exclusive or nonexclusive basis.

835.00 DISTRIBUTION OF PROCEEDS

For all discoveries, inventions or developments for which TSU receives proceeds, TSU shall deduct all expenses incurred pertinent to the technology and not recovered previously for patent protection, copyright registration, or in pursuing commercialization of the intellectual property.

The remaining net proceeds shall be distributed as set forth below:

Cumulative Net Lifetime Proceeds	Inventor*	Division‡	University and/or Affiliated Org.
0-\$100K	50%	10%	40%
>\$100K	40%	15%	45%
*Inventor(s) retain the option of designating some fraction of these funds to support their laboratory research program.			
‡In the event the Division is dissolved, this fraction reverts to the University and/or University-affiliated organization.			

The University is authorized, subject to the approval of the Chancellor of the Tennessee Board of Regents System, to accept equity in lieu of cash in total or partial consideration for use of the University's intellectual property rights. Dividend income and income received from the sale of equity shall be divided in accordance with the distribution rules adopted by the University.

900.00 GLOSSARY

Acceptance - Before an offer can become a binding promise and result in a contract, it must be accepted. Acceptance can be made in oral or written form or by commencing performance on the contract. The acceptance must be identical with the offer and unconditional. This means that the acceptance must be positive and unambiguous and cannot change, add to or qualify the terms of the offer. Any alterations or conditions imposed on an offer create a counter-offer, which is basically a rejection of the original offer.

Allowable Costs - Determined by the Office of Management and Budget (OMB), the sponsor's requirements and/or University policy. [OMB Circular A-21](#) defines allowable costs as those that are:

- Reasonable
- Allocable to the project
- Given consistent treatment by use of generally accepted accounting principles
- Conform to any limitations or exclusions set forth by the sponsored agreement or OMB Circular A-21.

Amendment - See Modification.

Assurances - See Certifications.

Author – The person or persons responsible for creation of a copyrightable work.

Award - Funds provided from an external sponsor for support of a project. This term is used for both original award and supplements; it can mean monies or equipment.

Broad Agency Announcement - An announcement that is general in nature and that identifies areas of research interest, including criteria for selecting proposals, and soliciting the participation of all offerers capable of satisfying the government's needs.

Budget - An estimate of expenditures proposed to be incurred in the performance of a proposed statement of work.

Capital Equipment - An article of property that is not permanently attached to buildings or grounds and that has an acquisition cost of \$5,000 or more (exclusive of sales and/or use tax, freight, and installation) and a life expectancy of one year or more.

Certifications – a written statement signed by the/an authorized institutional representative that certifies the University is in compliance with federal regulations.

- *Conflict of Interest (Disclosure of Financial Interest)* - For NSF and PHS a certification requires an institutional representative to certify that the institution has implemented and is enforcing a written policy on conflicts of interest consistent with federal regulations, all financial disclosures required by the conflict of interest policy were made; and that conflicts of interests, if any, were, or prior to the institution's expenditure of any funds under the award, will be satisfactorily managed, reduced or eliminated in accordance with the institution's conflict of interest policy and/or disclosed to the agency (as required by the agency).
- *Debarment and Suspension* - A certification assuring the federal agency that the research personnel and the institution are not presently declared ineligible for receiving federal support, have not been convicted of fraud or a criminal offense in the performance of a federal award, are not in violation of federal or state statutes, are not presently indicted for criminal or civil charges and have not within a three-year period preceding the application had one or more federal, state or local transactions terminated for cause or default.
- *Delinquent Federal Debt* - A certification provided to the federal awarding agency that the applicant organization is not delinquent on the repayment of any federal debt.
- *Drug-Free Workplace* - A certification assuring the federal agency that the institution does and will continue to provide a drug-free workplace as required by the Drug-Free Workplace Act of 1988.

- *Lobbying* - A certification assuring the federal agency that no federal appropriated funds or any other non-federal funds have been paid or will be paid for influencing any federal official or employee in connection with the awarding of any contract, grant or agreement.
- *Misconduct in Science* - A certification that the institution has established administrative policies dealing with and reporting possible misconduct in science and that it will comply with the policies and requirements as published in the federal agency's regulations.

Classified Research - Research sponsored by a federal government entity that involves restrictions imposed by agreement or otherwise on the distribution or publication of the research findings or results following completion, for a specified period or for indefinite duration.

Cognizant Audit Agency - The office or staff that is designated to perform audits on behalf of the federal government for sponsored projects at a University. The cognizant audit agency for TSU is the Department of Health and Human Services (DHHS).

Consortium - A consortium is two or more institutions working on the same research project, either funded directly by the supporting agency or one prime institution subcontracting out the funds to the other members of the consortium.

Continuation Proposal/Renewal Proposal - Additional funding increments for projects beyond the original grant period. See specific sponsor guidelines for submission requirements.

Contract - A contract is an agreement to acquire services that primarily benefit the sponsor. For an award to be considered a contract, it normally must contain all of the following elements:

- Detailed financial and legal requirements must be included with a specific statement of work to be performed.
- A specific set of deliverables and/or reports to the sponsor is required.
- Separate accounting procedures are required.
- Legally binding contract clauses must be included.
- Benefits of the project accrue first to the sponsor, then to the University, then to the nation.

Cooperative Agreement - A funding mechanism used by federal agencies when a program requires more agency involvement and restrictions than a grant but requires less agency supervision than a contract.

Co-Principal Investigator (Co-PI) - One investigator sharing equal responsibility for the direction of a research program.

Cost Reimbursement - A type of agreement whereby payments are based on actual allowable costs incurred in performance of the work.

Cost Sharing - The portion of project costs not borne by the sponsor. Acceptable cost sharing contributions must meet the following criteria:

- The contributions to be cost shared are verifiable by TSU records.
- The contributions to be cost shared are allowable, allocable, reasonable, and necessary for proper and efficient accomplishment of specific project or program objectives.
- Federal funds, directly or indirectly, are not used for cost sharing on other federally funded projects, except where authorized by federal statute to be used for cost sharing or matching.
- The contributions to be cost shared are not included as contributions for any other project.

- The contributions to be cost shared are directly identifiable with the sponsored project as outlined in the proposal budget and/or budget justification, and thus incorporated in the award notice.

Cumulative Net Lifetime Proceeds – Gross revenues or other payments received by the University from a licensed technology minus applicable patent filing fees, other legal fees associated with the technology, fees for patentability and marketability searches, fees arising out of litigation, legal advice or any other fees or costs directly attributable to the invention being licensed. Indirect costs, overhead or other costs usually associated with operation of the University and not directly attributable to the invention shall not be deducted from gross revenues.

Direct Costs - Direct costs charged to sponsored agreements must be allowable, allocable, and reasonable. Those costs that can be identified specifically with a particular sponsored project, an instructional activity, or any other institutional activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy. Examples: (1) compensation of employees for performance of work under the sponsored agreement, including related fringe benefit cost; (2) the costs of materials consumed or expended in the performance of the work; (3) other items of expense incurred for the sponsored agreement, provided such costs are consistently treated in like circumstances.

Division – Administrative subdivision, i.e. college, school or center, of the University that provided the environment in which the research program(s) of the inventor(s) is (are) conducted.

Donated Property - Property provided by an outside party for specific activities related to sponsored project and/or research activities of the University; title to the property passes to the University at essentially no cost.

Effort - The amount of time, usually expressed as a percentage of the total, that a faculty member or other employee spends on a project.

Equipment - Generally, articles of non-expendable tangible personal property having a useful life and an acquisition cost which meet or exceed the established thresholds for defining equipment. Equipment is not a replacement part or component returning a piece of equipment to its original condition. If a component increases the capability of the original equipment and has an acquisition cost that meets or exceeds the established equipment cost thresholds, it is considered a capital item.

Expanded Authorities - Policy implemented by some federal granting agencies which delegates certain prior approval authorities to grantee institutions. This delegation allows for internal University approval of administrative and spending actions, thus avoiding delays in project progress.

Extramural Funds - Funding for research, training or public service programs provided by federal or private sources outside the University.

Facilities and Administrative (F&A) Costs - Also referred to as indirect costs, overhead, overhead costs, or administrative costs. Facilities and administrative costs are actual costs incurred to conduct the normal business activities of an organization that cannot be readily identified with or directly charged to a specific project or activity. The normal activities of the University include instruction and departmental research, organized research, public service, and other institutional activities. F&A costs are real, auditable costs incurred by the University each time it accepts an award for a sponsored project. If the University does not collect full reimbursement for these costs, other University resources must be used to subsidize them. Negotiated, approved rates are to be used for all agreements, as allowable. Information on current F&A cost rates are available from the RSP website.

Federal Acquisition Regulations (FAR) - The Federal Acquisition Regulations System is established for the codification and publication of uniform policies and procedures for acquisition by all executive agencies. It consists of rules and regulations governing business with Federal Government. These regulations govern all aspects of federal procurement.

Firm Fixed-Price (FFP) - A type of agreement whereby payment is not based on actual costs expended but upon a mutually agreed upon price.

Foreign Travel - Foreign travel includes travel outside of the United States and its territories and possessions (Guam, American Samoa, Puerto Rico, the Virgin Islands, and the Canal Zone) and Canada. A trip is considered foreign travel for all legs of the itinerary if the traveler does not return to his or her post prior to departure for a foreign destination.

Formal Proposal - Any proposal submitted by a University employee to an outside entity that may directly lead to an award. All formal proposals require an institutional endorsement by the Vice President for Research and Sponsored Programs.

Full and Open Competition - The solicitation of bids from prospective suppliers which is used to assure that all responsible bidders are permitted to compete for the procurement.

General Purpose Equipment - Equipment that is not limited to research, scientific, or other technical activities. Examples of general purpose equipment include office equipment and furnishing, air conditioning equipment, reproduction and printing equipment, motor vehicles, and automatic data processing equipment.

Gift - A unilateral transfer of money, property, or other assets to the recipient for the recipient's ownership and use by a donor who makes no claims on the recipient in connection with the gift. Gifts normally have the following characteristics:

- The statement of work allows the project director significant freedom to change emphases within the general area of work as the project progresses.
- No deliverables are involved.
- Separate accounting procedures are not required.
- Benefits of the project are to accrue to the nation and the world.
- Sponsor has no audit rights.
- No regulatory issues are involved, such as human subjects or animal care.

Grantee - A grantee is the recipient of a grant. When the University accepts a grant award, on behalf of an individual, it becomes the grantee.

Gross Income – Proceeds from the sale, lease, or licensing of intellectual property by a TBR Institution; dividends derived from equity received in consideration for the sale, lease, or licensing of intellectual property by a TBR Institution; or proceeds from the sale of equity received in consideration for the sale, lease, or licensing of intellectual property by a TBR Institution.

Human Subjects - A living individual about whom an investigator conducting research obtains:

- Data through intervention or interaction with the individual.
- Identifiable private information.

Indirect Costs - See Facilities and Administrative (F&A) Costs.

Informal Proposal - A short (generally 2-5 pages) description of the proposed project that does not involve a commitment of University resources or a signature on behalf of the University. An informal proposal may include a total cost estimate but does not include a budget and is not expected to result directly in an award. The purpose of an informal proposal is usually to inform and interest the potential sponsor enough to request a more detailed formal proposal. Also sometimes called a letter proposal, mini-proposal, preliminary proposal, pre-application, or concept paper.

Informed Consent - The voluntary agreement obtained from a subject (or the subject's legally authorized representative) to participate in research or related activity, before participating in that activity. The consent must permit the individual (or legally authorized representative) to exercise free power of choice without undue inducement or any element of deceit, fraud, force, duress, or other form of coercion or constraint.

Infrastructure Support - As a requirement for accepting federal funding for research, the University must negotiate Facility and Administration Agreement with the Department of Health and Human Services. Facility and administration expenditures as defined by this agreement are referred to as infrastructure support.

In-Kind Contribution - A non-cash commitment (such as contributed effort, facilities use, or supplies) to share the costs of a sponsored project.

Institutional Authorized Officials – Individuals authorized by the Tennessee Board of Regents to sign grants, contracts, and agreements on behalf of TSU.

Institutional Review Board - A board or committee organized at the University to provide review at the institutional level for ethical concerns in research, such as laboratory animal care and the use of human subjects in research.

Intellectual Property (IP) – Intellectual property is a broad term that encompasses the various intangible products of the intellect of inventors. These include patents, trademarks, copyrights, trade secrets, know-how, and other proprietary concepts, including an invention, scientific or technological development, and even computer software and genetically engineered microorganisms. Intellectual property means inventions and works.

Intergovernmental Agreement (IGA) - An agreement whereby two or more public agencies of the state may contract with each other provided that such contracts are authorized by the governing bodies of each agency.

Invention – Any discovery, invention, new use or application, process, composition of matter, article of manufacture, know-how, design, model, technological development, or biological material.

Inventor – The person or persons responsible for conception of an idea or ideas leading to an invention. An individual or individuals who has (have) made a contribution to the conception and/or reduction to practice of an invention, discovery or development and who is (are) identified as such on the licensed patent, patent application or unpatented technology. In the case of a patent or patent application, this contribution must be applicable to at least one claim. In cases of joint inventorship, it is not necessary that each inventor make the same type or amount of contribution to the invention and it is not necessary that each inventor make some contribution of each claim.

Invitation to Bid - Written documents soliciting pricing and/or technical proposals to supply goods or services as specified in the requesting document. Correct use of Invitations to Bid constitutes full and open competition. See Request for Proposal (RFP).

Key Professional Personnel - Key professional personnel (or key personnel) are all individuals who participate in the scientific development or execution of the project. Typically, key personnel have a Ph.D. Ed.D., or M.D., but may also include the master's or baccalaureate level, provided they contribute in a substantive way to the research.

Letter of Inquiry - A letter of inquiry is initiated by an applicant to determine if a proposed project is within a private agency's fundable program areas and to request agency policy and program information, as well as instructions and forms.

Letter of Intent - A letter of intent advises a funding agency that an application will be submitted in response to their solicitation. The letter may contain general program information, unofficial cost estimates, and a request for specific application guidelines, instructions and forms.

Loaned Equipment – Property provided by an outside party for use by the institution for sponsored project or research related activities; title to the property does not pass to the University.

Lobbying Certification - See Certifications.

Major Project - A large, complex project that entails assembling and managing teams of investigators. They also require a significant amount of administrative effort to complete specifically identified requirements of the project. Examples per OMB Circular A-21 are:

- Large, complex programs such as General Clinical Research Centers, Primate Centers, Program Projects, environmental research centers, engineering research centers, and other grants and contracts that entail assembling and managing teams of investigators from a number of institutions.
- Projects which involve extensive data accumulation, analysis and entry, surveying, tabulation, cataloging, searching literature, and reporting (such as epidemiological studies, clinical trials, and retrospective clinical records studies).
- Projects that require making travel and meeting arrangements for large numbers of participants, such as conferences and seminars.
- Projects whose principal focus is the preparation and production of manuals and large reports, books and monographs (excluding routine progress and technical reports).
- Projects that are geographically inaccessible to normal departmental administrative services, such as research vessels, radio astronomy projects, and other research fields sites that are remote from campus.
- Individual projects requiring project-specific database management; individualized graphics or manuscript preparation; human or animal protocols; and multiple project-related investigator coordination and communications.

Matching Funds - A cash commitment to share the costs of a sponsored project. See also Cost Share.

Misconduct in Science Certification - See Certifications.

Modification - Any change made to an existing sponsored agreement.

Net Income – Gross income minus the direct costs associated with patent prosecution, copyright registration, commercialization, defense, maintenance, and administration of intellectual property.

No-Cost Extension (NCE) - Provides for an additional period of performance to accomplish project goals. Permission for NCE must be requested from the sponsor.

Overhead - See Facilities and Administrative (FAC or F&A) Costs.

Participant - A participant is an individual who receives services from a project or program funded by an award. Participants perform no work or services for the project or program other than for their own benefit. University employees may not be participants.

Participant Costs - Program Participants are the recipients of service or training provided at a workshop, conference, seminar, symposia or other short-term instructional or information sharing activity funded by an external grant or award or the training beneficiaries of the project or program funded by an external grant or award. A participant is not involved in providing any deliverable to the University or a third party, or would not be terminated or replaced for failure to perform.

Participant Payments are costs used to pay program participant small stipends and possibly reimbursement of travel costs or other out-of-pocket costs incurred to support attendance at a workshop, conference, seminar, symposia or other short-term training or information sharing activity.

Personnel Action Request Form (PARF) - The document used to authorize effort for an individual to be charged to a specific project. PARF must be submitted to RSP any time there is a change in an employee's effort distribution on a grant.

Peer Review - A process utilized by some federal and private agencies, whereby committees of research investigators in the same area of research or with the necessary expertise (from other institutions) review and recommend applications to the funding agency.

Principal Investigator (PI) - Typically, a faculty member who submitted a proposal that was accepted and funded by an external sponsor, also referred to as the project director. The PI has primary responsibility for technical compliance, completion of programmatic work, and fiscal stewardship of sponsor funds.

Program Income - Program income is gross income earned by a research grant recipient from the activities, part or all of which are borne as a direct cost by the grant. Examples are fees for services performed under the grant, rental or usage fees charged for use of equipment purchased with grant funds, third party patient reimbursements for hospital or medical services paid from the grant, funds generated by the sale of commodities, such as cell lines or research animals developed from or paid for from the grant, and patent or copyright royalties.

Project Director - See Principal Investigator.

Proprietary Research - Research sponsored by non-governmental entity or individual that involves restrictions on the distribution or publication of the research findings or results following completion, for a specified period or for indefinite duration.

Re-budgeting - Process by which funds available for spending are reallocated between budget categories to allow best use of funds to accomplish project goals.

Request for Applications (RFA) - Any resulting awards would normally be funded by a grant. The RFA instructions include the information necessary to complete the application and mailing instructions.

Request for Proposals (RFP) - An RFP contains specific instructions for technical and cost proposals, and usually include a sample contract with terms and conditions that need to be reviewed and approved prior to the submission of the proposal. The institutional endorsement for this type of proposal is

considered an official offer; therefore, it must meet certain requirements before it can be signed and submitted.

Scholarly works include, but are not limited to, articles written for publication in academic journals, textbooks, works of art, musical compositions, and literary works. Theses and dissertations are not, for the purposes of this policy, scholarly works. Works by non-faculty employees shall not, for the purposes of this policy, be considered scholarly works.

Scope of employment – Activities which have been assigned to an employee by his or her supervisor or which are performed during normal working hours or which fall within the employee's job description.

Significant use – Utilization of Institution funds, personnel, facilities, equipment, materials or other resources resulting in a cost to the Institution (direct, indirect, or depreciative) of more than \$2,500 (in constant 2001 dollars).

Sole Source Acquisition - Issuing an award to a subcontractor without full and open competition. This may be done if an award is the result of a collaboration (where the ideas, concepts, and methodology were developed by the two parties jointly). There are restrictions on the use of this means of procurement and documentation must show justification for using sole source acquisition.

Site Visit - An agency-initiated review of a proposed project conducted at the applicant's institution.

Special Purpose Equipment - Equipment which can be used only for research, scientific, or other technical activities.

Sponsor - An external funding source which enters into an agreement with the University to support research, instruction, public service or other sponsored activities. Sponsors include private businesses, corporations, foundations and other not-for-profit organizations, other universities, and federal, state and local governments.

Sponsored Project - A project supported by an external funding source under a mutually binding agreement that restricts the use of funds to the approved project and stipulates other conditions with which the University must comply. Sponsored projects typically:

- are initiated by a formal proposal and award notice
- are restricted to a particular purpose as described in the proposal
- require technical and/or financial reports
- entail other administrative requirements.

Sub-award - An award of financial assistance in the form of money, or property in lieu of money, made under an award by a recipient to an eligible sub-recipient or by a sub-recipient to a lower tier sub-recipient. The term includes financial assistance when provided by any legal agreement, even if the agreement is called a contract, but does not include procurement of goods and services nor does it include any form of assistance which is excluded from the OMB Circular A-110 definition of "award" in paragraph (e).

Subcontract - A contract issued under a prime contract, agreement, purchase order, or grant for the procurement of services or program-related tasks.

Subcontractor - Any supplier, distributor, vendor, or firm that furnishes supplies or services to or for a prime contractor or another subcontractor.

Sub-recipient - The legal entity to which a sub-award is made and which is accountable to the recipient for the use of the funds provided.

Supplemental Proposal - Additional support requested to assure adequate completion of the original scope of work.

Works – Any copyrightable material, such as literary works; musical works, including any accompanying words; dramatic works, including any accompanying music; pantomimes and choreographic works; pictorial, graphic, and sculptural works; motion pictures and other audiovisual works; sound recordings; architectural works; computer software or databases; circuit diagrams; architectural and engineering drawings; and lectures.