

# ADMINISTRATION OF SPONSORED PROJECTS AT SACRAMENTO STATE

## PROCEDURES

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### A. Definitions

**"Auxiliary"** means an organization which is (a) included in the list of auxiliary organizations in good standing maintained by the Chancellor pursuant to Section 42406, *infra*, and/or (b) which is an organization specified in Education Code Section 89900, which is any organization using the name of the State or a campus, or representing an official relationship with a campus, or in which any campus official participates as a director as part of his official position.

**"Contract"** means an agreement between the University or Auxiliary and Sponsor to provide an economic benefit, generally in the form of services, for compensation. The agreement is binding and creates a *quid pro quo* relationship between the parties.

**"Grant"** means a financial contribution to a Recipient to carry out an approved project or activity. A Grant generally anticipates no substantial programmatic involvement of the Grantor with the Recipient during performance of the project or activity, but Sponsors usually request an accounting of the use of funds and of results of the project or activity. The University or Auxiliary may commit resources or services as a condition of the Grant.

**"Principal Investigator"** means the individual (whether referred to in the Contract or Grant as a Principal Investigator, Project Director or other similar term) designated by the Sponsored Program Administrator to be responsible for ensuring compliance with the academic, scientific, technical, financial and administrative aspects, and for day-to-day management of the Sponsored Program.

**"Recipient"** means the University or Auxiliary awarded a Contract or Grant. The Recipient is the University or Auxiliary, as the case may be, even if a particular component is designated in the award document, and shall not be an individual, department or other constituent unit.

**"Sponsor"** means the party paying for the services or other economic benefit under a Contract or providing the financial contribution for a project or activity under a Grant.

**"Sponsored Program(s)"** means all work performed under Grants or Contracts funded by non-CSU funding sources (including non-CSU- funded Contracts and Grants that are subsequently subcontract to another campus).

**"Sponsored Program(s) Administrator"** means the entity (University or Auxiliary) designated by the Recipient to administer the Sponsored Program. University Enterprises, Inc. (UEI) is the Sacramento State auxiliary authorized to accept and administer sponsored projects on behalf of the University.

**"Sponsored Program Records"** include, but are not limited to, accepted proposals and applications; Contracts or Grant agreements; program reports and data; correspondence; budgets and supporting financial documentation; supporting human resources documentation; and other

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records relating to receipt, review, award, evaluation, status and monitoring of the Sponsored Program.

**"Sponsored Program Work Product"** means any work created in the performance of a Sponsored Program. Unless the Contract or Grant states otherwise, Sponsored Program Work Product does not include journal articles, lectures, books or other works that are subject to copyright protection and have been created through independent academic effort and based on the findings of the Sponsored Program.

**"University"** means California State University, Sacramento (Sacramento State).

### B. Proposal Submission, Review, and Approval

1. **Pre-Award Review and Approval of Proposal Submission.** Proposals for Sponsored Programs shall not be submitted to the Sponsor without prior written approval of the president of the University or the president's designee, the Chief Financial Officer of the University or designee and the Executive Director of UEI or designee. Written approvals shall be obtained on the Office of Research, Innovation, and Economic Development (ORIED) Proposal Approval Form (PAF). In rare instances where it is impossible or impracticable to secure all signatures prior to submission, the University reserves the right to withdraw the application.
2. **Pre-Acceptance Approvals.** Awards of Contracts or Grants or other sponsor agreements shall not be accepted without prior written approval by appropriate officials of UEI, University and /or Auxiliary responsible for the following areas, if applicable: (a) academic/programmatic; (b) fiscal; (c) health and safety; (d) human and animal subject research; (e) space; (t) major technical resources and equipment; and (g) risk management.
3. **Notice.** ORIED shall provide notice to all personnel responsible for the preparation of proposals and applications for Sponsored Programs that, if awarded, the Recipient of the Contract or Grant shall be UEI, University or Auxiliary and not an individual, department, or other constituent unit.
4. **Amendment of Contract or Grant.** Amendments and modifications to Contracts and Grants or other sponsor agreements only require the approval of the UEI Executive Director or designee unless the amendment involves a significant change in scope, an increase or decrease to funding, or requires additional commitment, cost or risk to the University. Amendments and modifications, which contain any of the items listed above, may require a revised Proposal Approval Form routed for appropriate University, UEI or Auxiliary signatures.

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### C. Performance of Grants and Contracts

1. **Administration of Sponsored Programs.** UEI shall be the Sponsored Program Administrator on all Contracts and Grants, except as noted in Procedures Section B. Proposal Submission, Review, and Approval. Other exceptions may be granted, on a case by case basis, by mutual written approval of the President of the University or designee, the Chief Financial Officer or designee and the UEI Executive Director or designee. UEI, in conjunction with the Principal Investigator, is legally responsible and accountable to the Sponsor for the use of funds provided and the performance of the Sponsored Program.
2. **Agreement between University and Auxiliary for Administration of Sponsored Programs.** An Operating Agreement has been executed between the University and UEI effective July 1, 2014, designating UEI as the Sponsored Program Administrator for the campus.
3. **Implementation Plan.** The Sponsored Program Administrator prepares an Award Analysis Form that Principal Investigators can use in conjunction with the award notice that identifies the implementation, operational and retention procedures for each Contract and Grant or other sponsor agreement. The Principal Investigator signs a Signature Authorization Form certifying the acceptance of responsibility for the enforcement and implementation of the policies and procedures of UEI and University as well as the guidelines specified in the Sponsoring Agency Contract or Grant agreement.

### D. Project Personnel and Employment

1. **Principal Investigator(s).** The qualifications of a Principal Investigator (PI) shall include employment by UEI or University. Generally, PIs are full-time, tenure-track faculty members or full-time university administrators. Limited exceptions may be allowed for the appointment of PIs who are not employees of the University or Auxiliary, but who are officially affiliated with the University, such as individuals with emeritus status or visiting professors or researchers, as recommended by a dean or director following appropriate consultation, and with the concurrence of the Associate Vice President (AVP) of Research, Innovation, and Economic Development..

In the case where the incumbent Principal Investigator resigns, becomes incapacitated, or fails or refuses to perform the duties adequately, the Principal Investigator's responsibilities may be reassigned by the AVP for Research, Innovation, and Economic Development, in consultation with the appropriate University administrator, UEI, and the Sponsor.

When projects call for the distribution of responsibilities among Principal Investigators for multi-institutional Sponsored Programs, these responsibilities shall be clearly specified in the proposal, shall be agreed upon in advance by the Principal Investigators, and approved by appropriate campus and UEI authorities. The normal responsibilities of

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Principal Investigators shall include the responsibility to be informed about and comply with relevant policies and procedures established by the University, the awarding agency, and UEI; to seek assistance, as appropriate, from staff in ORIED and UEI's Office of Sponsored Programs Administration in preparing proposals and carrying out projects.

Principal Investigators shall provide adequate training and supervision for project personnel. Principal Investigators are responsible for the programmatic and fiscal conduct and management of the project; for preparation of the required technical reports; and for completion of the project in a timely and professional manner. Jointly with campus and UEI personnel, Principal Investigators are responsible for assuring that contractual/award terms and conditions are met; that the project stays within its budget; and funds are utilized pursuant to awarding agency regulations and prevailing cost principles.

- 2. Employer.** The Sponsored Program Administrator in consultation with ORIED is responsible for the activities of the Principal Investigator with regard to work performed in furtherance of each Sponsored Program. The employment of the Principal Investigator and other employees shall be in accordance with personnel and other policies of the Sponsored Program Administrator. The Sponsored Program Administrator, in consultation with ORIED, shall be responsible for the oversight and/or facilitation of functions related to the payment, assignment, evaluation, and termination of Sponsored Program employees. This applies regardless of whether the employee is being paid directly by the University or Auxiliary or whether the University is being reimbursed by the Auxiliary for agreeing to release an employee from selected University duties in order to work on the Contract or Grant.

The Sponsored Program Administrator may apprise the Dean or AVP for Research, Innovation, and Economic Development on performance matters of a Principal Investigator based on the acceptance of the final product or report, and/or payment of the final invoice by the Sponsoring Agency.

- 3. Additional Employment.** Additional employment through sponsored agreements is subject to the University's and UEI's Additional Employment Policies and Procedures as well as relevant Chancellors Office Coded Memorandum, which provides a framework within which employees may be appointed for more than full time, and establishes the total amount of employment an individual may have with the California State University (CSU).
- 4. Misconduct.** The campus is prepared to meet the standards set by the Office of Research Integrity within the U.S. Department of Health and Human Services for processing complaints of research misconduct. Other employee misconduct in connection with Sponsored Projects shall remain subject to consequences for unprofessional behavior, failure or refusal to perform duties adequately, or other misconduct within the administration of the Sponsored Program and to the University's discipline system.
- 5. Conflict of Interest.** The University specifies procedures that comply with state and federal conflict of interest requirements. ORIED requires the Principal Investigator to

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complete and submit an agency appropriate Disclosure of Significant Financial Interests form.

6. **Nepotism.** The University and UEI policy on nepotism does not bar the appointment of an immediate family member in administrative, faculty, or staff employment categories so long as the following standard is met: No employee shall vote, make recommendations, or in any way participate in decisions about any personnel matter which may directly affect the selection, appointment, retention, tenure, compensation, promotion, termination, other employment status or interest of a close relative. For the purposes of this policy, "immediate family member" is defined as a close relative including: parent, child, grandparent, grandchild, sibling, uncle, aunt, nephew, niece, first cousin, spouse, registered domestic partner, step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, and by guardianship and/or adoption or a person residing in the immediate household except live-in household employees or roomers. Relatives of domestic partners shall be treated as relatives of spouses.

### E. Conduct of Sponsored Research

1. **Responsible Conduct of Research.** The AVP for Research, Innovation and Economic Affairs is responsible for assisting UEI by providing oversight of the conduct of research and ensuring progress toward fulfillment of Contract, Grant or sponsored program requirements.
2. **Human Subjects Research.** The campus Human Research Protection Policy and procedures governs the protection of the rights and welfare of human subjects in research in which the institution is engaged. Sacramento State has a Federal-wide Assurance with the Office of Human Research Protections of the United States Department of Health and Human Services. The Institutional Review Board ensures adequate review of research protocols involving human subjects and that adequate training of research personnel engaged in human subjects research is provided. The University is responsible for ensuring that these protocols are followed.
3. **Animal Subjects Research.** Sacramento State maintains procedures for the procurement, housing, care, and use of live non-human vertebrate animals used in instruction or research by employees of the University or UEI, or in research by students in satisfaction of any University requirements, using any University property or facility. These campus procedures provide for adequate training for research personnel and are consistent with the *Guide for the Care and Use of Laboratory Animals* (Institute for Laboratory Animal Research, Commission on Life Sciences, National Research Council), requirements of the United States Department of Agriculture and regulations implementing the Animal Welfare Act as amended, other applicable laws and regulations, and as appropriate, provisions of the United States Public Health Service Policy on Humane Care and Use of Laboratory Animals. Sacramento State maintains an Institutional Animal Care and Use Committee (IACUC) to ensure adequate review of animal facilities, training, procedures, and research and teaching protocols, and the University is responsible for ensuring that these protocols are followed.

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### F. Fiscal Administration

1. **Budget.** ORIED and UEI are jointly responsible for final certification of project budgets, and budget change review procedures. The Principal Investigator of the sponsored agreement and UEI are responsible for executing the project in conformance with the approved budget. Disbursements prior to receipt of a signed agreement from the sponsor are allowed, on a case by case basis, if the awarding agency policies and procedures permit and the following steps are completed:
  - Such disbursement is required for the proper and timely execution of the award objectives, as determined by UEI.
  - Electronic or written confirmation of the pending award is obtained by UEI.
2. **Account Management.** UEI is responsible for the timely establishment of accounts in accordance with the terms and conditions of the award agreement. All expenditures will be according to UEI, University, and sponsoring agency guidelines, policies and procedures. All accounting and control of cash receipts are maintained on a fund accounting basis and are in accordance with Generally Accepted Accounting Principles, prevailing OMB Circulars, Sponsoring Agency terms and conditions, University and UEI policies and procedures. All expenditures require the written authorization of the Principal Investigator/ Program Director or designee and UEI and must be submitted on appropriate UEI forms. Reimbursement for personal expenditures by the Principal Investigator / Program Director will be approved in accordance with the University and UEI "one up" rule. Authorization of a designee by the Principal Investigator/ Program Director will be done in writing on the UEI Signature Authorization Form. The Principal Investigator / Program Director signature on expenditures certifies program appropriateness and compliance with the approved budget and the UEI signature certifies availability of funds and compliance with the Sponsoring Agency terms and conditions. UEI is responsible for the accurate and timely financial reporting for each agreement. The Principal Investigator / Program Director is primarily responsible for the timely submission of Technical and Project Progress Reports. UEI, in conjunction with ORIED, will monitor the submission of Sponsoring Agency required Technical and Project Progress Reports.
3. **Fiscal Reporting.** UEI shall ensure that all fiscal reports (including final reports) and billings are prepared and submitted, on a timely basis, to Sponsors in accordance with the terms and conditions of the agreement.
4. **Cost Recovery.** All appropriate indirect and direct costs shall be recovered for Sponsored Programs in accordance with CSU policy, University and UEI policies and/or other funding agency requirements.
5. **Cost Sharing.** The University's and UEI's Cost Sharing Guidelines governs the

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commitment and documentation of cost sharing arrangements.

### G. Sponsored Program Work Product and Records.

1. **Work Product and Records Policy.** All Sponsored Work Products and Sponsored Program Records are the property of the University and UEI. Such property will be maintained in a secured fashion and retained for the period specified by the Sponsoring Agency. The Principal Investigator / Program Director will be notified of the retention requirements at the beginning of the project via the Award Analysis Form and will certify compliance by signing the Signature Authorization Form.
2. **Records Retention.** All records pertaining to a Sponsored Program will be maintained for a minimum period of three years from the payment date of the final invoice by the Sponsoring Agency. Should a longer period be required by a Sponsoring Agency, this information will be contained on the Award Analysis Form and the Closeout Checklist. All records should be properly disposed of at the conclusion of the retention period unless they have historical value or are the subject of pending or issued intellectual property issues.

### H. System Office Role/Responsibility

1. **Legal Advice.** Legal advice concerning Contract or Grant administration that might affect the CSU or the University must be coordinated through the Sacramento State appointed counsel with the CSU Office of General Counsel.

*Procedures updated May 2018.*