

# GOING, GOING, GONE!

## Transferring Research Projects from One Institution to Another

### Background information

#### Definitions:

- **Grantee Institution** - The legal recipient of the grant:
  - Responsible for the conduct and oversight of the research,
  - Accountable for the appropriate use of funds awarded
  - Accountable for the performance of the grant-supported project
- **Principal Investigator** - The individual, designated by the grantee who is:
  - Responsible for the scientific or technical aspects of the grant
  - Responsible for day-to-day management of the project or program

#### Basics:

- Grants are awarded to the institution.
- Change in grantee institution requires sponsor prior approval
- Grantee institution has legal and administrative responsibility for conduct and oversight.
- Most grants can be transferred (exceptions - training grants and fellowships).
- Grantee institution makes decision about what to do if the PI leaves.

#### First Decision:

- Will the grant go with the PI or stay at the grantee institution?
- The PI needs to confer with Chair, Dean, etc. about what the institution wants to do.
- The institution *not* the PI makes the decision to relinquish *or not*.

#### Options:

- Retain grant and propose a new PI.
- Retain grant, propose a new PI and subcontract part to the original PI at new institution.
- Relinquish entire award to PI's new institution.
- Relinquish entire award to PI's new institution and subcontract back part to original institution

## **Underlying Regulations:**

- **OMB Circular A-110** (Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations)
  - 25.c:
    - (2) Change in a key person specified in the application or award document.
    - (3) The absence for more than three months, or a 25 percent reduction in time devoted to the project, by the approved project director or principal investigator.
    - (8) Unless described in the application and funded in the approved awards, the subaward, transfer or contracting out of any work under an award.
- **OMB Circular A-21** (Cost Principles for Educational Institutions)
  - Adherence to cost principles and practices necessary to prevent cost disallowances by the federal government.
  - Cost transfers that are frequent, tardy or inadequately explained, particularly on grants with overruns or unexpended balances, may raise questions about the propriety of the transfers and the reliability of the institution's accounting system and internal controls.
  - Inappropriate transfers will result in expenditures being disallowed and/or subsequent reduction in funding by the sponsoring agency.

## **Sponsor Policies:**

- NSF Grants Policy Manual
  - (312.8) Disposition of a Grant When a PI/PD Transfers from One Organization to Another Organization
- NIH Grants Policy Statement
  - Part II, Administrative Requirements, Prior-Approval Requirements
- American Heart Association Guide for Grant Awardees
  - Part III, Life Cycle of a AHA Award
    - Changes to Award
      - 1. Change of PI
      - 2. Change of location of award (institutional transfer)

## **Sponsor Expectations:**

- Notification of desire to relinquish/transfer will be timely.
- Award will be transferred in accordance with the terms and conditions identified in the agreement, federal circulars & regulations.
- Required forms and documentation will contain accurate information.

## Issues:

- Research Records (lab notebooks, data, etc.)
  - Belong to the grantee institution
  - May be needed to determine intellectual property claims, for FDA action, research misconduct investigations, etc.
  - Especially important for clinical research
  - May take copies; in special circumstances originals
  - Institutional policies vary
- Expendable Supplies
- Radioactive and Hazardous Materials
  - Special considerations for disposition
- Research Subjects:
  - Humans
    - Special considerations for clinical research and continuing subjects
    - Will any part of the protocol continue at the grantee institution?
    - Need to notify IRB (in any case)
  - Animals
    - Must be dealt with in a humane manner
    - Create disposition strategy
    - Discuss with responsible officials
- Equipment
  - Equipment purchased under active grants being transferred goes with the grant
  - Transfer of *other* equipment is usually determined on an item-by-item basis (usually by Chair or other Institutional official) based on:
    - Source of funds
    - Equipment purchased with funds from more than one source (cost sharing)
    - Institutional needs
    - Shared Equipment
    - Sponsor obligations
- Students/postdocs
  - Can they move?
  - What happens if they can't?
- Other Personnel
  - Can they/do they want to move?
  - What happens if they can't move?
- Cancelling Orders with Core Facilities

- Advance notice
  - Most sponsors want 90 days advance notice
- Coordinating transfer with new institution
- Cost Transfers/cost overruns/Inappropriate expenses
- Intellectual Property
  - Are there patent ownership issues?
  - Are there license royalty issues?
  - Does new institution get license?
  - Do MTAs need to be negotiated or renegotiated?

### **Issuing a New Award:**

- Transfer of Responsibility:
  - Once the transfer has been approved, the sponsor will issue *two new* Notices of Grant Award:
    - A revised Notice to the original institution terminating the grant.
    - A new Notice of Grant Award is issued to the new institution.
  - The original institution is only responsible for the activity that occurred *while* the award was active under its custodianship.

### **Other:**