NCURA Introduces a New Conference for Summer 2004

by Patrick Fitzgerald

I'm pleased to announce an exciting new conference for 2004, “Government and Universities: Partners in Compliance,” to be held in Providence, Rhode Island, July 25-27. In selecting the subject for our annual summer conference, I wanted a theme that would be timely and would appeal to as many NCURA members as possible. “Compliance” emerged as the obvious choice because it reflects an aspect of research administration that we engage in, and struggle with, each day. Compliance is not a new area of concern, since the advent of government sponsored research our institutions have strived to develop policies and procedures for the conduct of research that conform to Federal regulations. However, the growth in Federal regulations, particularly in the aftermath of the 9-11 tragedy, has made compliance increasingly complex and more and more burdensome. Ensuring compliance is more difficult than it has ever been—at a time when regulations are increasing, universities and government agencies are faced with dwindling resources for administration.

The compliance conference is intended to foster a dialogue between institutions and government agencies on a wide range of issues that affect all of us. By exchanging information, ideas, and perspectives we can begin a process of learning more about Federal regulations and sharing experiences that can lead to a better understanding of the difficulties that we all face in achieving compliance in today's challenging environment. By bringing together the institutions responsible for complying with Federal regulations and the agencies that are charged with developing policies to implement these regulations and for monitoring compliance, we hope to initiate a process that can lead to future opportunities for cooperation and collaboration. As partners in sponsored research, institutions and agencies have an obligation to work closely together to ensure that research is conducted in accordance with the applicable rules and regulations in ways that maximize the amount of resources dedicated to research and minimize the resources dedicated to administration.

I’m grateful to Joyce Freedman from the University of California, Berkeley and Regina White from Brown University for agreeing to be co-chairs for this important conference. Joyce and Regina are exceptionally well qualified and they have appointed an extraordinary Program Committee for the conference.

Visionary, Visible and Vital:
Research Administration in Changing Times

by Jerry Fife

Planning for NCURA's 2004 annual meeting is underway. The Annual Meeting Program Committee met in January and selected the theme: “Visionary, Visible and Vital: Research Administration in Changing Times.” This year's coming program will include tracks for Departmental Administration, Predominately Undergraduate Universities, Pre-Award, Post-Award, Compliance, Federal and Washington Updates, Contracts, and Intellectual Property. It will also include Primers and Discussion Groups. This year eRA will not be a separate track but will be integrated into every session in recognition that eRA touches each of us no matter what the topic is or what role we play in research administration.

NCURA members are in for a treat. Since the annual meeting overlaps Halloween and the Presidential Election, Kathleen Larmett, NCURA Executive Director, conferred with me and dove right into the task of promptly securing for us our Monday morning plenary session speakers and our Sunday night Banquet Entertainment. I am also pleased to announce that this year we will have two keynote speakers for our Monday morning plenary session: James Carville and Mary Matalin.

I am also pleased to announce that our Sunday night Banquet Entertainment for our upcoming annual meeting will be The Capital Steps. This singing troupe is comprised of past and present senate and congressional staffers and is known for their witty and creative political satire.

Nominations Being Accepted!
2004 NCURA Awards
Nominations Being Accepted!

CALL FOR NOMINATIONS!
Vice President/President-elect and Board of Directors At Large Members.

2004 NCURA AWARDS
Nominations Being Accepted!

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A new conference (the list of committee members follows this article). Collaborating with NCURA on this conference is the Council on Governmental Relations (COGR), the Federal Demonstration Partnership (FDP) and the National Association of College and University Attorneys (NACUA). Representatives of the National Institutes of Health (NIH) and the National Science Foundation (NSF) are on the program committee and we will have representatives from other Federal agencies participating in the program.

The conference will have plenary sessions on both Monday and Tuesday featuring prominent speakers from higher education and the Federal government. Concurrent sessions will be organized around three tracks: The “Basics” track is designed as a series of primers for those individuals unfamiliar with specific regulations, for example, conflict of interest, use of living organisms in research, ITAR/EAR (i.e. export controls), and the PATRIOT Act, among others. For the senior administrators we will have a “Partnership Dialogue” track which will involve interactive discussions led by panels consisting of both institutional and government representatives. A third track, “Medical Perspective,” will explore regulations that primarily affect agencies and institutions engaged in biomedical research. All sessions and tracks will include insights and advice from both institutional and Federal perspectives. The conference will be preceded by half-day workshops on Sunday, July 25th.

I encourage all members to visit the NCURA website to preview the program and learn more about the compliance conference. Please mark your calendars and prepare to join us in Providence, the last week in July, for this very unique and exciting conference. We are also asking that you encourage your Federal colleagues to attend.

Understanding the consequences of the burdens of compliance for research institutions with federal regulations is a shared responsibility between both parties. It is our goal that this conference will provide research administrators and employees of Federal agencies with a unique opportunity to share information and learn from one another.

Pat Fitzgerald is the 2004 NCURA President and serves as the Director of Cost Analysis for the Massachusetts Institute of Technology.

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Pat Fitzgerald is the 2004 NCURA President and serves as the Director of Cost Analysis for the Massachusetts Institute of Technology.

Planning for NCURA’s 2004 annual meeting began within days of the end of the 2003 meeting. Jamie Caldwell and Jane Youngers have agreed to join me as program co-chairs. The program committee for the meeting is listed below.

NCURA Vice President: Jerry Fife, Vanderbilt University
Co-Chairs: Jamie Caldwell, Loyola University of Chicago
Jane Youngers, University of Texas Health Science Center at San Antonio
Tara Bishop, NCURA
Michele Codd, Vanderbilt University
Christopher Crowell, Middle Tennessee State University
Tony DeCrappo, COGR
Joe Ellis, NIH
Marjorie Forster, University of Maryland Baltimore
Jilda Diehl Garton, Georgia Tech
Katherine Ho, UC San Francisco
Ann Holmes, University of Maryland Baltimore
Josie Jimenez, New Mexico State University
Kathleen Larmett, NCURA
Philip Myers, Western Kentucky University
Lillie Ryan-Culclager, Stanford University
Jim Roth, Huron Consulting
Marc Schiffman, NCURA
Mike Smith, MAXIM US
Dorothy Spurlock, University of Toledo
Alice Tangredi Hannon, University of Pennsylvania
Michelle Vazin, Vanderbilt University
Deborah Vetter, University of Nebraska Medical Center

Plan now to attend the 2004 NCURA annual meeting! See you there!

Jerry Fife is the 2004 NCURA Vice President and serves as the Assistant Vice Chancellor for Research Finance, Vanderbilt University.
At NCURA’s last annual meeting in November, Bob Killoren formally convened the first meeting of a new Presidential Commission on International Research Administration. The Commission began its work with several questions:

- Broadly speaking, where is NCURA internationally, and what are NCURA members’ needs within the international arena?
- What does our NCURA membership need to be more competent and confident working within this international arena? How might the Commission assess the above needs?
- What should NCURA be doing to establish a stronger worldwide presence that meets the professional needs of the increasing number of international research administrators?
- What does NCURA need to do to internationally support NCURA’s core values?
- How should NCURA proceed to increase its worldwide outreach and be recognized as the international leader in research administration?
- What should NCURA be doing to enhance international understanding of research and sponsored project administration?

In terms of initial recommendations to the NCURA Board, the Commission believes that NCURA’s efforts to work collaboratively with international institutions and globally based research administrators, should focus upon strategies and programs that enhance international collaboration and provide those services and support that benefit members’ professional needs and interest. Furthermore, the Commission understands that NCURA’s core membership is the US research administrator, and thus does not seek to focus upon increasing NCURA’s international membership, but rather—in its roles as knowledge broker and experienced facilitator—believes that NCURA can enhance existing member benefits through the sharing of information and by fostering meaningful collaboration with our international colleagues.

The Commission thus recommended that an “International Resources” sidebar be added to the NCURA homepage.

An in-depth review of international activity indicates that much of this activity is being funded by a number of private foundations and corporations that may find common interest in NCURA’s international initiative. In light of the above, the Commission recommended that, when appropriate, NCURA should approach these organizations and explore possibilities for collaboration and financial support.

The Commission recommended that professional collaborations be developed and supported with international research administrators around the world, and that international colleagues be invited to submit articles to both the NCURA newsletter and RMR on the practice of research administration in their country.

The Commission is proceeding with its plan to develop partnerships with colleagues and universities in developed countries in Western Europe, East Asia, North America (Canada and Mexico), and Australia, and will continue to explore strategies for developing professional and institutional capacity in developing countries.

The International Commission will enthusiastically continue its work on the important initiative outlined in this article, and will provide an informative and interactive report to the NCURA membership—formally via a Concurrent Session—at the next Annual Meeting in November 2004.

If any NCURA member would like to share ideas or become involved and contribute directly to the work of the International Commission, please do so by e-mailing us at: intlcomm@ncura.edu.

Members of the International Commission are: Chair: John M. Carfora, Boston College; F. Edward Herran, Memorial Sloan-Kettering Cancer Center; Robert A. Killoren, Pennsylvania State University; Kathleen M. Larmett, NCURA; Phillip E. Myers, Western Kentucky University; and Denise A. Wallen, University of New Mexico.

John M. Carfora is the Chair of the Commission on International Research Administration and serves as Director, Office for Sponsored Programs, Boston College.
The National Institutes of Health initiated a pilot study during its October 1, 2003 deadline for the receipt of new grant applications. Thirteen new competing grant applications were received in the Center for Scientific Review through this pilot program for modular individual research (R01) grants. All grants submitted through this pilot study were backed up with paper applications, and the paper applications were sent to the appropriate study sections for scientific review. The participating service providers for submission of the new grant applications were:

- RAMS
- ERA Software Systems
- InfoEd
- Cayuse

Clinical Tools, Inc. and grants.gov are service providers that will be also available in the future for the submission of competing applications along with any other registered service provider that has successfully submitted applications in a test environment. Registered institutions can be their own service provider.

A pilot submission was held March 1, 2004 for the receipt of competing continuation applications for modular R01 grants. The NIH expected to receive twelve to twenty-four electronic applications in response to its March 1 deadline. By this time next year the NIH expects to receive a significant number of competing applications electronically. There are a few issues that need to be resolved and it may take two years or longer for the commons system to become fully functional for the electronic submission and receipt grants of all types. The electronic submission of grant applications could ultimately result in shorting the application process by as much as two months.

Currently, 780 institutions are registered in the NIH Commons and 46 of those organizations are authorized to submit progress reports through the electronic Streamlined Non-competing Award Process (eSNAP) pilot. The eSNAP pilot was expanded on January 1, 2004 to also include all of the institutions that are members in the Federal Demonstration Partnership (FDP). Progress reports submitted through the eSNAP pilot are due 45 days prior to the budget start date rather than the 60-day requirement for paper submissions. As a result of eSNAP submissions the NIH has issued over four hundred non-competing awards.

At the January meeting of the NIH Commons Working group, it was reported that 8,431 investigators are registered in the NIH Commons system. Registration in the NIH Commons allows Principal Investigators to review the current status of all their grant applications and review detailed information associated with their grants.

Institutions registered in the NIH Commons are able to submit Financial Status Reports (FSRs) electronically. Since the FSR submission feature of the NIH Commons has been available 21,203 or 64% of the FSRs have been submitted electronically.

In November 2003, NIH expanded the functionality in the Commons to allow the electronic submission of just-in-time requirements. These requirements have been submitted to support the award of forty-one new and competing grant awards.

The Internet Assisted Review (IAR) feature of the Commons allows reviewers on study sections to submit critiques and preliminary scores for applications they are reviewing. It also allows Reviewers and Scientific Review Administrators to view on-line all critiques in preparation for a meeting. Since this feature became available in July 2003, 19,731 critiques have been processed electronically through the NIH Commons System.

For additional information regarding the release of the eSNAP submission process to the FDP and a complete list of the business process changes unique to the eSNAP process, see the February 5, 2004 edition of the NIH Guide.

The NIH Commons homepage can be found at the following location: https://commons.era.nih.gov/commons/index.jsp

Tom Wilson serves as Director, Grants & Contracts, University of Texas M.D. Anderson Cancer Center.
The Complex World of Effort Reporting

by Richard Miller

In this article and, hopefully, at least one more this year, some of the basic concepts of effort reporting will be reviewed. The focus of this article is on a non-medical school environment. In a future issue, an author with experience in the medical school area will provide a follow-on discussion of this topic as it pertains to that environment.

Background and Foundation

Anyone who has spent time in pre-award budget preparation is aware that the salary dollars dominate most proposals. Often 80-90% of a proposal is for salaries, wages and fringe benefits. It is no wonder that salaries and the related charges received such intense scrutiny during monitoring and auditing activities. OMB Circular A-21 places requirements on those who manage and administer grants to monitor and verify salary usage.

The initial proposal submitted to a funding agency contains an expression of the intent of the principal investigator (PI) in the budget pages. When an award is received, the recipients assume the responsibility of keeping track of the time or effort that is expended on the project. The resulting documentation is the effort reporting. Commitments made to the sponsor are expressed in percentages of a person's total time. This reporting must also encompass the objective of validating the commitment made in the proposal or signed agreement with the sponsor.

When the project is underway, many institutions have a budget verification process associated with the payroll. In general, the verification in this step occurs before the completion of the salary period (monthly payroll) and drives the cutting of a monthly payroll check. Next, most institutions complete the verification process with an after-the-fact confirmation of how funds were utilized. This might be a quarterly, semester or semiannual process. There are pros and cons to the certification period chosen.

Obviously, it would be less paperwork for the PI to fill out time and effort certifications semiannually. Also, efforts would average out cleanly in that time frame. The major disadvantage is that the PI would need to recollect back in time what each person did on the report. The greater the time frame, the greater the chance for error.

Some institutions have sophisticated tracking systems, some have none. At the back end of the above activity are monitoring and/or auditing processes. As one would expect, this is where deficiencies in the processes become evident.

Perspective of the PI

The attitudes of the PIs cover the entire spectrum. Some are very serious about salary disposition. Realistic estimates are made of the number of people required to carry out a project and the percent effort for each. The PI assumes the role of manager conscientiously and certifies the use of funds monthly. After-the-fact certifications are completed accurately and in a timely fashion. Examples of the antithesis also exist. Percent efforts are driven by the availability of funds and certifications are carried out haphazardly or neglected. Often the latter situation results in cost transfers being required at closeout or beyond. (This, of course, never happens at our institutions, but I’ve heard stories!)

Perhaps the focus of the PI is on the scientific results of the research rather than administrative issues. Perhaps there is at least some little accountability for funds. The challenge for the research administrator is to create a system where both can be achieved or at least the bookkeeping needs can be satisfied without compromising the research activity.

Observations of the Budget Staff and Research Administrators

As one would expect the grant administrator experiences major cooperation from most PIs. Yet, just a few PIs’ noncompliance can cause trouble. Staffing on a grant and the percent effort by each employee are beyond the research administrator’s ability to judge. More often than not, the area of greatest concern is getting the PI to review and certify the usage of the funds. Again, most of the PIs are diligent about providing the needed certification, but there are a few who do not provide certification in a timely fashion. On occasion, the administrators need to approach line management; deans or department heads, to comply with or fulfill the certification process.

A Look At The Details of Certification

The approval or certification of effort on a project hinges on the flow of the paperwork – or in a growing number of cases, the electronic version of an effort verification document. Does the PI need to sign the verification documents? In general, no! However, at most institutions, the PI is responsible for managing (as opposed to administering) the project and is held accountable. In many cases, a PI has an assistant whose responsibility may include verifying and, in most cases, actually signing the payroll documentation. The stipulation in OMB Circular A-21 is that an electronic version of an effort verification document. Does the PI need to sign the verification documents? In general, no! However, at most institutions, the PI is responsible for managing (as opposed to administering) the project and is held accountable. In many cases, a PI has an assistant whose responsibility may include verifying and, in most cases, actually signing the payroll documentation. The stipulation in OMB Circular A-21 is that effort reports may be signed by individuals who have first-hand knowledge or a “suitable means of verification” of the efforts of each individual who works on the project. This has become a viable compromise and alternative to solving the timelines of the certification process. The alternative also recognizes and reports to and partially resolves the tradeoffs that occur between creativity and entrepreneurship vs. bureaucracy. However, while A-21 stipulates that individuals with a first-hand knowledge may sign, some auditors are interpreting that to mean the PI’s signature as well as the signature of the other employee.

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Partial Solutions

The use of surrogate approvers has helped resolve the problems of effort reporting certification. Many people are exploring the capabilities of electronic systems for notification, electronic approvals and tracking. The original paperwork can be sent electronically to the PI. Perhaps the convenience of dealing with the task at the office, at home or even on the road may expedite approvals. The return of approvals can be tracked and reports easily generated. Reminders can be automated and for the rare few who do not respond, a report can be sent in a timely fashion to the line management - in this case department heads and eventually deans. The timing for the involvement of line management as well as the scope of this involvement needs to be carefully considered and negotiated. Research administrators, regardless of their noble intent, are ordinarily service providers. Switching their role to controllers needs to be kept in balance. Control functions are better vested in line management.

Another Problem

It has been reported, more and more, that PIs are over extending their percentage of time devoted to research. There are instances at many institutions of PIs committing to efforts that erode the time devoted to teaching (instructional salary). Some PIs have committed more than 100% of his/her time! The research administrator, perhaps through an automated system, can provide a service to line management by providing a list of cumulative percentages being committed by a PI for all of his/her research efforts. If this summary is given to the department head/chair, it can be evaluated against the commitment being negotiated between the PI and that department.

A Point to Ponder

A complication which begs to be resolved involves percent effort, particularly by the PI. Consider the following scenario:

When the PI considers time and effort reporting, one of the issues is the responsibility the faculty member has to the department when drawing instructional salary. If negotiation with the department involves, for example, a 60/40% split between teaching and research, respectively, most faculty are, at least subconsciously, probably thinking in terms of a 40 hour week. Sixty percent or 24 hours may seem like a reasonable amount of time for lecture preparation, class effort, office hours, grading, etc. Sixteen hours at research isn’t much but may suffice, but of course there are evenings and weekends! This is where difficulties arise. When budgeting with the Federal government, for example, a certain amount of time (e.g., per month) at 40% isn’t 40% of a normal week but 40% of the total number of hours a person actually works. This concept is irreconcilable. Why can’t a faculty member negotiate commitments based on a normal week (or month) based on “40 hours” and consider everything else as personal time or effort that belongs to the PI. This time does not have to be recognized/certified/accounted for, yet it is something the PI can commit to a project. Percentages should be tied to something fixed and greater than 100% should be acceptable. Unfortunately the concept of the full time equivalent, which we commonly refer to as the FTE, has only limited quantitative meaning. We so casually refer to percentages of an FTE furthering the argument for a specific quantitative entity such as hours. This obviously requires some dialog to see if institutions can reach agreement and, if so, if the sponsors then can be convinced. A point to ponder!

Richard Miller serves as Director, Federal Compliance, Texas Engineering Experiment Station, Texas A & M University System.
The NIH released its Revised NIH Grants Policy Statement (NIHGPS) on November 26, 2003. This 12/03 version applies to all NIH grants and cooperative agreements with budget periods beginning on or after December 1, 2003. For all NIH grants and cooperative agreements with budget periods beginning between March 1, 2001 and November 30, 2003, the March 2001 NIHGPS continues to apply. The highlights affecting the financial management of grants are listed below.

Cost Transfers: Language has been added prohibiting moving costs from one project to another in order to cover a cost overrun. The 3/01 NIHGPS states, “Transfers of costs from one budget period to the next solely to cover cost overruns are not allowable.” The 12/03 NIHGPS has been expanded to say, “Transfers of costs from one project to another or from one competitive segment to the next solely to cover cost overruns are not allowable.”

Cost Overrun: The definition of cost overrun was not in the Glossary in the 3/01 NIHGPS. It has been added to the 12/03 Glossary as follows. “Any amount charged in excess of the Federal share of costs for the project period (competitive segment).”

Closely Related Work: The prior approval requirement to account for multiple projects under a single cost objective has been eliminated. The relatedness provision of OMB Circular A-21 (C., 4., d., (3)) now applies. “A cost that benefits two or more projects or activities in proportions that cannot be determined because of the interrelatedness of the work may be allocated or transferred to the benefiting projects on any reasonable basis ...”

Audit: For fiscal years ending on or after 12/31/03, the threshold for A-133 audits has increased from $300,000 to $500,000.

Patent Costs: “Invention, Patent, or Licensing Costs” has been added to the section Allowability of Costs/Activities: Selected Items of Costs. It was not included in the 3/01 NIHGPS. The 12/03 NIHGPS now states that such costs are unallowable as either direct or indirect costs. “Unallowable either as direct or F&A costs because creation of intellectual property is not a requirement of NIH grant awards. Such costs include licensing or option fees, attorney’s fees for preparing or submitting patent applications, and fees paid to the U.S. Patent and Trademark Office for patent application, patent maintenance, or recording of patent-related information.”

Clinical Practice Compensation: “Payments for Dual Appointments” has been added to the section Allowability of Costs/Activities: Selected Items of Costs. “For investigators with university and clinical practice plan appointments, compensation from both sources may be considered the base salary if the following criteria are met:

- Clinical practice compensation must be guaranteed by the university.
- Clinical practice effort must be shown on the university appointment form and must be paid through the university.
- Clinical practice effort must be included and accounted for on the university’s effort report.

Key Personnel: The definition of “Key Personnel” in the Glossary has been greatly expanded from the 3/01 NIHGPS. The 12/03 version states that the contribution of key personnel must be “measurable” whether or not salaries are requested. “Zero percent” effort or “as needed” is not an acceptable level of involvement for key personnel. This has implications for both proposal development and effort certification.

NRSA Part-Time Training: Fellows may now pursue their research training part-time if prior approval has been obtained from the institution and the NIH awarding office. The conditions under which part-time training may be permitted are limited. “The circumstances requiring part-time training might include medical conditions, disability, or pressing personal or family situations such as a child or elder care. Part-time training will not be approved to accommodate other sources of funding, job opportunities, clinical practice, or for responsibilities associated with the fellow’s position at the sponsoring institution.”

The NIHGPS (12/03) is available in both HTML and PDF format at http://grants.nih.gov/grants/policy/nihgps_2003/index.htm.

Marilyn Surbey serves as the Associate Vice President, Finance and Research for Emory University.
Software Licensing Issues in University Research

by Mike Jung and Elizabeth Carlson

University research administrators must address a myriad of issues when negotiating with government or industry sponsors, and it is easy to overlook some important issues related to the researchers' use of software developed by the sponsor (or a third party) as a research tool in support of the research program being negotiated. These issues, which can have a significant impact on a research program but may be difficult to spot despite the best due diligence, can have an impact on the most fundamental aspects of the university-sponsor relationship. We are talking about ownership of research results, conflicting obligations to university sponsors, and the university or researcher's ability to further the research after that particular research agreement has terminated.

It is becoming increasingly common for discoveries made in the performance of university research to result from the use of third-party software. In some cases, a software program's contribution to a new technology is a deliberate factor in the researcher's mind, such as where the research is on a particular software application. However, in other cases, the role of a software application may be more transparent, such as where the software is embedded in a device that is being used as a tool by the researcher in a study. In either case, it is important that the university's research administrator understand the terms and conditions upon which that software is available for use in university researcher projects, and whether those terms and conditions are consistent with the university's research objectives, sponsor commitments, academic principles and institutional policies.

The terms and conditions imposed by a software vendor typically include intellectual property and proprietary/confidentiality terms that define a basket of rights being afforded to the university, as licensee, and by the licensor (as exclusive owner of these rights). A software license typically specifies the licensee's permitted use, which can be defined through a wide range of limitations. For example, in some instances use of the software will be restricted to internal, non-commercial research use by the university. Similar restrictions can arise where the licensor's code is defined as its proprietary or confidential information with attendant restrictions on the licensee's use and obligations of nondisclosure. Such confidentiality obligations may also limit a researcher's ability to effectively publish on research results derived through use of that software.

What is absent from the license grant can be equally important; particularly where the researcher intends to create derivative works based on the underlying software. In this case, the university must ensure that it is granted this right; together with any attendant right it may require to access the licensor's source code in order to facilitate the researcher's modification or enhancement of the code. And, where this right to make derivative works is afforded; the licensee's technology transfer initiatives for that resulting work will depend on whether the software license grants the university the right to reproduce, distribute and sublicense the licensor's underlying code as part of those derivative works.

Additionally, the university's research administrator must be vigilant as to what rights the licensor retains in the derivatives and research results created by the university's researcher. For example, the licensor may require the licensee to agree not to assert any infringement claim against the licensor and its sub-licensees based on the licensee's derivative software, including modifications, enhancements or new versions. Such clauses are tantamount to a royalty-free license to the Licensor for any software created by a researcher based on the licensor's underlying code (without limitation to project scope, funding, or oversight by a principal investigator). In more aggressive instances, licensors have required outright assignment of the licensor's derivative works.

Even more egregious, though, is a new trend in software licensing that could easily result in the university granting conflicting rights to the software vendor and/or the research sponsor. It is becoming increasingly common for licensors to include language stating that the licensor will have an unrestricted license to use ANY research results derived from use of the software - not simply derivatives of the software itself created by the researchers - for any purpose, including commercialization. In these situations, the licensor's "fallback" position is to grudgingly offer language stating the university agrees not to assert any infringement claim against the license and its other licensees based upon any research results obtained with the software - tantamount to granting the software vendor a non-exclusive license to commercialize university research results.

At minimum, these license terms may present a obstacle to a university's ability to accept third party sponsor funding; i.e., (i) where that sponsor is seeking exclusive license rights to commercialize intellectual property made in performance of a research project which includes the licensor's software in the study protocol; or (ii) where in the case of federal government funding, assignment of resulting patent rights is prohibited. These "reach through" clauses can extend not just to derivative software code, but inventions identified by a university researcher through processes employing the software; such as new drugs identified through screening software. Such terms can unwittingly undermine a university's valuable, commercial licensing opportunities.
When these license terms are specifically incorporated into a research agreement, generally in the form of an attachment, they are easy to spot. Frequently, though, there may be only a vague reference to the software being provided to the university by the sponsor or some third party, or a vague reference to software being used in the statement of work, and the license terms are incorporated into a license agreement that is accepted by the university when the software is installed. In such instances, the university has unwittingly become bound by license terms it has neither seen nor reviewed. The best practice is to simply ask the university researchers whether their research project will require the use of software other than standard desktop applications.

The terms and conditions governing the use of a software program are commonly provided through a license agreement which can be presented as a traditional license effective upon execution by the licensor and university/licensee, a shrink wrap license or in the case of an electronic/internet version, a click wrap and open source license. Each of these formats can present challenges to the university research administrator who is faced with the task of informing a research community of the attendant restrictions and consequences presented by a particular software program. In the case of traditional paper copy licenses, these often present themselves through an Institution’s Purchasing or Procurement Department charged with “in-licensing” of software. And, in that case, the terms and conditions acceptable for service software may be used as the gauge for software that is intended for research application, without consideration of the broader research/technology transfer issues. In the case of shrink-wrap and electronic licenses, it can be difficult to identify a process for negotiating changes, and the terms are often agreed to outside of an institution’s established contracting authority simply by a course of conduct (i.e., use of the software) or by on-line acceptance by the individual researcher. A university can be blind-sided by intellectual property terms contained in such licenses that conflict with there sponsored research and technology licensing programs. Here is a list of just a few of the software-related issues a university research administrator should look for and address with the researcher who intends to use software in a particular study or lab - in addition to the commonly encountered contract provisions that arise (i.e., required venue/jurisdiction):

• Intellectual property commitments or restrictions that conflict with the terms of a sponsored research or other agreement (i.e., “licensor owns any modifications/derivatives/improvements to the software”).

• Statements (often buried in a principal investigator’s statement of work) that conflict with the terms of a research agreement or university policy (i.e., “all software or code developed by PI will be provided to sponsor, which may use the code for any purpose”).

• Publication restrictions that give the sponsor (as licensor) approval rights over faculty or student publications.

• Use restrictions that undermine the research or technology transfer objectives (i.e., “software may be used only for university’s internal noncommercial research purposes”).

• Reduced-fee “academic” licenses that would not permit use of the software in support of any sponsored research (i.e., “software may be used only in connection with research funded solely by university funds; use in connection with research funded by any third party is specifically prohibited”).

• Absence of rights permitting researchers to modify or make derivatives of the software, in situations where such rights are necessary for the proposed research.

• Overly broad confidentiality terms that define the software, anything related to the software, or research results as “confidential information.”

• Terms that prohibit use of the software by faculty or staff absent written confidentiality agreements.

• Requirements that the university enforce the software license provisions against third parties.

• Indemnification requirements. Universities generally will not indemnify research sponsors or software licensors, so why should a university do so for software used in support of the research, especially where software modifications or derivatives could end up in the licensor’s or sponsor’s commercial product?

• Absence of a warranty that the software does not infringe any third party rights, or at a minimum an indemnification by the licensor against such claims.

• Requirements committing university-developed software to be placed in the public domain or licensed pursuant to an open source or other public license (to the extent these conflict with the researcher’s or technology transfer office’s objectives or conflict with licensing or other commitments to a sponsor).

The aggressive terms being presented by certain commercial software vendors will require a cohesive, informed response from the university research community. The software industry is presenting many of the issues to universities which would be rejected by that research institution if they were to present themselves in the form of a material transfer agreement for a biological material; i.e. well recognized issues with restrictions on use, the provider’s rights to inventions and research results; access to publications and confidentiality terms. In the context of material transfer agreements, the research community has successfully unified to identify these problematic terms for providers, to educate its own research administrators, and to identify suggested alternatives which are broadly subscribed to by its peer institutions. A similar, unified initiative by non-profit research institutions will be required if the university research community is to successfully address the increasingly aggressive license terms of software vendors.

Mike Jung and Elizabeth Carlson are Associate IP Counsels, Massachusetts Institute of Technology.
Region I  
New England  
Region I is gearing up for its annual Spring Meeting. Thanks to the tremendous effort of the program committee, under the direction of Lee Picard and Stacy Riseman, the program is filled with exciting workshops, sessions and events. This year’s meeting, appropriately themed “Something Old, Something New” will be held May 2-5, 2004 in historic Sturbridge, MA. The program along with registration information has been posted to the Region 1 website. Please mark your calendars and make plans to attend.

Also, please keep in mind that there are numerous volunteer opportunities available at the meeting. Please don’t hesitate to contact either Lee or Stacy if you’d like to volunteer.

Please keep your eyes open for nomination information regarding the Bernard M.克莱恩 Memorial Travel Award Program. This annual award allows up to two recipients to attend the annual Spring Meeting. The deadline for nominations for the travel award is April 2, 2004.

Also keep your eyes open for nomination information regarding the Region 1 Merit Award. This award recognizes individuals who have made a significant contribution to the field of research administration within the Region. The recipient of the Merit Award will be announced at the Spring Meeting. The deadline for nominations for the merit award is March 1, 2004.

Information for both awards are posted on the Region 1 website.

Finally, our RADG program is off and running for 2004. We had a packed house for our first RADG meeting, which was held on February 12, 2004. The featured speakers for the meeting were Mark Daniel of Partners Healthcare System and Charlie Tardivo of Research Administration Consulting Services. Mark and Charlie presented an informative session on “How Institutions are Coping with Research Financial Compliance Issues”. The next two RADG meetings are scheduled for April 6 and June 9. Details will be forthcoming, please mark your calendars.

So, start making your plans to attend the annual spring meeting and the upcoming RADG meetings. We’ll look forward to seeing you there.

Ben Prince is Chair of Region I and Administrator for the Meyers Primary Institute, University of Massachusetts Medical School.

Region II  
Mid-Atlantic  
Our spring meeting, On the Waterfront, riding the Waves of Research Administration, will take place April 25-27 at the Hyatt Regency Baltimore. If you haven’t already registered for this exciting meeting, do it now by using the web registration form at https://www.ncura.edu/conferences/reg/regional/2004/2.asp. You can review the final program at http://www.osp.cornell.edu/NCURA_Region_II/Meeeting2004/Program%202004.pdf. For room reservations, contact the Hyatt at 800-233-1234.

There are sessions on training in all aspects of research administration from Pre-award to Post-award. Four workshops will be conducted on Sunday, May 9 covering grants processes at the NIH and NSF, Intellectual Property, Technology Transfer, and Proposal Preparation. The keynote speaker is Dr. Maria Jacobsen, Chief Archeologist for the C.S.S. Hunley Project, a recent recovery and restoration project for a sunken Confederate Civil War submarine in the Charleston Harbor.

Make your room reservations now at the lovely Wild Dunes Resort. The room rate is $150 per night. Call (800) 845-8880 to make your reservations and mention that you would like the rate reserved for attendance at the NCURA Region III Annual Meeting. The on-time registration fee for the meeting is $250.

Volunteers Needed. The hospitality suite will be open as usual for the spring meeting, and the Hospitality Committee is looking for a few good women and men to help keep the suite in order during the meeting. Anyone who would like to volunteer can contact Bruxanne Hein at bruxanne@coastal.edu or (843) 349-2918.

Region III  
Southeast  
2004 Spring Meeting Information. Region III is having its 2004 meeting at the Wild Dunes Resort on the Isle of Palms, just north of Charleston, SC, May 9-12. The theme of this year’s meeting is “Trained, Tested, and Ready,” reflecting the sessions on training of personnel involved with day-to-day grant and contract work. All regions are welcome to attend!

The Program Committee has been hard at work creating an outstanding program. There are sessions on training in all aspects of research administration from Pre-award to Post-award. Four workshops will be conducted on Sunday, May 9 covering grants processes at the NIH and NSF, Intellectual Property, Technology Transfer, and Proposal Preparation. The keynote speaker is Dr. Maria Jacobsen, Chief Archeologist for the C.S.S. Hunley Project, a recent recovery and restoration project for a sunken Confederate Civil War submarine in the Charleston Harbor.

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Workshops:
April 1, 2004).

Room rates:
half days.

Indianapolis, Indiana.
Crowne Plaza at Union Station in
Location:

html. The deadline for nominations is
http://graduate.siue.edu/ncura4/nominations.

can be found on the Region IV web site at
nominations, and eligibility guidelines
about the awards, instructions for
believing to be deserving. More information
Please consider nominating someone you
Reed Outstanding New Professional Award,
the Distinguished Service Award, the Kevin
A Call for Nominations went out
electronically on February 5, 2004 for
registration is April 1, 2004.

You can register by mail or online. The
deadline for the special hotel rate and early
registration instructions, visit the Region IV
To see the program, travel information, and
plan to Attend the Spring Meeting!

Spring is almost here, and you know what
that means—it’s time to register for the
Region IV Spring Meeting! This year’s joint
meeting with the Society of Research
Administrators Midwest Section promises to
include a wide variety of topics for all walks
of life in research administration.

Location: Crowne Plaza at Union Station in
Indianapolis, Indiana.
Registration: $250 for early registration (by
April 1, 2004).
Workshops: $60 per half day; $115 for two
half days.
Room rates: $119 per night for standard
double and standard king; suites $211; train
car rooms(!) $149.

To see the program, travel information, and
registration instructions, visit the Region IV
web site at: http://graduate.siue.edu/ncura4/meetings.html.

You can register by mail or online. The
deadline for the special hotel rate and early
registration is April 1, 2004.

Your Nominations Needed
for Regional Awards.
A Call for Nominations went out
electronically on February 5, 2004 for the
Distinguished Service Award, the Kevin
Reed Outstanding New Professional Award,
and the Meritorious Contributions Award.
Please consider nominating someone you
believe to be deserving. More information
about the awards, instructions for
nominations, and eligibility guidelines
can be found on the Region IV web site at
http://graduate.siue.edu/ncura4/nominations.html. The deadline for nominations is

Region IV Web Site Now Accepting
Announcements
The Region IV web site is now accepting
announcements for a new section: Member
News! Announcements concerning Region
IV members’ promotions, awards, distinctions, and job transfers can be sent to
Jerry Pogatsnik at jpogats@siue.edu. (Please
limit your announcements to 200 words.)
Bill Sharp serves as a Compliance Specialist
for the University of Kansas, Center for
Research.

REGION V
Southwestern

How are Hurricanes and Research
Administration alike? Have you ever had a
professor blow into your office and create
total havoc for a proposal due in 2 hours?
Or with a material transfer agreement or
industrial agreement with the industrial
sponsor in town for THAT day only and it
must be signed before they leave (again, in
2 hours)?

Well, then you know how the two are
related. Research administrators will form a
task force in Galveston to discuss how to
batten down the hatches, gather the troops
and soothe the stormy seas ahead. The
NCURA Region V Spring meeting will be
held April 25-28, 2004. Our theme this year
is “Research Administration: Calming the
Stormy Seas.” In addition to the concurrent
sessions, we will be offering our
Fundamentals Workshop on Sunday and an
afternoon workshop to address Sr. Research
Administrators Issues.

We will be at the San Luis Resort, Spa and
Conference Center in Galveston Island,
Texas. Room rates are $140 (both single
and double room rate). Reservations can be
made by contacting the hotel Reservations
Department at 800-392-5937 and notifying
the hotel that you are attending the NCURA Region V meeting. Their website is located at http://www.sanluisresort.com/.

This meeting is not limited to just NCURA
Region V members or even to NCURA
members. It is open to all... So please feel
free to pass the word to any and all of those
that may be interested. Regional meetings
are a wonderful opportunity for education,
training and networking, especially for many
of those institutions/individuals with limited
budgets that will not allow them to travel to
DC or other distant sites.

We’ll see you in Galveston! Don’t miss out
on the fun and the learning opportunities!

Judy Cook is the Chair of Region V and
serves as a Research Administrator for the
Baylor College of Medicine.
The Region VII Program Committee has been busy finalizing the agenda for our upcoming 2004 Joint Region VI and VII Meeting to be held in San Francisco in April 18-21, 2004. The program can be found at the regional website at http://www.unm.edu/~ncuravii/. This year’s registration fee will be $295 per person. In addition, the Sunday workshop fee will be $85 per workshop. Payment of the registration/workshop fees can be made via check/money order, or via credit card, VISA/MC/AX. Details can be found on the Registration Form.

We will be having the meeting at the Argent Hotel located 2-3 blocks from Union Square, San Francisco, CA. Room rates are $153/night (plus taxes), for one or two people. The Argent will honor this rate for 3 days before and 3 days after the meeting (subject to availability). More hotel information can be found at http://www.argenthotel.com/

We are very excited about this year’s meeting, and the wonderful program that’s been put together. We look forward to seeing you there.

Denise Wallen serves as the Chair of Region VII and is the Special Assistant to the Vice Provost for Research at the University of New Mexico.

Mark your calendars now for the NCURA Regions’ Annual Meetings!
Recognizing the contributions of our colleagues can be one of the highest honors we can bestow. However, this honor relies on you taking the time to nominate your colleagues for one of four awards given each year at the annual meeting.

**Distinguished Service Award**
This award is given to up to five individuals who have made significant contributions to NCURA.
Deadline: May 3, 2004 for nominations

**Outstanding Achievement in Research Administration**
This award is given annually to an individual who has made a significant contribution to the profession of research administration.
Deadline: May 3, 2004 for nominations

**Catherine Core Minority Travel Award**
This program supports travel to the NCURA annual meeting for up to four individuals from underrepresented groups who would not otherwise be able to attend this conference.
Deadline: June 1, 2004 for nominations

**Joseph Carrabino Award**
NCURA’s newest award is given to a federal employee who has made a significant contribution to research administration, either through a singular innovation or by a lifetime of service.
Deadline: July 1, 2004 for nominations

Check out the NCURA Nominating and Leadership Development Committee’s (N & LDC) Awards Page at: http://www.ncura.edu/awards/default.asp Details on eligibility, submission process, and forms are provided for each award.

Be engaged! Talk to others in your region or within the membership and put together a nomination packet for these awards. Help to recognize the contributions made by our colleagues in the profession.

The Nominating and Leadership Development Committee invites all members of NCURA to participate in the process of selecting key members of the national leadership team by nominating (or self-nominating) individuals for these important positions.

NCURA provides many opportunities to volunteer and be active in our professional organization. By continuing to expand your involvement, you will be afforded a wealth of enriching experiences. Being active and involved in NCURA can be as simple as considering whom to nominate in your region, or within the membership, for these positions, and then making that nomination. In addition, if you are interested in these positions and would like to submit your name for consideration, we are waiting to hear from you.

This year, you have the opportunity to nominate (or self nominate) individuals for three positions: Vice-President/President-elect, and two At-Large Members of the Board of Directors. For a detailed description of the current responsibilities of these positions, please view: http://www.ncura.edu/members/positions/ Terms of these positions will begin on January 1, 2005. Please email nominations to: nominations@ncura.edu. All nominations and supporting materials from the nominees must be received electronically on or before June 1, 2004.

Be involved! Nominate (or self-nominate) candidates for these NCURA positions.

Peggy Lowry is the Chair of the Nominating and Leadership Development Committee and serves as the Director, Office of Sponsored Programs and Research Compliance, Oregon State University.

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**MILESTONES**

*Ruth Farrell* has been promoted to Associate Vice President for Research Administration at the University of Vermont.

*Tim Fournier* has moved from University of Pennsylvania to Northwestern University and serves as the Associate Vice President for Research Integrity.

*Jill Tincher* has been promoted to Senior Director for Research Administration at University of Miami’s Medical School.

*Louis Guin* has joined BearingPoint, Inc and is a Manager focusing on academic institutions, medical centers, higher education contracts and f&a issues.

**Congratulations!**

Have you moved institutions or are you in a new position at your institution? Let us know so we can share your good news with your NCURA Colleagues by sending us an email at info@ncura.edu.
INTRODUCTION

Significant attention has been given to grants.gov - the web portal that centralizes the find and apply grant processes for over 900 federal grant programs. The Foundation Center (www.fdncenter.org), which tracks the grant-making activities of the largest foundations, indicates that at least six hundred foundations are awarding more than one million dollars each year in grants. Many of these foundations have recognized the potential benefits of electronic grant making and have deployed their own e-grant systems. Applicants and grantees are asking how much they should be concerned about the proliferation of different approaches to electronic grant making among foundations. This article sheds some light on this question.

One thing is clear - the early adoption phase of electronic grant making has passed. The early adopters have clearly established the benefits: shorter application to award cycles, reduced costs, and improved interaction with applicants, grantees, and reviewers.

Many different approaches to electronic grants began appearing among federal agencies, following the early leadership of the National Science Foundation’s FastLane. The potential for nine hundred unique e-grant implementations among federal agencies caused enough concern that applicant and grantee organizations encouraged the government to centralize these functions. The result was Public Law 106-107 which requires all federal grant programs to utilize a single, common web portal for grants - grants.gov.

Many foundations were also early adopters of e-grant solutions. According to Pat Hinton, Director of Research Administration and Information Services at the American Heart Association (AHA), “We have accomplished the first wave of electronic research administration, by supporting most of our process via an in-house database with a number of associated applications, via the web and via e-mail.”

While the dollar volume of awards is smaller from foundations than the federal government ($12 billion versus $360 billion), the potential for hundreds of different foundation e-grant implementations is still a significant concern for applicants and grantees. NCURA and the Federal Demonstration Partnership (FDP) formed a joint task force to look into this issue. The public law approach for standardization, which worked in the federal grant-making arena, will not work with these private organizations. In addition, voluntary standardization would require a significant investment in time and additional expense. Since these foundations are non-profit organizations, this additional administrative expense would require a very strong case for cost/benefit.

CURRENT ACTIVITY

Some foundations started their electronic grant making with a centralized, collaborative approach and have shown that a collaborative effort can be both less expensive and more effective. Fourteen prominent foundations in health research, including the American Cancer Society, the Alzheimer’s Association, the Cystic Fibrosis Foundation and the Arthritis Foundation, share a single website - proposalCENTRAL - for all their electronic grant applications and peer review. With proposalCENTRAL (www.ramscompany.com) these foundations reap the benefits of electronic grant making while providing applicants with a single website and consistent processes to register and apply for over $350 million in grants. According to TJ Koerner, Director of Research Information Services at the American Cancer Society “proposalCENTRAL enables our foundations to share ideas to improve and standardize the grant process for applicants and to keep up with the emerging standards for electronic grant making at the national level.”

Another example of voluntary collaboration by foundations is GrantsNet (http://www.grantsnet.org). Similar to the “Find” capability in grants.gov, GrantsNet provides a free centralized web portal for prospective grant applicants to find out about thousands of funding opportunities from foundations in biomedical research and science education. GrantsNet is supported by the Howard Hughes Medical Institution (HHMI) and the American Association for the Advancement of Science (AAAS). Similar centralized “Find” capabilities for grant funding opportunities among foundations are provided by The Foundation Center and GuideStar (http://www.guidestar.org).

Even foundations that have implemented their own unique approaches to electronic grant making see the need for a consistent approach. According to Pat Hinton at AHA, “The next wave of ERA for the AHA and many other funders should be the move to providing customers a common interface to private funders and government funders.”

In addition, a strategic approach to data sharing among foundations may help drive consistency in their electronic grant-making approaches. A collaborative initiative, spearheaded by the BurroughsWelcome Fund (BWF), is bringing together foundations that have adopted or plan to implement electronic grantmaking systems. Enriqueta Bond, President of BWF, in kicking off this initiative, stressed the benefits of sharing grant information. According to Bond, each foundation could make more strategic decisions about investments if they knew what other organization were doing. To be able to share information, the foundations would have to adopt some common standards for that information. The group has had several meetings over the past two years and will have their next meeting for March 2004.
FUTURE FOR CONSOLIDATION

At least three different scenarios may foster a consolidated approach to electronic grant making in the private non-profit sector:

Emergence of Agents. Agents would take information from one party (like a grant application), convert the information to the necessary format, and deliver the information (for a fee) to another party (like a grant-making organization). As an example, rather than develop its own unique grant application system, the NIH is funding the development of several commercial solutions. Once certified by NIH, these commercial solutions will be able deliver application information in the format required to the NIH on behalf of the applicant. Expanding on this “agent” theme, Research and Management Systems, one of the NIH awardees, has stated its intention to enable clients of its solution to be able to submit electronic applications, not just to the NIH, but to all the federal programs participating in grants.gov, and all the foundations that participate in proposalCENTRAL. According to Dr. William Caskey, Director of Research and Grants Administration at Children’s Mercy Hospital in Kansas City, “This is a tremendous advantage for organizations that receive grant support from a diverse number of grant makers and want to maintain their information and management control at the local level - not on a multitude of grant maker’s systems.”

Vendor Consolidation. An industry consolidation of vendors that supply grant management solutions could create a defacto standard driven by a predominant vendor. Like Adobe's Acrobat product has created the PDF document standard, MicroEdge has bought its way to a 73% market share among private non-profit grant makers - primarily by buying up smaller vendors as they emerged in this fragmented market. A similar consolidation among vendors supplying enterprise management systems to academic research organizations on the grantee side could reduce the number of potential system-to-system interactions needed to streamline ERA operations (e.g., SCT's purchase of FAS; the potential takeover of PeopleSoft by Oracle).

Selective Solutions. Rather than centralizing the entire grant management process, specific solutions would emerge to provide a consistent interface where the value would be strongest. Much as Network Solutions provided a fee-based centralized registration for website domains on the Internet, a private sector (non-federal) solution might evolve for institution and applicant profiles. The profiles could be entered in one place by an institution or applicant and the information retrieved by any approved grant-maker. Availability of this type of solution could reduce the number of grant-makers that construct their own institution registration and profile systems. ProposalCENTRAL is an example of this approach; institutions and applicants register only once, but can apply to any of the fourteen member foundations.

SUMMARY

While proliferation of electronic grant making systems among foundations continues, initiatives like GrantsNet and proposalCENTRAL show that foundations consider it in their best interests to collaborate. Debbie McCoy, VP for Research at the Arthritis Foundation, summarized the ERA trend among foundations. When her reviewers question the switch to an online review process, she shows them a CD-ROM. “This small disk contains what used to take up three filing cabinets. From receipt of applications to award, we moved three tons of paper five times in 30 days. We've gained tremendous efficiencies through proposalCENTRAL and will continue to support this centralized resource for the benefit of the researcher and grant maker.” Looking to the future, McCoy says her short-term goal is streamlining postaward transactions with grantees with a long-term goal of being able to use the information to gauge the effectiveness of the Arthritis Foundation’s research investment.

James P. McKee is Vice President e-Commerce and John A. Rodman is President and CEO, Research & Management Systems.

References:
Neighborhood Watch

It is our pleasure to announce the premiere of Neighborhood Watch, a detailed look into the goals, progress, and initiatives of the NCURA Neighborhoods.

Since 2001, NCURA’s online communities have sponsored twenty-three Interactive Learning Series (ILS) sessions, published thirteen issues of On Campus, posted countless proposal guides, agency links and federal announcements, and advertised hundreds of career opportunities in research administration. As NCURA begins year three of the Neighborhoods, the Neighborhood Program Committee thought it beneficial to bring these changes and advances to each NCURA member, in the form of a regular column in the NCURA Newsletter.

Neighborhood Watch will attempt to cover all things relating to the online communities, including upcoming issues of On Campus, renovations and updates to the Neighborhoods, dates and deadlines for workshops and proposals, and key federal notices. Additional topics are discussed regularly on each Neighborhood listserv.

For additional information, please contact the Neighborhood Program Committee (NPC) at http://www.ncura.edu/members/neighborhoods/.

Thank you for your support!

The 2004 Neighborhood Program Committee
compare notes, develop strategies, and, ultimately, survive both personally and professionally. On our website you will find information in our Library that will assist you in building a better Sponsored Programs office at your institution. The Town Hall provides transcripts of Interactive Learning Series (ILS) sessions and offers you the opportunity to join a listserv with your colleagues around the country. In the Events section, you will learn about conferences, workshops, and educational events of interest. Finally, the Careers section will help you identify appropriate job opportunities at other colleges and universities that have identified themselves within the broad category of predominantly undergraduate institutions.

Although the Neighborhood website serves as an excellent resource, perhaps the best resource is our fellow members. The PUI Neighborhood has its own listserv (pui@lists.ncura.edu) that serves as an electronic forum for the discussion of our needs and problems. Recently, PUI listserv members contributed a number of valuable suggestions about session topics for next year’s national meeting. These suggestions have been passed along to the Programs Committee and we hope to see many of these sessions in next year’s program. Our plan is to “meet” regularly as an electronic group to discuss issues of concern for our members’ institutions, and hopefully provide solutions and suggestions to assist those research administrators who need to be all things to all people. If you happen to be one of those individuals, please visit the NCURA Neighborhoods and check out the PUI Neighborhood. We’d also like you to consider becoming part of our community by visiting the Town Hall on the PUI Neighborhood website and subscribing to our listserv.

Jerry Pogatshnik serves as Associate Dean of the Graduate School at Southern Illinois University and is Co-Chair of the Predominantly Undergraduate Institutions Neighborhood.

**PRE-AWARD NEIGHBORHOOD**

The Pre-Award Neighborhood (PAN) Committee has set its goal this year to focus on specific pre-award areas: Funding Opportunities, Proposal Development, Budget Development, Proposal Processing, Contract Negotiation, and Peer Review. In ‘Building a Firm Foundation’ the PAN Committee will be modifying the Pre-Award Library to include basic training resources for these pre-award functions. The Pre-Award FY2004 committee objectives include increasing awareness and use of PAN, strengthening PAN Networking Opportunities, Developing Basic Tutorial Workshops Resources, Developing Sample Budgets/Contracts/Proposal Resources, Developing a Pre-Award Glossary, and Developing Agency Essentials.

Visit the Pre-Award Neighborhood at http://www.ncura.edu/members/neighborhoods/pan.asp for a detailed look into the mission and focus of the Pre-Award Neighborhood Committee.

Within the next few weeks, we invite you to visit the Pre-Award Neighborhood website to look at the resources being added. If you have suggestions or resources you would like to recommend to the Pre-Award Neighborhood, please send an email to any PAN Committee member. The 2004 committee roster is available online, directly below the mission statement.

Finally, the Pre-Award Neighborhood sponsored the March 2004 issue of On Campus. Jane Youngers, Director of Grants Management at the University of Texas Health Science Center at San Antonio will be featured. Previous Pre-Award issues have featured Charlie Kaaers (State University of New York at Buffalo) and Dick Keogh (Rhode Island College). On Campus transcripts are available in the Pre-Award Town Hall, located at http://www.ncura.edu/members/neighborhoods/pantownhall.asp. Maggie Pyle serves as the Director of Sponsored Programs at the University of South Alabama and is Co-Chair of the Pre-Award Neighborhood.

**FRA NEIGHBORHOOD**

Financial Research Administration

The FRA Neighborhood is busy working on expanding and improving the resources that are available in our neighborhood. A visit to our library will provide visitors with a long list of links to a variety of information on Financial Research Administration topics. Amongst the topics covered are Effort Reporting, Cost Sharing, and Cash Management. This area is a great first resource as you struggle with an FRA-related dilemma. Other institutions may have already addressed this issue and our links could bring you to several possible solutions. This area will be continually updated throughout the year. Suggestions for improvements or new topics are very welcome and should be submitted to the FRA Listserv at fra@lists.ncura.edu or to any member of the FRA Neighborhood Committee (http://www.ncura.edu/members/neighborhoods/fratownhall.asp).

In addition, discussion topics will be posted regularly to our listserv. This is a great resource for conversing with others who face some of the same challenges as you. To register for the listserv, please go to http://www.ncura.edu/members/neighborhoods/fratownhall.asp.

Our Neighborhood also enjoyed the FRA Conference, held February 29 through March 2 in beautiful San Diego, CA. This conference was a fantastic opportunity for financial research administrators to expand their knowledge and tone their skills. For more information on future FRA conferences, please go to http://www.ncura.edu/conferences/

Kerry Peluso serves as Director of Post Award Financial Administration at the University of Pennsylvania and is Chair of the FRA Neighborhood and the FRA V Program Committee.

**COMPLIANCE NEIGHBORHOOD**

The Compliance Neighborhood is preparing an online survey for the NCURA membership. This short, user-friendly questionnaire is being designed to determine which resources, tools, and information are most needed by today’s compliance officers and representatives. The survey is being planned for a spring 2004 release. Additional information will be available in the Compliance Neighborhood, located at http://www.ncura.edu/members/neighborhoods/compliance.asp.

Be sure to visit the Compliance Events page, located at http://www.ncura.edu/members/neighborhoods/complianceevents.asp, for the latest workshops, seminars and conferences, including the National Human Subjects Protection Conference, to be held April 19 & 20, 2004, in St. Louis, Missouri. Events are added regularly. To have your event posted to the Compliance Events page, please contact Joshua Lessin at lessin@ncura.edu.

continued on next page
NCURA Neighborhoods continued

The Compliance Town Hall contains transcripts of Interactive Learning Series sessions. Did you know that the ‘HIPAA Q & A’ ILS session featuring Jeffrey Davis (Columbia University) and Fred Berg (Cornell University) has been downloaded 470 times since originally airing May 27, 2003? Visit the Town Hall at http://www.ncura.edu/members/neighborhoods/compliancetownhall.asp and find out why this session continues to be a major draw for folks invested in compliance-related activities.

For the complete committee roster, visit the Compliance Town Hall, located at http://www.ncura.edu/members/neighborhoods/compliancetownhall.asp.

The Compliance Neighborhood Committee.

eRA NEIGHBORHOOD

When first approached with the idea of doing a Newsletter piece on eRA Neighborhood happenings, we kicked around a couple of ideas, including telling you to check out our interview with Chris Lambert for the On Campus feature on the website and our plans for enhancing the content of the eRA Neighborhood section of the NCURA website. Chris shared a lot of good thoughts with us, including some suggestions for facilitating your use of NIH electronic systems. For those of you who don’t know him, Chris is a Communication Specialist for NIH/OPERAs, and works as Second Tier Support for NIH Commons. If you want to know what Second Tier Support is, and lots more, check out our interview with Chris in “On Campus” on the NCURA web site. Visit the eRA Neighborhood in the coming months to see what we come up with for that section of the NCURA site.

That said, the best idea we had, as information to pass on, is a survey of what’s happening at the Regional Spring meetings in the way of eRA workshops or presentations. To learn about what’s planned out there, we visited the Regional websites via links provided on the NCURA national site. All seven regions are planning exciting meetings, with Regions VI and VII planning a joint meeting in San Francisco, CA. Three meetings – Regions II, III, and VI/VII – have agendas at least in draft form, and as of this writing, feature eRA content. Region VI & VII are offering six eRA oriented presentations, covering a range of topics from Security Issues to Desktop Tricks, and an important session on Grants.gov. Region II is offering four eRA sessions, one with the most intriguing title of the lot: “As I Lay Dying: Hope, Failure, and Perseverance in the Electronic Age”. Region III, which promises flamingoes at its South Carolina meeting, is offering a Sunday Workshop simply entitled “Electronic Research Administration.” What more need one say?

To learn more about the upcoming Regional Meetings, visit the Regions section of the NCURA website at http://www.ncura.edu/regions/.

Tom Drinane serves as Information Systems Analyst at Dartmouth College and is Chair of the eRA Neighborhood.

ADVERTISEMET

Baylor Research Institute Controller

Baylor Health Care System is a not-for-profit, faith-based healthcare system, nationally and locally recognized as a vital link to quality medical care in the Dallas/Fort Worth Metroplex and across the region. Baylor Research Institute oversees research throughout the healthcare system. We are currently seeking a Controller for Baylor Research Institute located on the downtown Dallas campus.

The Controller oversees and manages the financial function within Baylor Research Institute to provide optimal financial performance for the Institute. The Controller interacts with the top executive staff and board of trustees to provide forward-looking leadership to the strategic financial planning process. In addition to the above mentioned duties, the Controller directs the preparation of financial analyses; provides financial counseling to the Institute executive and management teams; negotiates indirect cost rates and royalty positions; oversees audits; and serves as a resource to investigators. The Controller also provides education and training regarding financial matters, and monitors and maintains grant and contract funds.

This position requires a bachelor’s degree in accounting and CPA or CHFP. A master’s degree is strongly preferred. A minimum of eight years of complex experience in research fund and grant accounting is required, as well as a demonstrated understanding and application of Federal Regulations and accounting methods applicable to Federal research grants and contracts.

We offer a competitive salary and benefits package. Qualified candidates, please e-mail your resume to: kittym@baylorhealth.edu or apply online at: www.BaylorHealth.com.

Baylor Research Institute
Affiliated with Baylor Health Care System

www.BaylorHealth.com

EOE
The Children’s Hospital of Philadelphia is ranked the #1 Pediatric hospital in the nation and second largest recipient of NIH pediatric research funds. The Office of Research Services & Project Development conducts all pre-award and non-financial post-award functions for government and non-profit agency awards totaling more than $80M and coordinates submission of over 600 proposals annually to sponsors.

Assistant Director of Research Services
You will act as the primary institutional negotiator for research awards and subcontracts and serve as a key internal information source for all non-financial administration of sponsored projects.

A Bachelor’s degree with a minimum of 5 years experience as a research administrator in an academic or research institution required. Expertise in OMB circulars, Code of Federal Regulations, NIH Grants Policy Statements and sponsor policies necessary. Job code 04-041411

Senior Grants Preparation Specialist
You will advise investigators on sponsor requirements/guidelines, institutional review and submission procedures, respond to sponsor requests for just-in-time documentation and identify and assist with development institutional boilerplate and templates for proposal submission.

A Bachelor’s degree with a minimum of 3 years experience in an academic or research institution required, preferably in medical school or teaching hospital. Job code 04-041412

Please apply online at www.chop.edu/careers. You may also fax your resume, which must include job code, to (215)860-4090. EOE.

RACS is here to help. We perform analytical and compliance reviews to help you put the correct organizational structure in place today, as well as the policies and procedures to keep you compliant for tomorrow. In addition, we identify your staffing requirements, training needs and all the tools and reports you need to maintain the highest level of accountability.

The RACS assessment will provide a detailed report showing you how to minimize communication breakdowns among your staff, eliminate research faculty complaints, increase your service to the research community, and maintain audit compliance. Or if you prefer, RACS can implement our findings to ensure proper execution and ongoing compliance.

For more information or to initiate a pre- or post-award functional assessment, contact Charlie Tardivo today.

RACS
Research Administration Consulting Services

(216) 403-8176 FAX (216) 221-8066 GRANTSRESEARCH@YAHOO.COM

YOUR INSTITUTION COULD BE AT RISK
Your institution is awarded millions of dollars of federal research grants every year, are your financial compliance issues in order? Is your administrative infrastructure in place? If not, getting future grant awards might be difficult.

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The Children’s Hospital of Philadelphia is ranked the #1 Pediatric hospital in the nation and second largest recipient of NIH pediatric research funds. The Office of Research Services & Project Development conducts all pre-award and non-financial post-award functions for government and non-profit agency awards totaling more than $80M and coordinates submission of over 600 proposals annually to sponsors.

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The Children's Hospital of Philadelphia®
A pediatric healthcare network
The Office of Research Services at The University of Pennsylvania invites applications for the position of Assistant/Associate Director, Pre-Award Non-Financial Administration.

The Office of Research Services oversees the administrative support of the University's externally funded research and is responsible for implementation of University policies established for this purpose.

The Assistant/Associate Director reports to the Director, Pre-Award Non-Financial Administration and is responsible for providing non-financial administration of sponsored projects for assigned departments and schools. This position is responsible for the review and approval of funding requests to external sponsors, the review and negotiating of incoming awards and has signature authority to execute research contracts and grants. Other duties include preparation of subawards, serving as liaison between principal investigators and funding agencies, assisting in the account set up process, contributing to the Research Services newsletter, writing and updating internal policies and procedures, participating in training activities and providing excellent service to the faculty. May supervise staff.

Required qualifications:  BA/BS, minimum 3 years experience in Research Administration, or an equivalent combination of education and experience. Demonstrated knowledge of sponsored program administration and related policies, rules, and regulations in an academic environment; ability to work independently and prioritize tasks; demonstrated strong communication and organization skills; demonstrated commitment to customer service; demonstrated proficiency with PC software and computerized systems.

Preferred Qualifications:  Demonstrated knowledge of the Federal Acquisition Regulations and expertise in negotiating contracts in an academic environment.

Submit cover letter, resume and application, directly on-line at: http://www.hr.upenn.edu/jobs/

EEO/AA employer

Associate Director of the Sponsored Programs Office, Office of Research

The University of California, Davis

MSP Grade 3, Salary range: $66,100 to $118,900

The University of California, Davis, is seeking applications and nominations for the Associate Director of the Sponsored Programs Office in the Office of Research. Reporting to the Director of Sponsored Programs Office (SPO), the Associate Director is the primary staff manager responsible for the management and administration of pre-award and non-accounting post-award services provided by SPO. For more information about the department, please see our website: http://ovcr.ucdavis.edu.

Responsibilities include comprehensive management of the SPO Teams assigned to various campus units; building and maintaining positive relations with internal and external customers and UCD/UC partner offices; the development and delivery of campus-wide training initiatives, conducting policy and procedure analysis, developing and disseminating contract-related information to the campus, and functioning as an integral part of the SPO management team, and under the direction of the Director, conducting policy and procedure analysis. This position serves as an expert for interpreting, explaining and applying University and sponsor policies, as well as federal and state regulations related to research administration issues. The individual will lead the SPO campus training programs.

We seek candidates with superior management and leadership skills including experience managing and supervising professional level staff. The successful candidate will have significant experience in research administration in a university setting particularly as it relates to proposal submission and award negotiation; expert level knowledge of and ability to interpret, explain and apply internal and external regulations and policies governing sponsored research; excellent verbal and written communication, analytical, collaboration, negotiation, and decision-making skills; extensive knowledge of and ability to explain and apply a wide range of concepts related to research administration including generally accepted award administration practices, appropriate costing practices, and generally accepted accounting practices, and demonstrated strong customer service orientation. This position is a critical position and subject to a background check. Employment is contingent upon successful completion of background investigation including criminal history and identity check.

To apply: Send letter of intent, résumé, and a list of four professional references to Search Committee, c/o Betsy Fischer, Office of Research, University of California, One Shields Avenue, Davis, CA 95616. Only hard copies will be accepted.

The University of California, Davis, is an affirmative action/equal opportunity employer with a strong institutional commitment to the development of a climate that supports equality of opportunity and respect for differences.
CAREER OPPORTUNITY

Human Resources Director
Job #32 (Be sure to refer to job number when applying)

Job Requirements: Accountable for the development implementation, & administration of all phases of Human Resources at various units including but not limited to, employment, HRIS, compensation, benefits, payroll, organizational development, affirmative action labor relations, training, & recruitment – all with the goal of creating & maintaining a high quality working environment. Implements programs & policies designed to protect the Institute & employee interests in accordance with the Institute HR policies & governmental law/regulations. This position has responsibilities for the HR functions at various locations. Identifies & complies with legal requirements & government reporting regulations. Must have human relations, financial management, information systems management, business organization management, & decision making skills are essential to manage & direct the Human Resources functions.

Description of Duties:
• Direct the Human Resources Department
• Monitor compliance with regulations through required regular reporting with regard to hiring
• Present policy recommendations to the President when needed
• Report results of good faith efforts, as required, to governmental agencies
• Custodian of Records for personnel related documents
• Negotiate benefit features & premiums for employee benefit programs
• Manage the Fellows, Faculty & Non-compensated Appointee programs & procedures
• Manage the workers’ compensation insurance program
• Manage the Defined Contribution Retirement Plan
• Maintain job classification program & recommend appropriate changes to meet job requirements
• Communicate policies, procedures & pertinent external & internal issues to investigators & employees
• Evaluate ongoing legislation changes & additions affecting the Institute & make recommendations to insure full compliance
• Maintain a pleasant, courteous, tactful attitude with all contacts & a high degree of responsibility for employee confidentiality
• Meet established productivity & task-management standards for assigned duties

This position requires a successful criminal conviction search for employment.

By FAX: 310-222-3640
On-Line: www.rei.edu and click on Career Opportunities
By Mail: Human Resources Department, Building N-12
Harbor-UCLA Research and Education Institute
1124 West Carson Street. Torrance, CA 90502
In Person: Apply at the above address Monday-Friday between 8 am to 1 pm
The University of Maryland at College Park
Assistant Vice President for Research Administration and Advancement

The University of Maryland, College Park, invites applications and nominations for the Assistant Vice President for Research Administration and Advancement. The Assistant Vice President directs the Office of Research Administration and Advancement (ORAA), staffed by twenty-four employees, which, except for financial and cost accounting aspects, has central responsibility for the full range of sponsored project pre- and post-award research administration. The Assistant Vice President would serve as UM’s Prime Representative to the Council on Governmental Relations (COGR) as well as the Administrative Representative to the Federal Demonstration Partnership (FDP). This executive level position reports directly to the Vice President for Research and Dean of Graduate Studies.

Qualifications:
• Minimum of a Bachelor’s degree, advanced degree strongly preferred;
• At least seven years of direct or related experience working in grant and contract administration;
• Track record of successful and extensive sponsored programs administration preferably in an institute of higher education;
• Expertise in, and working knowledge of, federal regulations and funding agencies, private sector funding, subcontracting practices, electronic research administration (ERA) developments and legal compliance including export control issues as they relate to an academic environment;
• Successful experience negotiating and managing contractual research relationships with industry, government, and other funding sources as well as with faculty who represent varied and multi-faceted fields of study;
• Excellent leadership and management skills and highly developed conceptual, problem solving and communication skills;
• Ability to function effectively in a diverse community.

Salary: Commensurate with experience, qualifications, demonstrated capabilities and accomplishments. Competitive benefits package.

For best consideration, applications should be received by April 12, 2004. The anticipated appointment date is July 1, 2004. Applicants should submit a letter of interest, résumé, the names and contact information of three references, and a statement addressing what they see as being the most pressing issues facing a large public research institution today and how the candidate’s experience and goals would assist the University in responding to those issues. Nominations are encouraged. All materials should be sent to:

Search Committee Chair/ Asst. V.P. of ORAA
The University of Maryland
2133 Lee Building
College Park, Maryland 20742
The National Council of University Research Administrators (NCURA), founded in 1959, is an organization of individuals with professional interest in problems and policies relating to the administration of research, education and training activities at colleges and universities.

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The NCURA Newsletter accepts advertisements for products and services pertinent to university research administration. In addition, display advertisements (including those for position openings) only will be published. The minimum rate is $400. Advertisements should not be construed as official endorsements by NCURA. For additional information, please contact the NCURA office at:  
Phone: (202) 466-3894 Fax: (202) 223-5573  
E-mail: info@ncura.edu  
Website: www.ncura.edu

Changes of address should be reported to NCURA, One Dupont Circle, NW, Suite 220,  
Washington, DC 20036

Visit www.ncura.edu for updates and further information!

NCURA 2004 Calendar of Education and Events

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NEWSLETTER DEADLINES:
April/May 2004 Issue
Submission of Articles: April 2, 2004
Space Reservation for Ads: April 2, 2004
Submission of Display Ads: April 9, 2004
NCURA Leadership Development Institute –
Selection of 2004 Class Announced
Cynthia White and Kathleen Larmett

The call for applications for the LDI Class of 2004 was met with a strong pool of applicants. Candidates were required to submit a letter of support from their institution and an essay describing how the LDI would enhance their individual and professional development, as well as contribute positively to the future goals of NCURA and their home institution. Other areas considered were other professional and community service, as well as service to NCURA.

We are pleased to announce the LDI class of 2004:

Robert C. Andresen, University of Wisconsin-Madison
Tricia Callahan, Western Kentucky University
Jennifer Crockett, MIT
Mary Beth Curtin, Binghamton University
Nancy Sue Daneau, California Institute of Technology
Kallie M. Firestone, Vanderbilt University
Tamara V. Hill, University of Cincinnati
Lorraine Horgan, Dublin Institute of Technology
Elizabeth Kennedy, Dublin Institute of Technology
Lisa Gentry Laatsch, University of Arizona
Joseph McNicholas, California State University Santa Barbara
Anne Pascucci, Rhode Island College
Louise Rosenbaum, Dartmouth College
Jaynee L. Tolle, University of Cincinnati

All participants have been assigned an advisor, and will be given on-going class assignments by facilitator Gale Wood of Comet Productions, before attending a two-day workshop on June 25-26, 2004, at the Belmont Conference Center in Elkridge, MD. Class assignments will continue until they gather again, for a half-day workshop at this year’s Annual Meeting.

While travel costs must be covered by the participant’s institution, additional expenses including lodging, meals, books, and instructors fees are covered by NCURA. Both NCURA and the participant institutions see the expense of participation as a very worthwhile investment in their future. As one supervisor stated, “He has great potential for leadership both on campus and through NCURA. It will benefit us all if he has this opportunity to gain additional background and experience in leadership.”

The class of 2004 will be introduced at this year’s Annual Meeting, October 31 - November 3, 2004, and will host this year’s LDI Information Reception, just prior to the Tuesday evening “annual gathering.” If you would like information on NCURA’s Leadership Development Institute, be sure to attend this reception, or contact Kathleen Larmett at larmett@ncura.edu or 202 466 3894.

Cindy White is the Program Chair of the 2004 Leadership Development Institute, is a member of the 2004 Board of Directors, and serves as the Director of the Research Office for Washington University. Kathleen Larmett serves on the Board Working Group for the 2004 LDI, and is the Executive Director for NCURA.