Regulatory Burden: Handle With Care!
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The NCURA Brand

By NCURA President Dan Nordquist

What is the NCURA brand? What is our unique point of difference among others? Why would people choose our brand over a competitor? What is our promise? How are we perceived by others? How is our brand experienced by our members? What is our emotional connection with our brand?

In our daily lives as research administrators, what comes to my mind in terms of a “brand?” When asked “What universities are the most prestigious institutions in the world of research?”—many of us may answer: “Johns Hopkins, University of Michigan, University of Wisconsin–Madison, the UCs (most notably UCSF, UCLA, and UCSD).” This distinguished list is based on NSF R&D expenditures report from 2009. What about Columbia, Cambridge, University of Chicago, MIT, Harvard? These are the top-five schools with the most Nobel Laureates (well, according to Wiki). No matter the measure, these top research universities evoke an emotion that causes us to say, “Yes, these are a set of prestigious schools. Yes, these are the cream of the crop and YES their outstanding reputations have withstood the test of time.” In other words, they are well-branded.

Most of us, in our lives away from work, connect with brands. College sports fans understand the brands of the ACC, Big East, Big-10, Big 12, SEC, and the Pac-12, which are all the conferences in the Bowl Championship Series (BCS). Many of us have strong, emotional connections to our particular conference and our teams in that conference. For example, the Pac-12 Conference calls itself “The Conference of Champions” (btw—they have more championships than the Big-10 – tee hee). The schools in the SEC, for example, are brutal to each other. The Auburn/Alabama rivalry is legendary. ESPN even makes movies about this rivalry. Speaking of Alabama, you should have seen the University of Alabama ladies singing karaoke at AM53 to Lynrd Skynrd’s “Sweet Home Alabama.” They of course added their “Roll Tide Roll” rendition to the chorus—don’t mess with those Alabama ladies. You see – we are all promoting our brand and we are fiercely loyal!

The American Marketing Association (AMA) defines a brand as a “name, term, sign, symbol or design, or a combination of them intended to identify the goods and services of one seller or group of sellers and to differentiate them from those of other sellers.” “A brand isn’t a brand to you until it develops an emotional connection with you.” says Daryl Travis – Emotional Branding. The NCURA brand is not just our logo, our website, our cool NCURA YouTube Tuesdays, our stellar Traveling Workshops, our spectacular annual meeting, or our other great benefits and programs. It’s our reputation; what we say and do. It’s the overall NCURA experience from start to finish. What is that to you? Each of us creates that brand and each of us experiences that brand.

The NCURA brand ensures that members see us as the only source for solutions to their research administration needs and encourages members to turn to NCURA on a consistent basis. What do we want to be known for at NCURA? Officially NCURA’s core purpose is to serve its members by advancing the field and profession of research administration.

We do this through our core values: integrity, excellence, inclusiveness, and collegiality. I have personally experienced this through our Past-Presidents Dave Richardson, Penn. State and Judy Fredenberg, University of Montana. They both worked extremely hard promoting these values in the organization and demonstrating these values in their interactions with others. In addition, the national staff of NCURA, as all of you have experienced, is willing, and extremely able. They “…Do It Live, Do It Now, and Get Involved…” on a regular basis.

To maintain our leading edge, we cannot rest on our laurels. We continuously get feedback from our members through surveys, focus groups, testimonials, etc. regarding their needs and wants. This is one of the main reasons for our soon to be released membership survey regarding NCURA benefits and programs. We have quite a set of Major Goals for ourselves; the first being:

• NCURA will be internationally recognized as the preeminent resource for professional development, knowledge and leadership in research administration.

That is a significant goal which we will only reach by ensuring that each of our members experiences the NCURA brand and develops the kind of loyalty we might have for our favorite football team (Go NCURA!). To do this we need to deliver the message clearly, confirm our credibility, connect with our members emotionally, and motivate our members to utilize NCURA’s benefits and programs on a consistent basis.

I love this definition from an article on About.com by Laura Lake, “Your brand resides within the hearts and minds of customers, clients, and prospects (in our case - members). It is the sum total of their experiences and perceptions, some of which you can influence, and some that you cannot.”

Building Our Brand We do a great job of building our brand, through the NCURA Annual meeting, the PRA and FRA National Conferences, our Regional Meetings, our premier Traveling Workshops, and the willingness of our membership to adjust with the times by rolling out a new website, having a significant social media presence, and a leadership group that is looking continuously for ways to improve what we already do well. In addition,

Resources:
http://www.brandingstrategyinsider.com/2011/03/what-is-a-brand.html

Continued on page 40
Happy New Year!

The first issue of each year is known as a free-form issue since it does not have a specific theme attached to it. Regardless of that, federal topics have demanded a significant portion of this issue as 2012 will be a significant year at the federal level. Regulatory burdens continue to be a major concern for all universities, the federal budget challenges remain, and then there is the small matter of the presidential election this coming November. Hold on to your hats!

This issue contains the first NCURA Magazine interview with a U.S. governor. Texas Governor Rick Perry discusses research programs in Texas and outlines his general thoughts on education, including how critical education is to economic growth and innovation.

Elsewhere in this issue you will find a wide breath of excellent articles, including an article on the DATA Act of 2011; supply and service contracting; strategies for successful NIH training grant applications; and an article focused on fostering EU-U.S. cooperation in science and technology.

Now is the perfect time to reflect on major changes to this publication over the past five years. During that time, the former Newsletter was enhanced into a magazine; we introduced special theme issues and the Summer “Green” issue; for the 50th Anniversary year, we had interviews with former NCURA presidents; international research administration was given greater visibility; and the Magazine expanded its focus to include individuals involved in the research enterprise who were not necessarily research administrators, including faculty and elected officials. This is the result of the exemplary past and present efforts of a large number of NCURA and non-NCURA individuals. On behalf of the entire Magazine leadership, I say: Thank you!

James Casey Senior Editor
Report on Research Compliance
The Research Compliance News and Strategies You Need to Reduce Your Institution’s Chances of Negative Publicity, Financial Setbacks and Time-Consuming Compliance Problems

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✓ Human Subjects
✓ Tech Transfer and Patent Issues
✓ Investigations and Oversight
✓ Subrecipient Monitoring and Reporting
✓ Grants.gov Implementation
✓ Security and Biosafety
✓ A-133 Revisions

Visit www.AISEducation.com/RRC or call 800-521-4323 to learn more or to subscribe.
Digital Accountability and Transparency Act of 2011 (DATA Act)

By Carol Blum

In the September/October issue of NCURA Magazine, the Digital Accountability and Transparency Act of 2011 (DATA Act) was described as it began its path through Congress. When finally formally reported on October 25, 2011, to the House of Representatives by its principal author, Rep. Daniel E. Issa (R-CA), changes had been made that altered some elements from the earlier version used in the development of the Capitol View report.

In the DATA Act as reported in October to the House, there is a call for conformity between the data elements used in the reporting under DATA Act and data elements used by the General Services Administration (GSA) in acquisition-related databases and, while it will not have a direct and immediate effect on recipients, such uniformity may assist in establishing common reporting elements in the future. The October version of the legislation includes a clear statement affirming the independence of inspectors general; a question that had gotten muddied for some in the original version with the assignment of broad auditing and enforcement functions to the Federal Accountability and Spending Transparency (FAST) Board, the new oversight Board proposed in the DATA Act. In an interesting twist, the FAST Board is directed to review and report on the feasibility of adding some tax expenditure data to the publicly available data site.

A notable addition to the legislation as it was formally reported in October is the report accompanying the bill (House Report 112-260) from the Congressional Budget Office (CBO). House of Representative rules require an estimate of the cost of new legislation; a requirement that can be met by a cost estimate prepared by the CBO. The CBO estimates that the costs to the Federal government (not the recipient community) for implementing the DATA Act will be $575 million over the next four-year period, 2012-2016. Some observers believe these costs are sufficiently high to raise questions over the ultimate passage of the DATA Act if/when it is considered by the House.

As the DATA Act continued to be considered, several higher education associations, including the Council on Governmental Relations (COGR), the Association of American Universities (AAU), and the Association of Public and Land-Grant Universities (APLU), wrote to Rep. Issa expressing concerns and joining with the National Governors’ Association and National Association of State Chief Information Officers in calling for changes to the bill. We understand some of the concerns of the recipient community could be met in future amendments including providing some cost recovery for recipients including public universities, realigning some of the FAST Board responsibilities to better reflect the independent roles of the Board, inspectors general, etc., and, potentially, restoring the Federal Funding Accountability and Transparency Act (FFATA).

Into this mix of legislative attention to Federal transparency, the House was asked to consider the Grant Reform and New Transparency Act of 2011 (GRANT Act – HR 3433). Authored by Rep. James Lankford (R-OK), the GRANT Act requires agencies to use a competitive, merit review process for making grant awards; conduct a pre-award evaluation of potential awardees; make information concerning funding opportunities announcements (FOA), evaluation criteria, the peer reviewers, and award available on a public website. In addition to the posting of information, the Office of Management and Budget (OMB) is directed to provide for online applications. All these requirements probably feel pretty familiar to research organizations. Our principal Federal research partners, the National Institutes of Health and the National Science Foundation, provide information on opportunities, application, review criteria, etc., either through Grants.gov or local websites, eCommons or Fastlane.

What’s different here are the requirements to post the FOA, evaluation criteria, peer reviewers information and other grant award information on a central website including a copy of the successful proposal, the executed grant agreement, award decision information such as the numerical ranking of the proposal, and disclosure of the reviewers as well as grant performance information like the final report. And the central database must be publicly accessible, searchable, and permanent.

Once again COGR, AAU, and APLU offered their observations to Rep. Issa, as chair of the House Committee on Oversight and Government Reform, and Rep. Lankford as the GRANT Act’s principal author. While enthusiastically embracing the value of transparency, the associations questioned the need for this legislation in light of the multitude of information already available online. Recognizing that the Federal agencies are responsible for meeting the requirements of the GRANT Act, the association questioned some aspects because of the effect the requirements would have on the recipient community. Specifically, the associations expressed concern about the fifteen- day period for posting the executed grant agreement – a clock that starts when a potential applicant is notified of an award by an agency. As current recipients know, Federal agencies often contact the institution before the agreement is executed to provide for reviews and approvals “just in time.” The associations proposed posting within fifteen days of a for-
mal, fully executed notice of award. The association assumes, but urged the authors to consider, that in some circumstances posting the grant agreement could be contrary to national security or public safety reasons. In addition, the associations reminded the authors that the rankings of research grant proposals are only one of the decision factors federal agencies use to make awards and, thus, not entirely useful. As an alternative, agencies could be required to publicly describe their decision-making process for selecting the application for funding.

Finally, the associations expressed concern with the disclosure of peer reviewers. Because anonymity often provides for greater candor in the evaluation of grant applications and helps in recruiting peer reviewers, anonymity can contribute to a higher quality of review than would otherwise occur if the names of peer reviewers related to a specific application were known. The Act calls for a posting of reviewers used in the past six months but some disciplines are so small, true anonymity may not be possible. The associations asked the authors to reconsider this requirement.

As with all legislative proposals and the end of the year, consideration of the DATA Act and GRANT Act will wait until the next session of Congress; or, maybe, not.

As we enter the New Year, I remain hopeful that government will work in the public interest but I’m reminded of what Oscar Wilde said: “The basis of optimism is sheer terror.” Happy New Year!

References

Digital Accountability and Transparency Act of 2011 – the DATA Act, HR 2146; S 1222. 112th Congress at: http://thomas.loc.gov/cgi-bin/query/D?c112:2./temp/~c112edH874::

Grant Reform and New Transparency Act of 2011 – the GRANT Act, HR 3433. 112th Congress at: http://thomas.loc.gov/cgi-bin/query/D?c112:1./temp/~c112K1pQyj::


Carol J. Blum is Director for Research Compliance and Administration at the Council on Governmental Relations (COGR). Before joining COGR in 2001, Carol served Ohio University for ten years as associate vice president for research after three years at the Ohio Board of Regents as director of graduate and special programs. She holds a PhD in history from the University of Cincinnati. She has recently begun exercising the right side of her brain in art classes and continues to volunteer at the Washington Literacy Council and Washington Area (Reproductive Health) Clinic Defense Task Force.

NCURA Magazine Seeks Senior Editor

The *NCURA Magazine* seeks applications for the position of senior editor. The position of senior editor runs for three years, beginning January 1, 2013. The senior editor works with the co-Editors, contributing editors, and NCURA staff in ensuring the timely release of six issues during the calendar year and brings in outside feature articles for each issue.

Applicants should be senior research administrators with strong writing and editing skills and strong connections within NCURA and associated professional associations (such as COGR, FDP, EARMA, the National Academies etc.). We expect to have a candidate selected by the end of June 2012 so that the new senior editor can work with the current senior editor, Jim Casey, in ensuring an orderly transition.

Individuals interested in this position should initially email Jim Casey at james.casey@utsa.edu and Kathleen Larmett at larmett@ncura.edu.
An Interview with Texas
By James Casey

What do you see is the proper role for universities in spurring job growth and wealth accumulation, both in Texas and beyond?

The single most effective step a person can take toward a better life is getting a great education. States should make a concerted effort toward creating better, more accountable schools to make a great education easier to achieve during a time of increasing global competition. While a quality education provides a strong foundation for everyone, quality education for all collectively provides a strong foundation for the state’s entire economy. In Texas, our fertile business climate continues to attract employers from around the nation and around the world, largely due to our versatile, talented and hard-working workforce that can fill any position employers need.

What do you think Texas research universities are doing well that other research universities in other states should pay attention to?

The technologies being developed by Texas universities have the potential to significantly impact a wide range of areas in our lives, from the way we use energy to the way we treat and cure diseases. Texas has implemented several initiatives that will help our research universities develop these technologies. Voters approved the Cancer Prevention and Research Institute of Texas (CPRIT), funded through bonds over 10 years that will be used to finance research grant awards, attracting top researchers to our state. CPRIT has funded 350 awards for cancer research, commercialization, and prevention since 2010. The total amount awarded is more than $570 million. Together with matching funds obligated by grant recipients, more than $800 million has been invested in cancer research. Additionally, the Texas Research Incentive Program (TRIP) provides matching funds to universities for private donations designated for research, and the Texas Emerging Technology Fund (TETF) helps us recruit top researchers.

Texas is doing pretty well in the current economic climate compared to other states. What accounts for this and how do Texas universities fit into that success?

We’ve created an economic climate in Texas that has been exerting a magnetic pull on employers who are being chased out of other states by rising taxes, misguided regulations and frivolous lawsuits. Texas remains on top of the nation in job creation, and we plan on staying at the top by ensuring a steady stream of college graduates ready to take high-tech jobs and by offering degrees in areas of study vital to meeting the demands of the growing jobs market in the Lone Star State.

How important has the work and projects of the Texas Emerging Technology Fund (TETF) been in maintaining relative success for the Texas economy and how important is that program in the near term?

We understand that high-tech companies don’t just happen overnight, but are a product of sound vision and planning, and strategic investments by both the public and private sectors. Through the TETF, we are bringing the best scientists and researchers to Texas, attracting high-tech jobs and helping start-up companies get off the ground faster. Since its inception, the TETF has allocated more than $197 million in funds to 133 companies and nearly $178 million in grant matching and research superiority funds to Texas universities.
Governor Rick Perry

Economic and educational success is predicated upon strong primary and secondary education. What is Texas doing at those levels to ensure that students entering college have the skills necessary to achieve success in college and beyond?

We are committed to ensuring that Texas students are prepared to enter the competitive global workforce, and we’ve helped foster the next generation of researchers through the T-STEM Initiative, which was established in 2005 to focus on science, technology, engineering and math (STEM). As part of the Texas High School Project, T-STEM Academies work to more closely align high school curriculum with admission requirements for competitive colleges and qualifications needed to succeed in the workplace. Under this initiative, 51 T-STEM Academies have been created and have educated more than 17,000 Texas students. Furthermore, HB 2910 was signed in 2011, creating the T-STEM Challenge Scholarship program to provide competitive awards to regional partnerships between community and technical colleges and local employers to help attract, retain and graduate STEM students. Additionally, Texas has become the first state in the nation to make the college preparatory curriculum the standard for all students, and has won nationwide acclaim for its high academic standards and efforts to battle the school dropout problem.

Are research universities outside Texas taking steps that Texas research universities should take note of and possibly emulate?

A goal in our state’s higher education strategic plan, Closing the Gaps by 2015, is to become more competitive with other research universities by increasing research expenditures from $1.45 billion in 2000 to $3 billion by 2015. Texas public universities and health-related institutions had $3.55 billion in research and development expenditures in fiscal year 2010, so we have surpassed our goal. We accomplished this, in part, by providing state funds to help research universities attract the best researchers from outside the state.

Texas has significant geographical and economic connections to Mexico and Central America. What is the role of universities in fostering international research and non-research connections?

Texas, Mexico, and Central America are bound together by a shared history and blended cultures. As such, our institutions of higher education participate in numerous initiatives and programs with these countries—designed to create new opportunities for education and research, facilitating learning and dialogue across many fields of study.

What do you see are the challenges for Texas research universities over the next 5-10 years?

The main challenge for research universities will always be funding. Fortunately for Texas research universities, we’ve created TETF, which has enabled universities to attract world-class researchers. This gives us an advantage over other states, and helps create jobs for Texans. In addition, in 2009, HB 51 was signed into law, and voters passed Proposition 4, which will help more Texas universities on the path to Tier One certification through the National Research University Fund. Transforming current emerging research universities into nationally recognized research universities will bring the best research professors in the world to Texas. This legislation also developed the Texas Research Incentive Program (TRIP) which provides matching funds to assist these universities in leveraging private gifts to enhance research productivity and faculty recruitment.

Do you have any final thoughts for the university community with regards to research, technology commercialization, job growth, and economic competitiveness?

Our approach has been to cultivate an economic climate that is conducive to job creation by keeping our taxes low, our regulations predictable and our legal system fair. At the same time, we have been willing to invest resources, where appropriate, to create thousands of jobs and billions in capital investment. With the TETF, we are able to take great ideas from our universities and guide them into the marketplace where they can improve lives.

Rick Perry is Governor of the State of Texas. As Texas’ 47th governor, and the first Texas A&M University graduate to occupy the Governor’s Mansion, he has led a life of public service, starting in the U.S. Air Force and continuing over two decades in elected office. The Perry Administration has focused on creating a Texas of unlimited opportunity and prosperity by improving education, increasing economic development, and securing the border.

James Casey is Executive Director, Office of Grants, Contracts, and Industrial Agreements, at The University of Texas at San Antonio, and Senior Editor of NCURA Magazine. He is a member of the State Bar of Wisconsin Communications Committee and the American Bar Association.
The “cat is out of the bag;” universities will accept commercial purchase orders from the federal government based on FAR 12, Acquisition of Commercial Items (“FAR 12 POs”). This could be one of the worse kept secrets in higher education second only to the idea that, “universities do not ever accept publication restrictions.” Now that you have gasped with total surprise, have gathered your wits (and, possibly, quit laughing), be assured our intention is not to condemn the practice of FAR 12 POs but to help you identify some of the pitfalls, risks and potential consequences in accepting a FAR 12 PO. We include a few recommendations on how to address FAR 12 terms and work with your federal counterpart.

Let’s start with a few assumptions

First and foremost, the Federal Acquisition Regulation (“FAR”) is a sophisticated and comprehensive document written and modified by a system that continues to produce a usable, understandable, fair and equitable regulation based on many years of experience and case law. Any one of us can criticize or disagree with any part of the FAR based on our own biases or situations but we believe the document does what it represents, providing “uniform policies and procedures for acquisition by all executive agencies” (FAR 1.101).

Second, some may think that universities should have a unique version of the FAR directed at institutions of higher education only. This is clearly impractical. Considering university involvement in the overall federal acquisition scheme, a considerable number of clauses with alternative rules have been developed for our institutions and our research enterprise. Special needs of higher education have been specifically addressed; thus, expecting additional special consideration for higher education is unrealistic.

Third, do not assume that your federal counterpart knows about the FAR alternatives for universities or that they have ever previously worked with a university. The secret is to work with your federal counterpart and educate them on the appropriate clauses. To do so, be prepared to support your discussions with hard facts based on FAR instructions (e.g. prescriptions), understanding the requirements of the statement of work, and being familiar with what has been proposed. One of the issues that will annoy your government counterpart is a university representative’s inability to explain the basis of their arguments on why universities should be treated differently than any other organization. As such, they may hesitate to make the changes in the contract as requested. Do not fall into that trap; recognize that a major part of negotiation is the ability to explain to the other side the basis for any request that you make and why it is a good idea.

To understand the purpose of FAR Part 12, one must remember why FAR Part 12 was developed in the first place. At the end of the 1980s the DoD was finding that more and more of their suppliers were leaving the federal marketplace due to the overbearing requirements for cost accounting standards and audits that were creeping from their government units into their commercial units (e.g. selling supplies and services to the general public). If a contractor was involved with any federal contract, the whole company was subject to federal contracting requirements including that commercial unit. These non-traditional requirements added costs that made the commercial units unable to compete in a true commercial (e.g. non-federal) marketplace.

In all fairness, the government’s move to apply cost accounting requirements and audits to all areas of the business of a federal contractor was a result of revelations at the time about $500 hammers and $600 toilet seats. Most companies who were involved in an investigation by the government of overpricing federal contracts also had commercial units. In all the confusion and negative press (plus a couple of election cycles) the government seemed to forget the conceptual differences between: 1) a top-down pricing of the commercial marketplace based on competition of
standard items where the risk of performance was on the company (e.g., a fixed price scenario), and, 2) the bottoms-up pricing based on estimating cost elements of an R&D project where the technical approach was the key determinate of award success and the government was willing to share the risk of the project (e.g., a cost reimbursable scenario). As this process progressed, the government recognized that most of their needs were commercially oriented and that they could buy the same goods and services as sold to the general public. With the removal of the cost/pricing and audit requirements, providing for a true competitive marketplace, the cost of goods went down. The result in the early 1990s was FAR 12 to provide the government the ability to use tools as close to a commercial PO as possible in order to benefit from the competitive marketplace.

The phrase “as possible” is used because there are still a number of federal requirements that will apply to any federal PO that cannot be eliminated because the government is a sovereign entity. The US federal government is the largest purchaser of goods and services in the world. As such, the US government uses its buying power to leverage their implementation of federal social, ethical, economic and environmental policies through its procurement system. A list of these laws/policies can be found in FAR 52.212-5, Contract Terms and Conditions Required to Implement Statutes and Executive Orders – Commercial Items, and are applied to each commercial purchase as appropriate.

Outside of research and development (R&D), the writers of the FAR either may not have anticipated that universities would be involved in commercial item contracting, or if involved, universities would be expected to compete against the commercial sector on the same basis as all bidders. Therefore, there are no clauses for commercial supplies and services that are directed specifically toward the unique nature of universities or nonprofits. On the other hand, there are many agencies that primarily acquire commercial goods and services and do not do much, if any, R&D. In these cases, these agencies only know one tool, the FAR 12 PO (e.g., Standard Form 1449, Solicitation/Contract/Order for Commercial Item), and one way to acquire goods and services. A third reason the writers of the FAR did not anticipate the participation of universities is that, historically, universities receive grants, cooperative agreements and contracts for R&D and are not intended to be involved in service and supply procurement activities that require “unique” rules.

Two things to note: the FAR does not delineate between services and research, nor does it delineate between a PO and contract. In FAR Part 35, Research and Development, services are not mentioned. R&D is divided into only three components and defined at FAR 2.101 for “Basic Research,” at 35.001 for “Applied Research,” and at 35.001 for “Development.” These definitions are short, succinct and are directed toward those kinds of organizations that have the unique capabilities for R&D contracting, including universities. Commercial items are defined separately at FAR 2.101 and the definition, as follows, is long and involved:

1. Any item, other than real property, that is of a type customarily used by the general public or by non-governmental entities for purposes other than governmental purposes, and—
   (i) Has been sold, leased, or licensed to the general public; or
   (ii) Has been offered for sale, lease, or license to the general public;

2. Any item that evolved from an item described in paragraph (1) of this definition through advances in technology or performance and that is not yet available in the commercial marketplace, but will be available in the commercial marketplace in time to satisfy the delivery requirements under a Government solicitation;

3. Any item that would satisfy a criterion expressed in paragraphs (1) or (2) of this definition, but for—
   (i) Modifications of a type customarily available in the commercial marketplace; or
   (ii) Minor modifications of a type not customarily available in the commercial
5. Installation services, maintenance services, repair services, training services, and other services, if -

(i) Such services are procured for support of an item referred to in paragraph (1), (2), (3), or (4) of this definition, regardless of whether such services are provided by the same source or at the same time as the item; and

(ii) The source of such services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government;

6. Services of a type offered and sold competitively in substantial quantities in the commercial marketplace based on established catalog or market prices for specific tasks performed or specific outcomes to be achieved and under standard commercial terms and conditions. For purposes of these services—

(i) “Catalog price” means a price included in a catalog, price list, schedule, or other form that is regularly maintained by the manufacturer or vendor, is either published or otherwise available for inspection by customers, and states prices at which sales are currently, or were last, made to a significant number of buyers constituting the general public; and

(ii) “Market prices” means current prices that are established in the course of ordinary trade between buyers and sellers free to bargain and that can be substantiated through competition or from sources independent of the offerors.

7. Any item, combination of items, or service referred to in paragraphs (1) through (6) of this definition, notwithstanding the fact that the item, combination of items, or service is transferred between or among separate divisions, subsidiaries, or affiliates of a contractor; or

8. A non-developmental item, if the procuring agency determines the item was developed exclusively at private expense and sold in substantial quantities, on a competitive basis, to multiple State and local governments.

The chasm between the definitions of R&D and commercial items is very wide. Universities should take advantage of this gap and initially maintain that all contracts through a sponsored project office (SPO) should be considered R&D. On occasion, universities do offer supplies and services that can be identified as supplies (defined at FAR 2.101) or services (defined at FAR 29.401). However, those supplies and services are usually associated with Specialized Service Facilities (OMB Circular A-21, J-47) that are offering their excess capacity for sale to the general public. These transactions are normally not handled by the SPO and are not addressed by this article.

When responding to a FAR 12 solicitation or relying on the award of a FAR 12 PO, the nature (R&D) and type (cost reimbursable or fixed price) of a proposed contract is very important because it will dictate the nature of the clauses to be used in the procurement. Research administrators negotiating a FAR 12 PO must be prepared and willing to defend their approach to a federal contracting representative. Sometimes the government contracting officer uses the FAR 12 PO as a matter of government convenience which should not be a deterrent from potential negotiations. However, convincing the government contracting officer may be as hard as convincing a PI that there is no such thing as a fixed price grant containing FAR clauses.

One may ask why FAR 52.213-4 Terms and Conditions - Simplified Acquisitions (Other than commercial Items) are not used instead of FAR 52.212-4, Contract Terms and Conditions – Commercial Items. Good question; the reason may vary from agency to agency. FAR 13 procurements are only for procurements of less than $150,000 (e.g. simplified acquisition threshold) with the intent to offer a simplified process for lower dollar acquisitions that do not require a full blown FAR contract, cost and pricing data, or are a true commercial item or service. (FAR 12 dollar thresholds are much higher and may vary depending on the commodity purchased). In addition, the FAR does not define “other than commercial” so there isn’t much, if any, relief from requirements in FAR 13. Further, the terms in FAR 52.213-4 closely mirror those clauses required in federal FAR 12 POs.

Why the focus on definitions?

Definitions are key to understanding the intent in any contract. The FAR recognizes research as one of the three stated missions for higher education and has written clauses directly related and advantageous to the research mission. R&D contracting carries less risk and affords more benefits to higher education not available in those contracts providing supplies and/or services under federal commercial terms. Admittedly, some FAR clauses meet the definition of cost reimbursement only, but are still an advantage for universities because cost reimbursement is common in R&D contracting while not common for supplies or services. In fact, the current directed policy of Congress (expected to be stated in the pending Defense Authorization Act 2012) and the Office of Federal Procurement Policy (OFPP) (Memorandum of October 27, 2009, “Increasing Competition and Structuring Contracts for the Best Results”) is that fixed price contracts are now the standard for all procurement activities with cost
reimbursable contracting being the exception and requiring justification and additional approvals at various levels of management.

An agency can use a number of tools in the acquisition process for commercial items including FAR Part 15, Contracting by Negotiation (as approved in FAR 12.102). The good news for you is FAR Part 15 says “a contract awarded using other than ‘sealed bidding procedures’ is a negotiated contract (15.000).” So you have every right to contact your contracting officer. Sealed bids are about as rare as a PI who likes your F&A rate. If you can use FAR 15, we suggest that the following sample of clauses be added, as they are appropriate for university research and development projects:

- FAR 52.215-2, Audit of Records – Negotiation with Alternate II
- FAR 52.216-7, Allowable Costs and Payment, with a change in reference from FAR part 31.2 to FAR part 31.3
- FAR 52.216-15, Predetermined Indirect Cost Rates
- FAR 52.216-11, Cost Contract – No Fee, with alternate 1 (with no hold-back)
- FAR 52.227-1, Authorization and Consent
- FAR 52.227-2, Notice and Assistance Regarding Patent and Copyright Infringement

Now focus on the types of clauses typically found in federal commercial contracts. The FAR allows for “tailoring” of certain clauses but does not give any particular guidelines as to what can be tailored and to what extent. However, FAR 12.302(a) specifically states that “The provisions and clauses established in this subpart are intended to address…commercial market practices for a wide range of potential Government acquisitions of commercial items. However, because of the broad range of commercial items acquired by the Government, variations in commercial practices, and the relative volume of Government acquisitions in the specific market, contracting officers may, with the limitations of the subpart, and after conducting appropriate market research, tailor the provisions of at 52.212-1 … and 52.212-4 to adapt to the market conditions for each acquisition.” Section (c) goes further to state, “the contracting officer shall not tailor any clauses or otherwise include any additional terms or conditions … in a manner that is inconsistent with customary commercial practice for the item being acquired unless a waiver is approved…” As a good negotiator, you can develop arguments to delete or modify any of these or other objectionable clauses as being customary to a “university market.” Will your arguments hold up during negotiations or during an adverse event? This question is interesting because there is no FAR definition that differentiates a commercial purchase from the “university market.” Your negotiation skills are the key.

FAR 52.212-4 contains the standard terms and conditions for a FAR 12 PO that can be negotiated. The following matrix (Table A) will help you in recognizing the standard terms and possible alternative terms that a university may be able to negotiate. Please note that the response may need to be addressed differently by different institutions.

### TABLE A

<table>
<thead>
<tr>
<th>CLAUSE</th>
<th>FEDERAL STANDARD REQUIREMENT</th>
<th>UNIVERSITY RESPONSE</th>
</tr>
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<tbody>
<tr>
<td>a</td>
<td>Inspection / Acceptance</td>
<td>Contractor shall only tender for acceptance those items that conform to the requirements of this contract. The government reserves the right to inspect or test any supplies or services that have been tendered for acceptance. The government may require repair or replacement of nonconforming supplies or re-performance of nonconforming services at not increase in contract price.</td>
</tr>
<tr>
<td>b</td>
<td>Assignment</td>
<td>Contractor may assign its rights to receive payment</td>
</tr>
<tr>
<td>c</td>
<td>Changes</td>
<td>Changes to terms and conditions may be made only by written agreement.</td>
</tr>
<tr>
<td>d</td>
<td>Disputes</td>
<td>Subject to the Contracts Disputes Act of 1978</td>
</tr>
<tr>
<td>e</td>
<td>Definitions</td>
<td>FAR 52.201-1 Definitions is incorporated</td>
</tr>
<tr>
<td>f</td>
<td>Excusable Delays</td>
<td>Contractor shall be liable for default unless non-performance is caused by an occurrence beyond the reasonable control of the contractor…</td>
</tr>
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**Continued to page 13**
<table>
<thead>
<tr>
<th>CLAUSE</th>
<th>FEDERAL STANDARD REQUIREMENT</th>
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<tbody>
<tr>
<td>g</td>
<td>Invoice</td>
<td>Provides instructions for invoicing and may implement the Prompt Payment Act. Generally OK. However, please note that university research will not fit the requirements as requested in subsections (iv) or (v) nor does a university provide any discounts for prompt payment per (vi). Please insert FAR 52.232-5, Prompt Payment. The Electronic Funds Transfer information is attached to this letter. Please delete and insert one of the following: 1) If this is a cost reimbursable contract, the University will invoice approximately monthly and will include a breakdown of costs incurred by budget category and a summary of costs incurred to date, 2) If this is a fixed price contract, the University requests that a payment schedule be negotiated commensurate with the scope and schedule of the project to allow for adequate cash flow to support the project.</td>
</tr>
<tr>
<td>h</td>
<td>Patent Indemnity</td>
<td>The Contract shall indemnify the Government...against liability, including costs, for actual or alleged direct or contributory infringement of, or inducement to infringe, any US or foreign patent, trademark or copyright arising out of performance... Please delete. This clause is intended to be used for a company that is a merchant manufacturer and seller of commercial hardware and/or software. The University is not a merchant manufacturer or a commercial enterprise. Universities do not customarily warrant the results of their research as inventions/patents have not yet been identified and, per the practice of our federal sponsors, our research contracts contain FAR 52.227-1, Authorization and Consent, and 52.227-2, Notice and Assistance Regarding Patent and Copyright Infringement. More importantly, the constitution and laws for public universities prohibits the University from providing warranties or indemnifying other parties in relation to the results of their research.</td>
</tr>
<tr>
<td>i</td>
<td>Payment</td>
<td>Based on items accepted. Please delete (1). Items accepted. University research and development results are not predictable and payment cannot be based on whether or not a party agrees with, or even likes, the results of the research activity.</td>
</tr>
<tr>
<td>j</td>
<td>Risk of Loss</td>
<td>Contractor is responsible for risk of loss until passed to the government unless the contract states otherwise. Generally not applicable. Most university deliverables are reports and are submitted electronically by the PI to their federal counterpart. However, if samples or hardware is being shipped, perform a risk assessment based on the value of the shipment to determine FOB point.</td>
</tr>
<tr>
<td>k</td>
<td>Taxes</td>
<td>Contract price includes applicable federal, state and local taxes and duties. Please delete. The University is non-profit and a governmental entity. The proposed costs do not include taxes of any nature or for any entity.</td>
</tr>
<tr>
<td>l</td>
<td>Termination for the Govern-</td>
<td>Government can terminate at will. The contractor shall be paid a percentage of the contract price reflecting the percentage of work performed prior to the notice of termination. Please delete and insert FAR 52.249-5, Termination for the Convenience of the Government (Educational and Nonprofit Institutions) as prescribed in Part 49. In the case of termination for any reason, the University must recover all costs incurred.</td>
</tr>
<tr>
<td>m</td>
<td>Termination for Cause</td>
<td>Government may terminate in the event of default of the contractor or the failure of the contractor to comply with the T&amp;Cs. Contractor is liable to the Government for any and all rights and remedies provided by law. Please delete and refer to the request in (l) above. In accordance with FAR Part 49, University R&amp;D contracts, whether cost reimbursable or fixed price, are not subject to termination by Default/Cause.</td>
</tr>
</tbody>
</table>
We also suggest that you include the list of FAR clauses provided in the paragraph above related to FAR 15 in any submittal or exceptions letter. In addition, be sure and define a payment schedule conducive to the work being done. If you do not define a payment schedule, the government may not be obligated to make a payment until such time as the final deliverable is received thereby causing cash flow problems for your university.

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</tr>
</thead>
<tbody>
<tr>
<td>n</td>
<td>Title</td>
<td>The government takes title to items delivered unless the contract says otherwise. Please delete. The federal law and policy relating to Inventions and patents that are the result of university research are defined in 37 CFR 401 and implemented in FAR 52.227-11, Patents Rights—ownership by Contractor. All other intellectual property rights for universities (e.g. copyrights, software, etc.) are defined in FAR Part 27 and implement in FAR 52.227-14, Rights in Data. The federal patent policy and the prescriptions for both clauses in relation to universities are located in Part 27.</td>
</tr>
<tr>
<td>o</td>
<td>Warranty</td>
<td>The contractor warrants and implies that the items delivered [under the contract] are merchantable and fit for the particular purpose described in the contract. Please delete. The University is not a merchant manufacturer of goods or a commercial service provider. The university performs research and development on a reasonable efforts basis. Results of research cannot be predicted so no warranty is provided or implied and, as explained in (h) above, the constitution and law of the State of Colorado prohibits pledging the credit of the state for future, undefined liabilities.</td>
</tr>
<tr>
<td>p</td>
<td>Limitation of Liability</td>
<td>Except as otherwise provided by an expressed warranty, the Contractor will not be liable to the Government for consequential damages resulting from any defect or deficiencies in accepted items. Please delete. No express warranty is provided for the results of research. As written this clause is not applicable to research and development results or related activities.</td>
</tr>
<tr>
<td>q</td>
<td>Other Compliances</td>
<td>The contractor shall comply with all applicable federal, state and local laws, executive orders, rules and regulations applicable to its performance under this contract. Generally OK. Implements the applicable list from 52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders – Commercial Items.</td>
</tr>
<tr>
<td>r</td>
<td>Compliance with laws unique to Government Contracts</td>
<td>Incorporates clauses such as “Officials not to Benefit,” “Contract work hours,” “Safety Standards Act,” “Anti-Kickback Act of 1986,” “Fly America,” etc. Generally OK. See q above.</td>
</tr>
<tr>
<td>s</td>
<td>Order of Precedence</td>
<td>Defines the precedence of the special terms and the general terms including q and r requirements listed above. Generally OK. Be familiar with how changes to a FAR 12 PO are incorporated into the document. A suggested request in a cover letter; If the requested changes are implemented as an attachment to the Purchase Order, please make this letter #2 in the Order of Precedence as it will constitute a change to all other terms and attachments referenced there under.</td>
</tr>
<tr>
<td>t</td>
<td>Central Contractor Registration</td>
<td>Required for all federal contractors Should not be a problem. Please note that any and all subcontractors are also required to be registered in CCR.</td>
</tr>
</tbody>
</table>

Continued from page 11

So, what should be done?

We recommend that any federal contract which can be reasonably considered R&D should be awarded using R&D clauses regardless of the contract form used. The definitions of R&D versus commercial as mentioned above will help in your proposal and award negotiation. The concept of R&D versus commercial is best developed at the proposal stage with a proposal submittal letter. If the contract comes to your institution as a commercial PO you should open negotiation for a R&D type contract immediately or the government may consider the PO is accepted as is. If this means going back to the “drawing board,” so be it. You can always quote the immortal words of Murray in the play The Odd Couple, “what do you want, speed or accuracy?”

If you feel you are the only responsible/responsive proposer, negotiate the R&D contact with the appropriate clauses prior to submitting a proposal. You are holding “four aces” and it’s a pretty good bet you will win “the hand.”
If the request for quote seems to be directed only toward institutions of higher education in a competitive environment, consider proposing an R&D fixed price contract with the appropriate clauses.

If the request for quote seems to be directed toward a wider source list but still only a limited number of qualified organizations, consider proposing using an R&D fixed price contract with the appropriate clauses.

If the work is clearly commercial in nature or you can’t convince the government that the work is R&D, we suggest you ask questions such as the following before proposing or accepting the agreement:

- Is the work specified under this PO appropriate for a research university?
- If you negotiate a warranty clause, is there still an implied warranty as to usefulness toward purpose, form fit and function, and any adverse action associated with your contract?
- Do you normally sell this product or service to others; are you providing the government with your best price (e.g. ‘most favored customer’ pricing)?
- Even if you don’t have a stated termination for default clause, will that prohibit the government from terminating for default under adverse circumstances (e.g. failure to perform)?
- Are you capable of absorbing re-performance or re-procurement costs if terminated for default since virtually all these contracts are priced on a fixed price basis?
- When does the Uniform Commercial Code become a factor?

What is the potential of complete success, partial success or, maybe your institution will just get lucky to complete the work on budget, on schedule and with completed deliverables? Most PIs are very optimistic even if the work is associated with a fixed price contract. But remember the worst possible outcome is debarment of the entire institution.

We think the above suggestions are a good cross section of questions that need to be asked prior to entering into any FAR 12 PO on a case by case basis. Each institution needs to develop its own risk analysis methods and processes. Just because a PI wants the work, the work will help towards your institution’s financial goals, or the institution wants the F&A return, should not be sole reasons for accepting the contract.

However, don’t try to “play the system.” For example, don’t negotiate R&D clauses when the procurement is clearly supplies or services. Doing this only manifests unprofessional behavior on your part. Negotiate the correct clause for the objective of the contract.

Other considerations under a FAR 12 PO

Are the terms “Performance-based Acquisition (PBA)” or “Performance Work Statement (PWS)” used in the PO (e.g. means an acquisition structured around the results to be achieved as opposed to the manner by which the work is to be performed/means a statement of work for performance-based acquisitions that describes the methods used to obtain the required results in clear, specific and objective terms with measurable milestones and outcomes, respectively)?

If so, do you know what these terms mean and their hidden requirements as defined in the clause at 52.232-32, Performance-Based Payments. (Hint – if you do not meet pre-negotiated success criteria, you do not get paid and risk termination.)

Is your public university competing against industry or other nonprofits? Is this legal in your state? Will the federal government consider the issue of an uneven playing field? A university with a predetermined F&A rate supported by institutional resources and no profit incentive will probably have an unfair competitive advantage when competing with industry or even a nonprofit. Some states will not allow this type of competition because of economic policies prohibiting competition with industry. There is also an issue of ownership of intellectual property. If industry is competing, the government may assume that ownership of deliverables will pass to the government with no rights to the provider. Objections to a competitive procurement based on these issues may result in an award protest by an unsuccessful party with potential negative results such as: 1) termination of the contract with the successful party; 2) significant delays in contract schedules; 3) a repeat of the competitive process; or 4) cancellation of the procurement altogether.

“Document, document, document” is the cheer for the contract negotiator but, in the case of federal commercial contracts, a memo to the file may not be enough to negate an adverse action. However, the more each party has documented the interactions between the parties, the easier the resolution if the contract is found to be insufficient in defining the relationship of the parties and the quid pro quo. If a memo for the record is all you have, that may be sufficient, but it has to be more than a ‘feel good’ memo written to appease those who will later review the contract.

Conclusion

We recommend that you:

1. Attempt (starting at the proposal stage) to make the contract R&D;
2. Do your homework and understand the requirements and implications of accepting a FAR 12 PO; and
3. Assure that proper clauses are negotiated for the nature of the procurement and the contract type is clearly defined.

So, the ‘cat is now really out of the bag.’ Your job, if you choose to accept it, is to keep the cat in the house. Accepting FAR 12 POs can be an acceptable practice provided your organization has fully considered the ramifications of going outside the ‘stated’ mission of the institution and is willing to accept the risk of federal commercial contracting methods as a vehicle to increase your sponsored programs portfolio.

Kathleen (Kathy) Reneau Lorenzi, CPCM is the Associate Director, Office of Contracts and Grants at the University of Colorado Boulder. She is a Certified Professional Contract Manager (CPCM) through the National Contract Management Association (NCMA) with over 27 years in contract management and research administration, and a member of NCURA since 2002. Kathy has been a member of many workshops and panels with both NCURA and NCMA on topics such as FAR, negotiating agreements, and export controls.

Vincent A. “Bo” Bogdanski is a Senior Research Administrator at Colorado State University. He has over 20 years of government contracting experience and has been an NCURA member since 1994. Bo has written several articles for NCURA Magazine, has discussed the FAR on NCURA TV, and has been a member of many workshops and panels regarding the FAR.
What in the world is regulatory burden? What is the first thing that comes to your mind or how would you explain it to someone on the street? We performed a small, informal (non-IRB approved) survey in our pre-award office and asked those questions. Here are some of our results:

• “Stacks and stacks of paperwork, pages and pages of rules, and reams and reams of paper!”
• “Bureaucracy at its finest.”
• “Government, plain and simple.”
• “Can’t get business done, a chokehold.”
• “A whole pile-o-stuff and it takes a lot of time, but it keeps me employed!”
• “Don’t want to see us angry!”
• “Can’t get business done, a chokehold.”
• “A whole pile-o-stuff and it takes a lot of time, but it keeps me employed!”

One person here at Washington State University (WSU) likened regulatory burden to “doing your taxes” or just plain “driving a car.” Let’s look at the car example; one needs a driver’s license, registration and license plates, insurance, smog checks, seasonal rules (you gotta take those studs off your tires), etc. Then, for goodness sake, there’s all the rules of the road that must be followed: stop signs, yield rules, passing lanes, right-of-way, merging lanes, railroad crossing, one-way streets, no cell phones, no ear buds AND it may change from state-to-state (just like working with the different federal agencies). These examples clearly explain how many of us, in our non-research administrator roles, work with rules and regulations, but what about this “burden” part?

We then asked some of our NCURA heavy hitters for their input on this discussion. Susan Sedwick, Associate VP for Research and Director, Office of Sponsored Projects at the University of Texas at Austin, told us that regulatory burden is the result of regulatory compliance and reporting requirements exceeding the reimbursement/ funding required to provide that oversight. In other words, we are o.k. with a normal set of regulations where the costs are covered to do that work, but when they become more than normal it becomes a burden and there are NO resources. Normal is o.k., however, like the friendly David Banner or Dr. Jekyll, BURDEN may turn us into the Incredible Hulk or Mr. Hyde – you really don’t want to see us angry!

Because this burden impacts our productivity as research administrators, it also impacts our faculty who we support. Alexandra McKeown, Associate Dean for Research Administration at Johns Hopkins University agrees. “Burden relates to efficiency and value-added in relation to assurance of compliance or protection, or whatever the intent of the regulation may be. While this often equates to costs, it also should be looked at in terms of a distraction from focusing on other more important issues…. This means less time for us to address true oversight needs, and it also relates to our faculty not focusing on what they should be doing, which is research.” As a reminder, the 2007 FDP Faculty Workload Survey showed 42% of faculty time related to federally-funded research is spent on administrative issues. We need our faculty changing the world, not signing effort certification forms! Or, for that matter, turning themselves into the Hulkster - or I guess that would be “Dr. Hulkster.”

Now that we have regulatory burden defined, let’s back up just a minute and get a feel for what we are really talking about on a daily, operational basis. Sometimes this burden is so vague that it is hard to put our finger on it. Here are a few select examples that we all can relate to on a daily basis: effort certification, financial compliance, human subject and animal protections, environmental health and safety checks, export control issues, conflict of interest compliance, and all those forms WE have created for our faculty to fill out that WE have to review, approve, and so on. In addition, these regulations (and burdens) mean more IT and data security needs for tracking and reporting all this activity. Dave Richardson, Associate VP for Research and Director of Sponsored Programs at Penn State University (PSU) says, “In my five years at PSU, we’ve nearly doubled the number of systems that we are required to monitor and participate in as required by the sponsors from roughly 80 to over 140. While not all of these are federal – they do require effort to ensure that they maintain their institutional capacity to submit, accept awards, and draw funds electronically. “A lack of harmonization and consistency across federal agencies increases the workload and timing as well. Denise McCartney, Associate Vice Chancellor for Research Administration at Washington University in St. Louis agrees with this sentiment. “Don’t forget that many times educational programs or communication issues are also necessary for new or changing regulations or modifications to institutional policy due to audit responses!”

Now let’s add more weight on your shoulders with our “Did You Know” segment. According to the COGR document Reforming Regulation of Research Universities, “more than 200 federal statutes affect higher education, and that list
keeps growing.” It is not necessarily the specific regulations that cause the brunt of the pain, but the ever-increasing growth of new and updated regulations which appear to cause the most anguish our experts say and we would all agree. A recent report by the Washington, D.C.-based Competitive Enterprise Institute (CEI) shows the cost of federal regulations to American citizens, businesses and governments now exceeds a trillion dollars. This same report also shows that the Federal Register, the government publication that is the compendium for federal rules, now stands at almost 80,000 pages and the Code of Federal Regulations, based on 2009 data, is above 163,000 pages – My Oh My!

We at WSU, and in fact all of you across the nation, are being required to do more with less. We talked with our Controller, Terry Ely, who provided us with the following information. Since 2000, the cost of administering grants at WSU, both pre- and post- award, has doubled, from $1.6 million in 2000 to $3 million in 2011. These costs were about 4% of the total Federal grants being administered. The increase in administrative costs had kept pace with the increase in grant dollars being administered until 2009, when the recession prompted hiring freezes and budget cuts. At that time, the administration costs actually decreased while the grants under administration continued to rise. Now, the total administrative costs are only 3% of the total Federal grants administered.

Additionally, Ms. Ely cited two specific examples, ARRA and FFATA reporting. To meet the increase in reporting that has accompanied these new regulations, we had two options: Hire more staff or evaluate the impact and prioritize what wasn’t going to be completed in other areas. We have not been able to increase our staff and in fact, we have lost positions because of vacancies not being filled. So we have a double whammy – regulatory burden AND less budget.

The Federal Demonstration Partnership recently introduced an ARRA Administrative Impact Survey, which reiterated the additional workload that a single policy, even temporary, can create on all of us in research administration. 63% of institutions that participated in the survey “indicated that there were other institutional activities that they were not able to perform in the same manner as they had prior to ARRA.” This included delays in award-processing time, non-ARRA billing and financial reporting. To compound this problem, no funding was available to colleges and universities to reimburse them for the cost of complying with these additional administrative requirements.

We should point out that there have been recent federal efforts to obtain recommendations on how to reduce regulatory burden. An A-21 Task Force established under Executive Order 13563 titled “Improving Regulations and Regulatory Review” was created to provide feedback to federal agencies on ways to minimize the cost and impact of their regulations. While the taskforce was unable to release anything from their recommendations, they did have a list of items they were examining. In order of importance, this Task Force is reviewing effort reporting, F&A rate-setting practices, federal-audit coordination, subrecipient monitoring, utility cost adjustment, agency or program limitations on F&A reimbursement, cost sharing policies and more.

WSU also responded to “Input on Reduction of Cost Burden Associated with Federal Cost Principles for Educational Institutions (OMB Circular A-21).” They provided recommendations to streamline or discontinue effort reporting; prohibits voluntary cost sharing on federally sponsored research; service and educational programs; creates a mandatory cost-share exemption for research institutions; eliminate the FFR (Federal Financial Report), provide targeted exemptions for research universities similar to protections provided for small entities under the Regulatory Flexibility Act (RFA), and others. Additionally, our NCURA experts noted that an ongoing National Research Council study on A-21 burden has advocated many of these same changes. The study recommends: cost-reimbursement consistent with federal cost principles; consistent and fair rate setting practices by government negotiators; direct charging of administrative and compliance costs; adjustment of the administrative cap on indirect costs; harmonization and/or elimination of policies and information systems across federal agencies; elimination of non-value added regulations; extended exemptions under the RFA to universities; and simplification of subrecipient monitoring among others.

On the flip side - and we probably shouldn’t mention this too loudly - some studies describe regulatory burden as a very small problem here in the United States (undoubtedly because all of us awesomely-great research administrators DO OUR JOBS SO EXTREMELY WELL!). The World Bank recently placed the United States 4th out of 183 countries, indicating that we are the fourth friendliest nation in the world for conducting business. Ten areas of business regulation were reviewed, including permit acquisition, paying taxes, obtaining credit and conducting cross-border trades. This result dramatically contrasts the challenges we face regarding regulatory burden in a university-only setting. One estimate from WSU’s post award office shows that standard compliance items like grant regulation questions, allocable expenditure questions, budgeting questions and subcontracts can make up 50% of an employee’s expected workload. With the increased reporting requirements, 25% of the office’s staff now spends 75% of their time submitting, reporting and verifying information. It is this tricky balance that needs to be kept in perspective when discussing and evaluating regulatory burden across all entities.

One last thought for you. Although we all feel the heavy weight of regulations and the burden they place on our shoulders, we do strive to channel our inner-superhero (Bruce Wayne, Diana Prince, Clark Kent, Selina Kyle, Peter Parker, Helen Parr) as opposed to alternatives like the Incredible Hulk or Mr. Hyde who cause havoc and destruction! Our motto should be: “Up, up, and away—your neighborhood research administrator to the rescue…again!”

Resource:
http://www.cnbc.com/id/45128939/The_World_s_10_Worst_Countries_for_Business

Dan Nordquist is currently the Assistant Vice President and Director of Washington State University’s Office of Grant and Research Development. He started as a departmental administrator in 1990, a college administrator in 1992, and then moved to the pre-award office in 1995 where he became the Director in 2000. Dan has been a member of NCURA since 1996 and has served in many areas at the regional and national level.

Derek Brown is currently the Sub-Award Administrator of Washington State University’s Office of Grant and Research Development. He began as an Office Assistant, advanced to Grant and Contract Specialist where he helped implement WSU’s electronic proposal routing and approval process, and now serves as Sub-Award Administrator. Derek has been at WSU since 2005.
Strategies for Successful NIH Training Grant Applications

By Jaime S. Rubin

Institutional training grants funded by the National Institutes of Health (NIH) are critically important components of a research institution’s portfolio of sponsored projects. While usually providing limited funding for direct expenses and even less for facilities & administrative (F&A) costs, this unique funding mechanism can have a very significant impact on both the teaching and biomedical research missions of an academic institution.

Training Grant Basics

Institutional training grants, also known as National Research Service Awards (NRSAs), are very large, complex applications, sometimes hundreds of pages long. The effort required to submit one cannot be overstated; this is not the job for one investigator and one administrator deciding to apply a few months before the deadline. A team of administrators working together is required, and the process cannot begin too early. Awards may be renewed many times after the initial 5-year funding period, and the NIH RePORT Tool (http://report.nih.gov) shows some training grants have had over 30 consecutive years of funding.

The two most common types of NIH institutional training grants are the T32 and the T35. While the T35 mechanism typically supports medical or veterinarian students for 2-3 months of short-term research training, the T32 provides a full year of research training, supporting pre-doctoral or post-doctoral trainees, or both. Funding is provided for a defined number of "slots," e.g., 5 pre-doctoral slots and 4 post-doctoral slots. Areas of support include stipend, health insurance, tuition, and travel. Calculating the budget for these applications is not complicated. The NIH annually publishes the stipend level for pre- and post-doctoral trainees and the allowable health insurance (http://grants.nih.gov/grants/guide/notice-files/NOT-OD-11-067.html). Tuition support is formula-driven, and for those in degree granting programs it is generally 60% of the tuition costs, up to a maximum of $16,000 per trainee each year. Funds allowed for travel vary by institute, and the F&A rate is 8% of direct costs, not including tuition.

Strategies for Focusing Training Programs

Institutional NRSAs provide funding for clearly described and unique research training programs. Submissions that are simply looking for a way to provide stipends for pre- or post-doctoral fellows working in a laboratory will not be funded. Additionally, applications that do not present a distinct training program created around related and specific state-of-the-art research themes, as well as those which do not describe program-specific activities for the trainees, will most likely not be funded.

It is critical that an institutional training program present an integrated research theme, a graphic example on how to represent this is shown in Figure 1. On the left, areas of faculty research interest are represented as thematic, multidisciplinary/interdisciplinary, and collaborative. The converse, shown on the right, can give the reviewers an impression of a research program that is poorly integrated.

Figure 1. Research Themes

Integrated Themes
Clinical/Outcomes
Cardiovascular biology
Immunology/Genomics

Non-Integrated Themes
Clinical/Outcomes
Cardiovascular biology
Immunology/Genomics
Another important strategy is for the program to address a training void at the institution (e.g., support for these trainees is not otherwise available) and possess its own unique identity. At the same time, the training program should also be well integrated into the research and academic infrastructure of the institution such as partnering with a Clinical and Translational Science Award, Cancer Center, master’s degree programs, or interdisciplinary research centers. Letters of support from the Directors of these programs should be included in the application as well as from the Deans of any participating schools and other institutional officials addressing their strong support and commitment of personnel and resources.

**Training Program Organizational Structure**

The proposed training program should have a defined organizational structure for recruiting, selecting, and admitting pre- and post-doctoral trainees, reviewing the trainees’ progress, and assisting in their career development. Figure 2 provides a sample structure for a training program which is overseen by both a Program Director and an Associate Program Director who are also faculty members, leaders, administrators, and research mentors with complementing expertise. The External Advisory Committee is comprised of senior investigators whose research interests overlap with those of the program and have experience as training program directors and mentors. The Internal Advisory Committee is comprised of senior faculty members (e.g., department chairs, institute and center directors) who can help ensure institutional support and success of the program.

Senior faculty mentors lend their expertise to the three programmatic committees: (1) the Recruitment and Admissions Committee which selects pre- and/or post-doctoral trainees for support by the training grant; (2) the Research and Mentorship Committee which assists trainees in selecting appropriate mentors and then oversees their progress to ensure that research milestones are being met; and (3) the Career Development Committee which assists the trainees as they transition to the next stage of their academic research careers. Example activities for these committees are shown in Table 1.

**Mentors and Trainees: Quantity and Quality**

In addition to the proposed training program and research themes, the selection of mentors and mentees (or trainees) is critical for successful applications. The information provided in the main body of the text, as well as in the required data tables, should demonstrate to the reviewers in both quality and quantity that faculty members selected to serve as mentors are both excellent scientists and mentors. Quality is demonstrated by providing detailed funding information demonstrating that the mentors have sufficient NIH and other peer-reviewed extramural funding to support the research efforts of their trainees (as requested in application Data Table 4). A faculty member without extramural support or with only industry support (e.g., clinical trials) in many cases would not be viewed as an appropriate mentor in an academic setting.

There are exceptions to these examples. A promising junior investigator with limited extramural support but with a good start-up package who is conducting exciting research would make an excellent mentor. This assistant professor could be partnered with a more established NIH-funded investigator and offer the trainee a unique co-mentorship arrangement by “pairing” junior and senior faculty. This provides the trainee opportunities for collaboration with the junior investigator as well as the larger research base, expansive knowledge, and international contacts of the senior investigator. Similarly, a clinical investigator who is a world-renowned leader in their field and publishes in top-tier journals but lacks NIH funding can be “paired” with an established basic science investigator with solid NIH funding. This co-mentoring arrangement can provide the pre- and post-doctoral trainees with a multidisciplinary approach to their research training experience.

Information is also requested on each mentor’s current and previous trainees (as requested in application Data Tables 5A and 5B). Similarly, a mentor whose previous trainees have left academia for private practice, industry, or other non-

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Figure 2. Sample Training Program Structure
research positions would not appear to have the skill set necessary to help launch junior investigators into successful academic research careers.

The publication track record of trainees that resulted from their research experiences in the mentor’s research group is another important part of the application (as requested in application Data Tables 6A and 6B). A faculty member with a poor publication history with his or her trainees would not be considered an appropriate choice as a mentor. Reviewers will also examine whether a faculty member’s publications are appropriate for the research themes of the proposed training program as provided on their biographical sketch. For example, a well-funded faculty member may have a strong publication record in top journals in the field of epidemiology; however, if the theme of the application is cancer research, reviewers might have serious doubts as to whether a trainee working in this research group would be investigating a cancer-related problem. Another “use” of a mentor’s publication track record is to examine the history of collaboration among the mentors in a specific research theme. Applicants could stress the collaborative nature of the research program by including a list of joint publications by mentors in the appendix to demonstrate how closely the faculty members work together. This is especially important because training grants are expected to be institutional awards, and mentors should represent departments, institutes, and centers (if not schools) across the institution.

The research interests of each mentor should address at least one of the research themes of the training program. In terms of quantity, each research theme or area requires a “critical mass” of mentors. One or two faculty members do not make a research theme. There should also be adequate gender and age distribution. An application with very few women mentors would probably not be reviewed favorably and an application with few junior faculty members representing the future of the training faculty might also be problematic. The total number of mentors as compared to the number of requested trainee slots is also important. Reviewers look for trainees distributed across many research groups and not “bunched up” in a few select laboratories. Thus, a request of funding for 8 post-doc slots with only 16 possible mentors does not offer trainees a wide choice of mentors.

With regard to potential trainees who represent the applicant pool (as requested in application Data Tables 7A, 7B, 8A, 8B, and 10), again it is important to demonstrate quantity as well as quality. The applicant pool is the number of previous training grant eligible (e.g., US citizen or permanent resident) applicants to the training program. For example, how many students have applied to the relevant Ph.D. programs? How many clinical fellowship applicants have been interested in a two-year research program? How many first year medical students have been interested in summer research experiences? In addition to quantity, quality is important. This is demonstrated by the success of any past research experiences as well as academic records. Has the post-doctoral applicant pool had previous research experiences? What are the GRE or MCAT scores of the pre-doctoral applicants? It is important that this information, which is provided in the often lengthy data tables at the end of the application, be clear, complete, and accurate. Will reviewers read these tables line by line, word for word? Probably not. But reviewers have been known to point out inconsistencies and incompleteness in the tables as a weakness in the overall application.

An institutional NIH training grant application is very large and complex, with a number of separate, but interlocking critical components. Each section must be comprehensively addressed for a competitive application. While very difficult to prepare, successive efforts provide funding and infrastructure, thus allowing research-intensive academic institutions to satisfy their mission to train the next generation of biomedical scientists.

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Service Centers

Reinforcing Roles & Responsibilities to Achieve Compliance

By Martin Smith

Introduction

As we begin a new year, many institutions are beginning the budget process to project how fiscal year 2012 (FY12) will finish and plan for fiscal year 2013 (FY13). The budget process typically includes budget analysis of the operating, sponsored programs, discretionary, and other funding sources. This annual process should also include a review of service centers in preparation for the upcoming cost analysis based on actual FY12 activity and rate setting for FY13.

Service Centers for another consecutive year have made the federal Department of Health and Human Services (DHHS) Office of Inspector General (OIG) FY12 Audit Work Plan. There is very little concrete guidance as to how to operate service centers making compliance requirements challenging to achieve.

There are many misconceptions about service centers, ranging from understanding the correct terminology, to applying the right compliance requirements, to knowing your institution’s position on defining what constitutes a service center. We will review 1) an overview of federal costing compliance requirements, and 2) discuss ideal roles and responsibilities of individuals responsible for oversight and management of service centers.

What is a Service Center?

For purposes of this article, a Service Center can be any business unit within an organization that charges other users for their services. The Office of Management and Budget (OMB) Circular A-21, Section J.47 introduces the term Specialized Service Facilities as meaning “highly complex or specialized facilities operated by the institution, such as computers, wind tunnels, and reactors.” OMB Circular A-21 also defines an alternative to specialized service facilities in Section F.6.b.(1) by the use of Recharge Center, interpreted to mean a non-specialized service facility such as a copy center or glass washing facility. Section F.6.b. of OMB Circular A-21 is also important to note because it has also been a focus topic on recent DHHS OIG audit work plans, particularly for the consistent treatment of direct-charging of departmental administrative costs.

Research Core Facilities typically refer to a highly specialized service center providing a technical service such as genomics, imaging, or cell sorting facilities. Core facilities may also be subsidized by a National Institutes of Health (NIH) core center grant and be advertised by your institution as a competitive strength or focus area of science. Lastly, there are Animal Research Facilities which may fall under one or more of the definitions above. Animal research facilities also follow a special rate-setting guide called: Cost Analysis and Rate Setting Manual for Animal Research Facilities.

Compliance Requirements

Service Centers have compliance requirements from the federal government in OMB Circular A-21, Section J.47 and within your own institution depending on how service centers are defined. Some institutions call all budget or business units that charge out for their services a service center, while others have a dollar threshold (e.g., $5,000 or $25,000) to determine whether a recharge function is a formal operation. Other institutions are only concerned with specialized service facilities that look at operations charging significant, material amounts to federal awards and/or have a revenue amount greater than a specified dollar amount (e.g., $1 million). Many institutions require approval from a central office such as the controller/ comptroller, finance, or sponsored programs office to get approval to begin a service center operations. The specifics of your institution’s policy and procedures regarding service centers will dictate how you should proceed.

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ii OMB Circular A-21, Section J.47, can be found online at: http://www.whitehouse.gov/omb/circulars_a021_2004/
iii Archive of DHHS OIG Audit Work Plans, can be found online at: http://oig.hhs.gov/reports-and-publications/archives/workplan/index.asp
iv The Cost Analysis and Rate Setting Manual for Animal Research Facilities is published by the NIH National Center for Research Resources (NCRR) and can be found online at: http://www.ncrr.nih.gov/publications/comparative_medicine/CARS.pdf
Here are selected compliance requirements paraphrased from OMB Circular A-21, Section J.47:

1. Service centers are allowable as a direct-charge as long as you apply credits for portions of the operation the federal government supported;
2. Charge for actual usage based on a schedule of rates;
3. Do not discriminate against federally supported activities;
4. Recover the aggregate costs of the services including direct and indirect costs;
5. Adjust rates biennially and consider prior period surpluses or deficits.

Applying these compliance requirements and those of your institution, while also managing a service center as an internal business unit, will pose challenges to the many people involved in the process.

Roles and Responsibilities

A service center requires different functions ranging from advertising, order entry, order fulfillment, managing day-to-day operations, to invoicing, collection (if external accounts), performing an annual cost analysis to setting rates for the next fiscal year.

The types of information needed can range from questions about costs, volume, rates, the market, assumptions, and constraints. Typical questions include: how many orders have been delivered and ready to charge or invoice; what supplies are needed to deliver services; how many people will be working in the service center; which users make up a majority of the volume; what rates will the market pay; are there competing service centers using better technology; and did you document assumptions and consider constraints?

This information can come from different people involved in different aspects of a service center operation. Everyone involved in the process has important compliance and management functions that contribute to the successful operation of the service center. Below is a list of typical roles and responsibilities within an institution:

- Central Office—an institution typically has someone in the Finance or Sponsored Programs Office responsible for oversight of service centers. Duties include establishing accounts, setting policies, and establishing biennial review procedures to ensure compliance. Oftentimes the institutions Cost Analyst/F&A person is responsible for providing federal costing interpretation.
- Central or Departmental Sponsored Programs Post-Award—this function ensures costs charged to sponsored awards match the time of the charges, appear reasonably based on the type of award, and follow institutional allowable requirements. They may also be the final approval before a service center charge (via journal entry or feeder system) is charged to a sponsored award.
- Internal Audit/Compliance Official—this function is responsible for monitoring the institution’s compliance requirements and efficacy of internal controls in relation to the transaction processing.
- School-level Finance, Administrative or Budget Office—may provide limited or expanded oversight depending on the centralization model employed by the institution. Ultimately this office would be concerned with ongoing surpluses or deficits.
- Department Administrator—could have a variety of functions to processing journal entries for service center charges, adjusting payroll allocations for service center staff, to mediating budget or rate-setting issues between the service center and oversight offices.
- Scientific Director—the scientific faculty member in charge of the service center, who determines the scope of services offered and advertises the center within the department, school, university, or larger market.
- Service Center Administrator—the financial and administrative manager of the service center responsible for ordering supplies and billing out for services rendered as well as rate setting. This role may be combined with a Lab Manager.
- Lab Manager—person managing the order fulfillment of the service center and managing the technicians performing the work in the service center. This is the person likely responsible for conveying to the financial administrator that the technical work has been completed or other billing milestones. This person has a very important role because without them, the administrators have no way of knowing (without a vendor-offered solution) that services have been rendered.
- Service Center Technical Staff—the individuals doing the technical work of the service center.
- Senior leadership—any senior role supporting the strategic direction of service centers, ranging from a dean, provost, controller, and others.

As this list demonstrates, there are numerous individuals in an institution responsible for service centers where there does not appear to be one person with complete responsibility. This separation of duties is good for internal controls; however, poses more challenging when compliance requirements and cost analysis requires input from all of them. Ultimate accountability is on the institution. Coordination and communication between them is essential for success. My experience at the University of Pennsylvania worked so well because we had support from senior leadership and cooperation throughout all of the roles and responsibilities outlined here. When underperforming services centers are faced with the equivalent of bankruptcy, it requires input from the scientific side to know whether the service centers were worth saving. Determining whether departmental recharge centers are compliant with OMB Circular A-21 requires justifications from the department administrator, guidance from the compliance office, and a final determination from the cost analysis official. Internal audit including service centers in its work plan is also beneficial in testing the efficacy of your institution’s service center policies and procedures.

Conclusion

My favorite motto is “working in a University, you cannot achieve anything by yourself!”. Managing service centers is a difficult process because of the competing demands to achieve compliance, meet solvency requirements, and providing services to the users of the facility. Reinforcing roles and responsibilities is important to running a compliant, break-even, and solvent service center operation.

Martin Smith is a Manager in the Higher Education and Academic Medical Centers consulting practice at Attain, LLC in Vienna, VA. He has 10 years of research administration experience primarily in post-award and financial compliance having worked at institutions in the Philadelphia, PA and Washington, DC areas. Martin has service center responsibilities at the University of Pennsylvania School of Medicine and Temple University and is active with Attain clients on the subject.
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FRA 13 will take place at the Walt Disney World Swan and Dolphin Resort in beautiful Orlando, Florida.
Over the past two decades, the federal government has increased financial resources allocated to the creation of multi-project programs, many of which involve hundreds of scientists working together from a wide range of different fields across a multitude of institutions and states (Stokols et al., 2010). These programs are expected to increase the rate at which research moves from basic science into clinical practice. These large-scale team research projects challenge research administrators’ ability to efficiently manage their infrastructure. However, by employing strategic planning, developing the proper tools, and efficiently communicating, administrators can be successful in the management of multi-project programs. What, then, are the elements of managing a multi-project program? They include:

1. Creating special terms and conditions.
2. Managing multiple sub-awards and projects.
3. Communicating with Principal Investigators and their administrative staff.
4. Accounting for institutional differences.
5. Tracking information.

In this article, we explore each in turn.

1. Creating special terms and conditions: Sub-awardees are typically held to the terms and conditions of both the funding agency and the prime award institution. Moreover, some federally funded large-scale research projects include special terms and conditions specific to that award. It is advisable to create an appendix to include with the sub-award documentation that outlines each of these terms and conditions. Based on the structure and complexity of your award, developing additional internal policies and procedures may assist you in the management and organization of the program. Consider the following when developing your specific terms and conditions document:

Compliance Requirements: Human subjects, animal subjects, and any associated biosafety protocols require oversight and compliance. You should define how new protocols involving humans and/or animals will be processed for approval by the prime award institution. Consideration should be given to oversight of protocols, since it is the Principal Investigator and prime institution that are held accountable to the sponsor for compliance. You may want to require investigators to provide you with copies of protocol narratives, consent forms, and letters of approval issued by their IRB, IACUC, or IBC. Additionally, the prime award institution is responsible for ensuring each protocol matches the work as described in the research plan. Decide how this accuracy will be accomplished by asking the following questions: Does your institution delegate this responsibility? Will the funding agency require any certifications from the prime institution? If so, how will these certifications be reviewed at the prime institution?

2. Managing multiple sub-awards and projects:
Set up a separate internal account structure to manage the internal projects and the sub-award projects. For instance, administrative core, core facilities, and research projects should each have their own account. Some accounting systems have project/cost center coding, which can be helpful for tracking cost category expenditures due within 90 days of the termination of a project period or budget period and data is needed from the sub-awardees to accurately compile the scientific and administrative reports.

Financial: For federally funded grants and agreements, OMB Circular A-110 sets forth standards for obtaining consistency and uniformity. OMB Circular A-21, on the other hand, establishes the principles for determining costs applicable to grants, contracts, and other agreements with educational institutions. In order to monitor expenditures on sub-awards, consider requiring sub-awardees to provide a cost category breakdown on their invoices. Cost category breakdowns provide the prime institution with a mechanism for monitoring sub-award spending without requiring line item detail for every expense. Include language regarding the prime institution’s right to audit expenses if needed.

3. Communicating:
It is advisable to spell out what will be required, who will be communicating with the funding agency, and how the process will go forward. You may want to reemphasize some of the funding agency’s terms and conditions in this section (e.g., restrictions on carry over balances).

Successful Management of Multi-Project Programs

By Pamela S. Foster
for internal projects. Project/cost center coding can also help you to isolate various expenditure categories and can be quite useful when developing future year budgets.

Require sub-awardees to include a cost category breakdown on all invoices. A cost category breakdown will assist in monitoring costs and ensure compliance with allowable expenses. Additionally, developing a system to track invoice activity by sub-award and internal projects can assist in the process of managing individual project activity. Invoices are typically generated from a central accounting office and not within the investigator’s department. The development of a project fund summary report sent to investigators on some regular basis (e.g., quarterly) can improve spending patterns and avoid issues with carry over funding from one budget period to the next.

Sometimes there is a lag between the time when an institution receives final sub-award documentation and when the department is informed they can begin research. Forwarding a copy of the finalized award documentation to both the investigator and project fund manager can assist them in getting their institution to set up an account in a timely manner.

3. Communicating with investigators and their staff: Clear and concise communications are critical to the long-term success of multi-project programs and require research administrators to know who is involved in performing the research and overseeing the research projects. Get to know your own campus partners because they can help develop the proper tools for management. Find out the players at the sub-award institutions: Who is responsible for pre-award preparation and post-award management? Who is the primary contact in the pre-award sponsored project office? Who will prepare and submit the invoices from the post-award office? This list of individuals at the sub-award institution and their contact information can significantly improve communications. Make sure to collect both email and phone numbers as some individuals may respond better via one over the other.

Once contact information is collected, any communication sent to the investigator should also be copied to the appropriate research administration personnel in order to ensure that all individuals are adequately informed.

If possible, an initial face-to-face meeting with the investigator and his or her staff can be extremely beneficial to getting the appropriate buy-in on adherence of the program policies and procedures. Take time at these sessions to review special terms and conditions, annual report criteria, and any other guidelines or issues that are contained in the award documentation but may be overlooked and/or those that apply specifically to your award and are not typically included in a notice of grant award. Make sure it is a two-way conversation; find out what you can do as a research administrator to assist the investigator and his or her team.

4. Accounting for institutional differences: Take stock of whatever institutional differences that may exist. What do you need to do to overcome these differences in managing the award? It may take some time before the institutional differences are discovered. Be prepared to work cooperatively with the other institutions to resolve differences to the mutual benefit of both parties. For example, terms and conditions regarding intellectual property can differ from institution to institution. By pre-negotiating this language you can avoid delays in the execution of the sub-award agreement. As soon as a new institution’s project has been approved for funding it is advisable to begin this pre-negotiation process. Your sponsored projects and technology transfer offices can assist you in this pre-negotiation activity. As another example, some institutions (such as federal laboratories) have very different accounting structures that may negatively impact their ability to provide the desired type of cost category breakdown on invoices. Make sure you understand this structure and work with the account manager to come to some mutual agreement about how invoices will be issued.

5. Tracking information: A useful relational database is an effective management tool. The first step to developing such a database is to identify the elements you will need to track. Contact information, compliance data (such as protocols and export controls), and foreign site samples can be easily maintained in a database. You may also want to include publications, patents, disclosures, and project-generated resources.

Before you begin to develop a database, be sure you have analyzed the process thoroughly. Keep in mind that you may want to add, modify, or change the database as the program grows. Consider what reports you will need to produce: Will you need to sort information in a variety of ways? Will the program enable you to import and export data to provide further flexibility? Development of a flexible database can reduce redundancy, improve accuracy, and assist in the creation of standard forms populated from the data maintained in the database, saving time and ensuring better overall accuracy.

As the federal government continues to increase financial resources to large-scale multi-project programs, keep these key ideas in mind. Set the stage for success by clearly defining all terms and conditions. Common definitions ensure that all parties understand and agree to the criteria. Establish an accounting structure to assist in the management of project expenses; this organization will help ensure efficiency. Build relationships with clear and concise communications and be sure to include the appropriate administrative personnel in the communication string. Work cooperatively and flexibly to develop systems that work to the mutual benefit of all parties. To save time and reduce redundancy, develop a database for tracking information, managing reports, and creating templates. Any size multi-project program can be successfully managed using strategic planning, good organizational skills, and excellent communications.

References

Pamela S. Foster is the Administrator for the Pacific Southwest Regional Center of Excellence for Biodefense and Emerging Infectious Disease Research (PSWRCE) at the University of California, Irvine (UCI). Pamela has been in the field of research administration for 17 years and has been in her current position for the last six. Prior to coming to UCI she managed professional service organizations such as law and CPA firms. Pamela’s responsibilities include strategic planning, administrative and financial management, grant administration, compliance, and policy and procedure development and implementation.
Honoring Old Traditions and New Beginnings

2012 Annual Meeting
November 4-7, 2012
Washington Hilton Hotel
Washington, DC

Make the Connection!

L-R: Tony Ventimiglia, Auburn University (Co-Chair), Pat Hawk, Oregon State University (NCURA 2012 Vice President), Denise Moody, Princeton University (Co-Chair)

The theme of the Fifty-Fourth Annual Meeting (AM54) will be “Honoring Old Traditions and New Beginnings.” Given that AM54 represents the last annual meeting to be held in November, we want to honor the traditions that make the Annual Meeting the benchmark for NCURA’s professional development events. This meeting will be a time for all of us to reflect on what makes this the premier professional development event and how this meeting will connect us to a new era for the event. It will be a meeting where we want everyone to be able to “reflect and connect”—whether you’ve been a member for 10 years or 10 minutes.

The Annual Meeting has always been NCURA’s capstone event in the exciting, ever-changing field of research administration. Just as spending time with friends and families over the holidays nourished us personally, spending time together at the NCURA Annual Meeting gathers us together and helps us become more knowledgeable, reenergized, and connected in a way that sustains us through the challenges and opportunities waiting for us at our home institutions.

From that first A-HA moment when you make the connection, to expanding and deepening your professional network to help you advance and be ready for what is next, the NCURA Annual Meeting is time well spent. We are confident you’ll feel the same way when you see the wonderful blending of old traditions and new beginnings.

One tradition that we are very excited to be a part of is our national election scene. AM54 will represent the last time NCURA is in Washington, DC for the national Presidential election. Our keynote speakers, Paul Begala and Tucker Carlson, have already been lined up to give a great point/counterpoint on this election. Both are nationally recognized political correspondents. In addition, Paul Begala has been part of previous Annual Meeting and Financial Research Administration Meeting keynote/plenary addresses, but Tucker will be joining us for the first time.

On behalf of the program committee, we are honored to be a part of what is sure to be a very special Annual Meeting.

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Globalization has consequences for collaboration in science. The internationalization of science in the last few decades has rapidly grown, as shown by the increase of the average distance between collaboration teams – from 334 kilometres in 1980 to 1,553 km in 2009; and the increase of internationally collaborative articles published in international journals from 25% 15 years ago to 35% currently (Waltman et al, 2011). Some reasons for this internationalization might lie in the global challenges society is facing today; others are a direct result of globalization itself. In any case, international collaboration is more important than ever before and offers increased opportunities for countries worldwide to access and share knowledge, skills and large scale infrastructure, and to enhance innovation of all partners involved.

Many S&T agreements between the U.S. and European Union (EU) member states have demonstrated the willingness to officially further and strengthen scientific transatlantic collaboration. Researchers from both sides of the Atlantic have been collaborating for decades and while collaboration is robust, barriers and challenges in U.S. and EU participation in funding schemes across the Atlantic exist. Two joint projects, Link2US and BILAT-USA, co-financed by the Seventh Framework Programme (FP7) of the European Commission (EC), and launched in 2009, are focusing on improving the awareness by European and American scientists of funding opportunities from the EU and the U.S. to enhance cooperative research. The members of the two consortia are the American Association for the Advancement of Science (AAAS), the Austrian Research Promotion Agency (FFG), the Agency for the Promotion of European Research (APRE) of Italy, the Hungarian Science and Technology Foundation (TETALAP), and INTRASOFT International S.A.

**FOSTERING EU–U.S. COOPERATION IN SCIENCE AND TECHNOLOGY**

By Elli Tzatzanis-Stepanovic, Irina Slosar, and Gwenaële Coat

**BILAT-USA & LINK2US**

The two projects – BILAT-USA and Link2US – collect information on EU-U.S. cooperation and evaluate barriers and challenges to cooperation by providing analysis and reports of U.S. and EU–based researcher participation in U.S. and EU funding schemes. The projects also advise the policy stakeholders on needed activities and ultimately provide increased EU-U.S. partnership opportunities. For example, the BILAT-USA consortium organized two major EU-U.S. symposia on “Transatlantic EU - U.S. Cooperation in the Field of Large Scale Research Infrastructures” (October 2010) and “Innovation and Technology Transfer” (March 2011) bringing together policy makers as well as scientists from both sides of the Atlantic. Goals of the two symposia were to strengthen the systematic exchange of information and experience, to promote knowledge-sharing practices and to contribute towards developing new strategies in future EU-U.S. col-
laboration. These dialogues resulted in the subsequent Capacities/Research Infrastructure FP7 calls for special focus on EU-U.S. collaboration in common data policies and standards in environmental field and common e-infrastructure (the calls closed in November 2011, but more calls are currently open in “Cooperation” and “People” schemes, and more calls are to be expected in summer 2012; scientists and grant-managers are invited to use BILAT-USA project services: virtual help-desk, website information).

Obstacles and opportunities

FP7 is open to international collaboration, and one of the goals of this international dimension is to increase U.S. participation. In the first three years of FP7, U.S. researchers participated in 119 thematic-cooperation and 3 EURATOM projects; 140 grant agreement supporting mobility of researchers and 1 grant for frontier research have been signed. The ICT priority, together with ENVIRONMENT and HEALTH sections all under the “Cooperation” programme, have confirmed their attractiveness in the U.S. with a total of 69 U.S. partners in 60 project consortia. More significantly, for the first time in FP7 a whole thematic area has been reciprocally opened between the U.S. and EU (NIH /Health in FP7). This recent opening is an interesting development, but it is too early to assess the implication for EU-U.S. collaboration in Health and Life Sciences research. An encouraging success has also been obtained under the NMP (Nanosciences, nanotechnologies, Materials and new Production technologies) and KBBE (Knowledge-Based Bio-Economy) themes while some other important priorities such as ENERGY and SECURITY have not been sufficiently included in U.S. interests concerning FP7. The U.S. participation in FP7 is one of the most successful aspects, but it doesn’t reflect the real potential of transatlantic collaboration. In September 2011, BILAT-USA surveyed 130 European project coordinators and 105 U.S. participants in FP7 projects to better understand the obstacles and barriers to U.S. participation in FP7.

The analysis of the survey provides interesting insights regarding financial constraints, legal, and administrative obstacles. 46% of the European project coordinators and 38% of U.S. participants in FP7 claim that applicable law/jurisdiction is a relevant obstacle. 48% of U.S. participants and 34% of European coordinators claim that lack of funding for the U.S. partner is another relevant obstacle to EU-U.S. collaboration in FP7. An important structural difference between the U.S. and EU funding schemes that could be an obstacle to a complete understanding of the opportunities of the Framework Programmes, and therefore participation, is that in the U.S., research funding is mainly given to a principal investigator (individual), not to teams, and the cooperative aspect of research, fundamental for the FP7, is usually not a required component of U.S. funding schemes. As a result, U.S. participants do not have access to the entire set of FP7 opportunities, with the exception of “Ideas” and “People” programmes. Therefore, supplemental funding is often necessary from the U.S. side to complement EU fund-
Additional efforts may be offset by the benefits of the collaboration itself, including transfer of knowledge and skills, stimulation of creativity, networking or dissemination of results.

Link2US conducted a similar survey of EU-based researchers and grant administrators who received awards from NIH for the 2009 fiscal year. The survey revealed that policy differences between NIH and European institutions make grant administration challenging, even if the funding system was praised as transparent and is highly respected. EU-based researchers and grant administrators suggested improving the clarity of eligibility of open programmes to EU-based researchers, increasing support to address policy differences between NIH and European systems, developing specific funding for U.S.-European collaboration, and allowing full facilities and administrative cost recovery.

In conclusion, further steps are needed to address the issues raised by the project surveys. These steps will create greater awareness of opportunities for EU-U.S. S&T cooperation within FP7, and EU-based researcher participation in U.S. funding schemes.

References:
Information gateway:
http://www.euussciencetechnology.eu/

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Irina Slosar works as an Expert and Project Manager at the Austrian Research Promotion Agency. She is involved in several FP7-International Cooperation projects covering Eastern Europe and Central Asia, with focus on Russia, the West Balkan States and the U.S.

Gwenaëlle Coat is a Senior Program Associate for the American Association for the Advancement of Science (AAAS). She works with FP7-International Cooperation projects between the U.S. and EU and on international engagement on biosecurity-related scientific collaboration issues in the MENA (Middle Eastern-North Africa) region.
“Research development” has been getting a fair bit of press lately as being a new profession and an innovative way of increasing the competitiveness of faculty research grant proposals. Last year the National Organization of Research Development Professionals (NORDP) was created, and earlier this year its current president contributed an article to The Chronicle of Higher Education in which he called research developers “a new breed of academic.” While we don’t doubt that it may indeed be a newly distinct role and staff position at large academic institutions, the article inspired us to reflect on the ways in which research development has long been an integral and necessary part of sponsored programs administration at predominantly undergraduate institutions (PUIs).

According to NORDP, research development “includes a broad spectrum of activities that vary by institution, including: funding opportunity identification and targeted dissemination, grant/contract proposal development, budget preparation, forms and submission assistance, research team building, interaction with funding agencies and institutional research administration and leadership, and outreach activities and training.” Several elements in this list of activities may sound familiar to many of our colleagues in pre-award and departmental positions, but for those of us at PUIs these assorted duties encompass our role on our campuses. Research development lies at the heart of our work, both by necessity and by design.

Research administrators at PUIs have a wide range of responsibilities and need to be both generalists and specialists. Job postings for director of sponsored programs at PUIs reflect both the breadth of responsibilities and the central importance of research development. The following excerpts from recent job postings are illustrative examples:

- Identify faculty who have related research interests and facilitate communication of funding possibilities among them; work with faculty and academic departments in the development, implementation, and evaluation of sponsored projects related to the priorities of the institution.
- Work with faculty and academic departments to identify fundable research and program ideas and to locate sources of funding for these activities.
- Provide university-wide leadership in the development of sponsored program activities; work closely with faculty, staff and senior administrators in shaping the effort to build a more robust program of grants and sponsored research.
- Work with the dean of the college and the professional development committee and oversee administration of the college’s support of faculty professional development; serve as resource for faculty concerning funding agencies, applications and deadlines and assist faculty in seeking and obtaining external funding.

For many of us, the broad scope of activities and the opportunity to work intensively with faculty are why we choose to be at PUIs. We support individuals and teams in all academic disciplines and at all stages, from the conceptual, pre-proposal phase through the entire process of developing and submitting the application, and we are often involved in post-award non-financial compliance. Typically our offices report directly to our institution’s provost or vice president of aca-

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demic affairs, and we collaborate closely with or participate in our campus’s committee on faculty scholarship. At PUIs sponsored programs administrators also tend to know all or most members of the faculty and their research areas which leads to more pre-emptive and effective outreach, including personalized funding searches and emails, newsletters, and workshops. In addition, we have a have a key role in helping make faculty proposals competitive – we discuss their ideas with them often long before they plan to apply for grants, assist them in developing competitive proposals by reading and editing drafts and making suggestions, secure examples of successful proposals, and assist with budget preparation and institutional approval processes.

Other typical ways in which PUI research administrators serve as research developers on their campuses include recruiting successful faculty grantees to serve as mentors for others; attending departmental, chairs’, and divisional meetings; conveying information about changes at funding agencies and updates on regulations; and meeting with individual faculty to discuss professional development plans and where research and external funding fit into their scholarly goals. Due to the nature of their positions and the mission of their institutions, research administrators at PUIs are also active in supporting faculty teams working together on cross-disciplinary collaborative projects and proposals, both on and beyond campus. Faculty development lies at the heart of our jobs every bit as much as coordinating the grant application process does.

Research development at predominantly undergraduate institutions requires both deliberate action and long-term planning. With limited resources and high teaching loads, our faculty have long needed external grant support, often in order to conduct research with colleagues at other institutions and frequently to include undergraduate students as team members in scholarly projects. Over the past three decades PUI research administrators and their faculty have actively participated in academic alliances such as the Council on Undergraduate Research, the Independent Colleges Office, and Project Kaleidoscope, which foster inter-institutional collaborations and partnerships, and enhancing scholarly and creative excellence.

For anyone interested in learning more about how we go about our work or for ideas on expanding the role of research development on their campuses, the PUI Neighborhood library on NCURA’s website offers articles on some aspects of the work we do, including “Strategies for Stimulating Growth,” “Encouraging Faculty Participation,” and “The Role of External Grants in Faculty Development at Predominantly Undergraduate Institutions.” NCURA’s site also offers the DVD of “Building A Culture for Scholarship at a PUI: The Role of Research Administration” by our colleagues Stephen Hansen, Jerry Pogatshnik, and Cindy White, all long-time leaders in research development at PUIs. Our community is committed to our profession at predominantly undergraduate institutions because the focus here is research development: working closely with faculty, doggedly trying to support their full range of scholarly and creative activities, and eagerly seeking to develop collaborations with other institutions.

Mickie Kreidler, Ph.D., director of sponsored programs at Dakota State University in Madison, SD, began her career in research administration at West Virginia University Health Sciences Center. She also served as director of research and sponsored programs at Frostburg State University, Frostburg, MD, associate director for research Office of Geriatrics and Gerontology at The Ohio State University, and director of development for Ohio Retired Teachers Association, Columbus, OH. At Dakota State she is a one-person office responsible for research development and pre-award services.

Sally J. Southwick is the associate director of the Office of Sponsored Projects and Research at Keene State College in Keene, NH. She began her PUI research administration career in 2001 at Carleton College after completing her doctorate in American history from the University of Arizona. She specializes in working with faculty to think strategically about external grant applications to federal, state, and private agencies and in providing support to faculty in research and proposal development.

Sponsored programs administrators at PUIs are typically well integrated into the larger research development mission of their institutions. For instance, Dakota State University has undertaken a formal, campus-wide initiative to build a culture of research as part of the Higher Learning Commission’s Academic Quality Improvement Program (AQIP). In the fall of 2010, the University Research Committee at Dakota State received approval to implement an AQIP action project, “Building A Research Culture at DSU.” Action projects are approved by the University Planning Council which is composed of the deans of each of the three colleges, the dean of graduate studies and research, the president, and the three administrative vice presidents (academic affairs, student affairs, and finance and administration). The AQIP research action project’s goal is to create an environment in which research, scholarship, and creative activities are respected, rewarded, and reported to internal and external stakeholders. The project has the leadership support of the dean of graduate studies and research and the University Research Committee. Not surprisingly, the director of sponsored programs is integral to the project and provides both project management expertise and administrative direction.

At PUIs the sponsored programs offices also have less formalized or publicly visible roles, such as being the primary source for information about research interests and recent grants and contracts. We communicate regularly with offices of media relations to assist them in publicizing faculty scholarship and grant activities. Our offices are also frequently involved in government relations by providing information for local, state, and federal legislators and drafting white papers for university administrators detailing institutional needs and articulating requests. And we communicate with each other – at national and regional meetings, through the PUI email list, and offline. Because of the broad involvement of research administrators within and beyond our institutions, we can reach out to our counterparts at other institutions about scholarly expertise on their campuses and assist faculty in connecting with colleagues elsewhere.

Whether it’s across disciplines or across time zones, PUI research administrators are active in building supportive infrastructure, facilitating partnerships, and enhancing scholarly and creative excellence.

For anyone interested in learning more about how we go about our work or for ideas on expanding the role of research development on their campuses, the PUI Neighborhood library on NCURA’s website offers articles on some aspects of the work we do, including “Strategies for Stimulating Growth,” “Encouraging Faculty Participation,” and “The Role of External Grants in Faculty Development at Predominantly Undergraduate Institutions.” NCURA’s site also offers the DVD of “Building A Culture for Scholarship at a PUI: The Role of Research Administration” by our colleagues Stephen Hansen, Jerry Pogatshnik, and Cindy White, all long-time leaders in research development at PUIs. Our community is committed to our profession at predominantly undergraduate institutions because the focus here is research development: working closely with faculty, doggedly trying to support their full range of scholarly and creative activities, and eagerly seeking to develop collaborations with other institutions.
Abraham Lincoln once said, “I never had a policy; I have just tried to do my very best each and every day.” (Quotegarden) Maybe we could take a lesson from him.

It seems that many of our academic and research institutions focus on compliance “or else” and that the same message is being sent (perhaps unconsciously) by federal agencies as various requirements for additional compliance documentation are imposed. There is no doubt that institutions and individuals should act responsibly, but I wonder if we too often focus on the negative aspects of non-compliance rather than the positive aspects of acting appropriately.

Institutions of higher education are supposed to be places of learning and free exchange of ideas and growth—especially for the benefit of our students. The increasing compliance “burden” that has arisen over the past couple of decades and many institutions’ response to it brings to mind the stages of moral development suggested by Lawrence Kohlberg (1971).

Kohlberg postulated that there are six stages of moral development:

STAGE 1 - Obedience and Punishment Orientation - early stages of childhood

STAGE 2 - Individualism and Exchange/Deals

STAGE 3 - Good Interpersonal Relationships - (usually teens)

STAGE 4 - Maintaining the Social Order/Rules

STAGE 5 - Social contract and individual rights

STAGE 6 - Universal Principles

People in Stage 1 are motivated because something bad may happen if they do the wrong thing (get fired, lose accreditation) or because something good will happen if they do the right thing (get promoted, receive accreditation). Are faculty at your institution being pressured to get grants in order to be promoted or retain positions? Is this the message agencies are sending with their “comply or lose funding” mandate?

People in Stage 2 are strongly motivated by “deal making” (quid pro quo). They will do something good if they know they will get something of equal value in return. Do you know faculty like that? Or people in your office?

People in Stage 3 are motivated by peer pressure—doing something because “everyone else is doing it” or because other people will not approve if they do the wrong thing. Applied to our research institutions, Stage 3 may be the “front page story” equivalent! How often at high-level staff meetings, do we hear someone ask, “What are our peer institutions doing?”

At Stage 4, people are motivated by laws and rules; maintaining the social order is important to them. As someone recently put it at a research staff meeting, there is “compliance for compliance’ sake.” Does anyone remember the days of measuring font size and margins for grant applications? Are we considering the reasons for new policies—or are we just going with the tide?

People in Stage 5 do good things in order to support the greater good of society, even if it may not conform to norms or the individual’s own benefit.

At Stage 6 people are motivated to do the right thing just because it is the right thing to do; they tend to apply universal principles of justice regardless of who is concerned (no one is “more equal” than others).

Most people are at stage 3 or 4; few ever get to stage 6, per Kohlberg. This is consistent with the Chinese Proverb: “Laws control the lesser man. Right conduct controls the greater one.” (Quotegarden)

Kohlberg also suggested that thinking at a specific moral stage may not result in action that reflects that stage. A person may KNOW that a thing is “right” or “wrong” but may act inconsistently with that knowledge (Kohlberg, 1971). Have you ever heard anyone say (or said yourself), “I know I shouldn’t do this, but . . .”

Can people learn to be ethical? Kohlberg and others thought so. Recent studies have shown that university leaders believe so. (Maldonado, et al., 2007) Kohlberg suggested that moral stages are determined by interactions with others and that one can move “up” to higher stages by exposure to those higher stages, discussion and interchange, and facing challenges to thinking, leading to higher levels of thinking (Kohlberg, 1971). Isn’t this what higher education is supposed to be about . . . challenging thinking and encouraging higher-level thinking? Aren’t we supposed to teach this concept to students and to model it for them?
Reginald Ferguson suggested these influences of character development: heredity, early childhood experiences, modeling by important adults and older youth, peer influence, general physical and social environment, communications media, what is taught in schools, and specific situations and roles that elicit corresponding behavior (Crain, 1985).

Ferguson’s reference to some of these influences is consistent with Maslow’s hierarchy of needs, which many of us may remember from our basic psychology classes.

You may remember that Maslow suggested that people are unable to consider higher-level needs if the lower-level needs are not met: In times of danger, people must focus on safety before they can worry about being lonely! Maslow also suggested that an individual’s need level may interfere with ethical thinking, or may cause a regression to a lower stage. (Crain, 1985)

So, what does all of this psychological mumbo-jumbo have to do with compliance? The Office of Research Integrity is reporting increasing cases of scientific misconduct. In its 2008 annual report, the ORI reported that the number of allegations of misconduct had risen from 86 in 1993 to 183 in 2007. They also reported that 76% of closed cases in 2007 resulted in misconduct findings, compared to 43% in 2006. Of the misconduct findings, about half were falsification and half fabrication/falsification (ORI, 2008).

What is the role of our institutions in helping to move people “up the moral ladder”? By exhibiting higher stages of moral development, institutions can enable students, faculty, and staff to move to higher stages of moral development through exposure and interaction. By promoting a campus climate of integrity, institutions should reach to all levels: faculty, staff, students, (even administrators!) and encompass all activities.

What do our mission statements say about our focus? Interestingly, I find that it’s getting harder and harder to locate university mission statements. In years past, the campus mission statement was right up there on the front page and included words like integrity and benefitting mankind.

Do our institutional compliance policies have a positive or negative focus? Even the titles of our policies sometimes reflect the campus attitude. Consider these two:

- Responsible Conduct of Research – policy promoting the expectation of proper research procedures, integrity, ethics (positive)
- Scientific Misconduct – policy spelling out what will happen if personnel do not follow the rules (negative)

Each person on a campus or in an institution can help facilitate the process:

Teachers can stay current in their fields, be fair with students, treat students with respect, and model good behavior. Researchers can model integrity in the grant-seeking process and in the laboratory, accurately recording data, treating staff assistants and students fairly, teaching students how fair competition works, giving appropriate credit on publications. Clinicians can treat patients with respect and kindness, treat assistants and residents fairly and respectfully, and follow appropriate charging structures. Mentors can spend quality time with students and provide a good example in their daily activity; they can exhibit collegiality with both colleagues and competitors. Administrators can develop policies with a positive focus and encourage and/or require training to explain the rationale behind policies so that they are not perceived as merely requiring compliance for its own sake.

In our interactions with students, we have the option of demonstrating that we view compliance as a mandate or burden—or we can teach them the reasons behind the rules and demonstrate a commitment to appropriate behavior. Do we show them that we (and they) should do things for the greater good . . . or what’s good for us?

With the ever-increasing compliance burden placed on them by funding agencies (the NIH new Conflict of Interest policy being one recent example), institutions may be tempted just to meet the minimum requirements—going through the motions of compliance. If so, they will be missing an opportunity to move their campuses up a level—and missing out on “teachable moments” for students, faculty, and staff.

References:
Ferguson: http://www.edpysinteractive.org/topics/morchr/morchr.html
Quotegarden.com (A Harvest of Quotes for Word Lovers).
NCURA MICROGRAPHS
An exceptional collection of publications addressing a variety of important topics!
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Cost Sharing: An Overview: Provides a basic overview of the regulatory requirements and guidelines on cost sharing as well as a review of the challenging practical issues that can arise with awards where cost sharing is offered.

Effort Reporting: An Overview: Provides a brief history and basic understanding of the Federal requirements for effort reporting, the complexities that exist in attempting to meet those requirements, the implications and potential repercussions if the requirements are not met, and options the Federal government has provided universities to comply.

The Role of Research Administration, Second Edition: Provides a broad overview of the many functions and varied roles performed by Research Administrators within the complex environment of academic institutions and sponsoring agencies.


A Primer on Intellectual Property: Discusses the fundamentals of patents, copyrights, trademarks and trade secret law under United States laws.

Facilities and Administrative Costs in Higher Education: Along with the F&A rate development methodology, this micrograph reviews several important issues relating to this topic on campuses.

Cost Accounting Standards: Provides a basic overview of the CAS (Cost Accounting Standards) and the DS-2 (Disclosure Statement) as well as a brief description of Harvard University’s experience with these new standards thus far.

Establishing and Managing an Office of Sponsored Programs at Non-Revenue-Producing Colleges and Universities: Outlines the basic functions of an office of sponsored programs and presents several strategies predominantly utilized by graduate colleges and universities in organizing and managing sponsored programs.

FOR MORE INFORMATION ON THESE MICROGRAPHS OR TO PLACE AN ORDER, VISIT THE NCURA BOOKSTORE:
http://www.ncura.edu/Bookstore

California Institute of Technology

The California Institute of Technology (Caltech) invites applications for the position of Associate Director of Sponsored Research. Caltech is seeking an experienced professional who can work productively and creatively with faculty and staff. The Office of Sponsored Research (OSR) is a pre-award office that also manages post-award non-financial transactions. The Associate Director reports to the Director of Sponsored Research, and manages an office of 9 full-time individuals.

The Associate Director is a senior member of the management team and is responsible for the day-to-day operations of OSR. The Associate Director must be able to represent the concerns and functions of OSR within the Institute and externally to sponsors and collaborating institutions.

Responsibilities include:
- Manage OSR staff; directly supervise two individuals, including hiring, performance appraisal, and work load assignment; provide training on office procedures.
- Develop internal policies and procedures; perform regular reviews of OSR operations to assure maximum efficiency and effectiveness of staff.
- Work with Director to develop campus policies and procedures related to research administration;
- Review/submit complex research proposals to federal agencies as well as domestic and foreign non-profit and commercial organizations.

Associate Director of Sponsored Research

- Negotiate and execute research awards; coordinate review of award documents with principal investigator and other Institute offices.
- Help resolve problems that arise during the course of a sponsored award.
- Represent Caltech in on-going relationships with sponsor authorized representatives and other grants management officials. Accurately articulate Caltech positions on matters of research administration policy and practice.

Qualifications include: Minimum of ten years experience in sponsored research administration at an institution of higher education, or comparable institution; bachelor's degree or equivalent; excellent written and oral communication skills; effective interpersonal skills; experience reviewing and negotiating federal and non-federal research awards; thoroughly familiar with terms and conditions appropriate for an educational institution, as well as relevant OMB Circulars and the FAR.

Application Procedure: Please go to the Caltech employment website: http://cahr.caltech.edu/jobs-HTML/F0.html to browse and select a more detailed job description, as well as instructions on how to apply for the position. Alternatively, you may contact the Caltech HR Office at (626) 395-3300. Caltech is an equal opportunity employer and is committed to an Affirmative Action Program. It is the policy of the Institute that all qualified applicants for employment shall receive equal consideration and treatment.
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"Other groups would have charged at least $150,000 for a report of this type and not have delivered half the value!"

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"The NCURA Program Review was comprehensive and offered many recommendations that will provide a roadmap for the improvement of our research compliance programs. The team members were knowledgeable, insightful, and open-minded, and we will benefit from their sharing of ideas, many of which are based on their experiences at their own institutions."

Research University

"The exit interview was well managed and provided an excellent discussion of key issues, highlights of strength, and suggestions for improvements. I think the exit interview was one of the best I've been involved in."

Emerging Research Institution

For further information about the NCURA Peer Review Program, e-mail peerreview@ncura.edu or call 503-364-1847.
Happy New Year.

I hope everyone enjoyed a great Holiday Season.

Region I was well represented at the National Meeting last November. 164 Region I members attended; 46 attendees were new members. The region has its highest membership number – 1013 members – as of November, 2010.

During this season when there is so little daylight, we in Region I have much to look forward to with the upcoming Spring Meeting. The meeting will be held May 6-9, 2012 in Newport, Rhode Island at the Newport Marriott. The Program Chairs, led by Chair-Elect Karen Woodward Massey, have been hard at work planning a spectacular event full of great sessions and networking opportunities. Please visit the Region I website at www.ncuraregion1.org for additional information.

Our last Research Administrator’s Discussion Group (RADG) of the 2011 year was a resounding success. The topic was “Conflicts of Interest and Commitment: 2011 PHS Regulations.” The session was very informative, and we had many positive comments afterwards from the attendees. If you would like a copy of the presentation please visit the Region I website at www.ncuraregion1.org for additional information.

We will be holding our first RADG of the new year on March 13, 2012. The topic will be “Managing Risk… Managing Expectations… Managing International Projects.” The presenters for this meeting will be Connie Galanis, Associate Director of Finance and Sponsored Research, Harvard School of Public Health; Norm Hebert, Director, International Research Administration, Brown University; and Jennifer Donais, Associate Director, Grant and Contract Administration, University of Massachusetts Amherst. Watch for an email announcing the opening of registration. We will also have information on the region website.

As I close this last article as Chair, I would like to thank all of the members of the Region for your support. NCURA Region I is a volunteer organization. Our strength comes from our volunteers. No effort is too little. We all start out by “dipping our toe” in the water. That is a perfect start. If you are interested in volunteering, please visit the Volunteerism and Membership Committee website at http://www.ncuraregion1.org/volunteer.html to read about the opportunities available. And I look forward to seeing you in Newport.

Bethanne Giehl is out-going Chair of Region I and serves as the Manager, Research Systems at the University of Massachusetts Medical School.
Plenary Speaker. Tuesday: Steve Hansen, Ph.D., former NCURA President and historian in 19th Century U. S. Political History and specializing in the Civil War and Reconstruction.

Workshops. Sunday: Proposal Writing Basics, Tips, and Tools: Helping Your Faculty Prepare Competitive Proposals; Compliance: You’re It!; Administering Awards through Their Life Cycle—It Takes a Village to be Compliant; and, A Day in the Life of a Post Award Financial Administrator.

Sessions. Monday to Wednesday, will be organized in tracks (Pre-Award, Post-Award, Federal, PUI, Departmental, General, and Medical/Clinical) as well as by skill level, and there will be a heavy emphasis on discussion opportunities.

CRA Review Session. Saturday April 21. Contact the RACC for details and to register.

Spring Meeting Travel Awards. Awards of $500 support the travel expenses of two Region II members who have not previously attended a Spring Meeting and have demonstrated their financial need. Recipients will be introduced during the Business Meeting and will be required to provide a report on their experience. Instructions for submitting nomination for yourself or a colleague are on the Region II website.

Region II Distinguished Service Awards. Two current NCURA members who have demonstrated their commitment to NCURA through service and leadership to the Region will be recognized at the 2012 Spring Meeting. Instructions for nominating a colleague are on the Region II website.

Future Regional Spring Meetings. By an overwhelming majority, Region II members voted to head to Niagara Falls/Buffalo in 2013 and to join with Region III for a meeting along the Gulf Coast in 2014. Negotiations with hotels are already underway and we should be able to announce locations and other details in Gettysburg.

Last Words. This is the last Regional Corner article that I will write. I would like to thank the membership for the privilege of serving as your Chair for the past 18 months. It has been a wonderful experience. I would encourage everyone to consider volunteering with NCURA at either the Regional or National levels because you will be able to grow both professionally and personally and get to know many wonderful people and build some great friendships. I’ll close by offering truly heartfelt thanks to the officers and steering committee members of the past two years, and by wishing our new leaders a great year.

Martin Williams is Chair of Region II and serves as the Director of the Office of Sponsored Programs at William Paterson University.

REGION III
Southeast
www.ncuraregioniii.com
https://www.facebook.com/groups/192985687430137

Hats off to our newly elected 2012 officers: Rodney Granec, University of West Alabama; Laura Letbetter, Kennesaw State University; and Jill Griffith, Medical University of South Carolina. We warmly welcome them in their new leadership roles as they bring much expertise in service to Region III. We are grateful and appreciative to our outgoing Secretary, Beryline Temples, for her dedicated services in making 2011 a successful year. We anticipate much to do this year and look forward to the continual direction under the leadership of Rick Smiley, Chair, Jennifer Shambrook, Past-Chair, Cindy Hope, Chair-Elect, Erica Gambrell, Treasurer, and Jill Tincher, Board Member.

Region III takes two out of five for the NCURA 2011 Distinguished Service Awards. The way to go—we are appreciative of the contributions in research of Patrick Green, Associate Director, Division of Sponsored Research at Vanderbilt University and Kerry Peluso, Associate Vice President for Research Administration at Emory University, in honor of our Region and NCURA. Ms. Beryline Temples, M.S. was honored with a plaque and gift certificate for her exemplary service as Secretary to our Region from 2009-2011. Great job team-mates!

The Spring Meeting is just around the corner so mark your calendars and save the dates, May 6-9, 2012, for valuable professional development experience. Our meeting property has changed ownership. It is now the Wyndham Bay Point Resort, but it is the same beautiful location in Panama City Beach, Florida where we met in 2009. Please visit the link to our Region’s website, www.ncuraregioniii.com, for further information about the recently refreshed Wyndham Resort and to watch for registration and program information.

Pink flamingoes danced over the floor of AM53 with exceptional dedication, enthusiasm and service. A few stats are noteworthy: With approximately 2100 NCURA members in attendance, 422 were from Region III; the Program Committee comprised of nine members of which three were from this Region. That represents more support from than any other region. In Robyn Remotigue’s words, “Thanks to all of you who volunteered to help at the annual meeting. The Region III meeting is just around the corner and plans are underway. If you are interested in helping, there are many areas to do so. We will need help with room monitors, mentors, registration and folks that are tech savvy to help with room preparation. An email blast will be sent to the Region III members calling for volunteers. Consider making a contribution to your region by volunteering!” You may recall that at last year’s meeting, our region launched its first mentor/mentee program. If you’re interested in being a mentor to someone new in the region, please contact Robyn Remotigue at Mississippi State University. The new folks appreciated this outreach to them and the effort to welcome them into the region. She may be reached at Robyn@spa.msstate.edu.

Dhanonjoy C. Saha, Ph.D. and Bill Lambert serve as Region III’s magazine contributors. Dr. Saha is Assistant Vice President, of Research Administration & Operations at Carolinas Medical Center. Bill is the Assistant Dean for Research Administration at Emory University.
I hope you all are enjoying a wonderful Holiday Season! As I awake from “conference coma”, I realized now was a good time to reflect on what a great year we’ve had!

I was glad to see many of you at the NCURA 53rd Annual Meeting (November 6-9, 2011)! Region IV had a great showing with over 1000 in attendance. There were plenty of Region IV events at the annual meeting, too. These events were intended to be inclusive of all membership and to enhance the professional development experience. The events we held were: DC After Dark bus tours, New Member Reception, Region IV dinner groups, Dessert Mix & Mingle and a Joint Region IV and V Hospitality suite.

This past September, the Region IV Board met in Chicago for our Summer Board Meeting. We had a great, efficient meeting and covered a lot of topics. Region IV will continue to work on offering a variety of professional development opportunities that occur in a nurturing setting, where we will be able to share day to day research administration challenges and learn best practices. The Board met in the summer and outlined some key areas to work on for 2011-2012. They are:

- Continuing the initiative and work of the Mentoring Program Task Force. Recommendations have been given for the Region to provide 3 areas of mentoring: guiding/navigation, mentoring for leadership and mentoring for the workplace.
- Continuing the initiative and work of the Website Task Force. Recommendations have been given for the Region’s re-design of the website. In addition, there are proposals to enter the social media world through Facebook and Twitter.
- Working to define volunteer roles in the Region to better assist with volunteer recruitment.

Mark your calendars: Next year’s spring meeting in St. Louis (April 14, 2012 – April 17, 2012). Anyone wanting to volunteer or participate should contact Jeff Ritchie jeffrey.ritchie@aurora.org, who is Chair-Elect and Program Committee Chair.

David Ngo is the Chair of Region IV and serves as the Managing Officer at the University of Wisconsin-Madison.

It was great to see everyone that attended the National meeting. Between the hospitality suite, casino night, the DC bus tour, dancing, and other events, there was plenty of social networking (non-virtual) for the region. I believe we are still in a time that the ease of our virtual interactions cannot replace the value of our in-person experiences among colleagues. This makes our National and Regional meetings rich in value for research administrators at every level. Whether it is mentoring, learning or sharing, there is a variety of roles we all play in our research community.

For their spirit of giving back to our community, I want to thank all of the Region V members that presented or moderated sessions or workshops at the National meeting and in particular thank the thirteen volunteers that filled a variety of roles to help with our administrative responsibilities. Our membership has grown to over 610 members by the end of 2011 and this only stresses the importance of service we can give back to our community.

There were some important announcements made at the business meeting that are now in effect or that should be reiterated. Thank you Cheryl Anderson (University of Texas Southwestern Medical Center at Dallas) and Patricia Allen (Sam Houston State University) for their service as Region V executive committee members, Debbie Newton (University of Tulsa) for her service as the Region V Member of the National Board of Directors, and Joanne Palmer (Texas State University – San Marcos) for her service as Secretary. Their appointments expired December, 2011. We welcome incoming officers Hollie Schreiber (Oklahoma State University) as Secretary, Carolyn Ivey (University of Houston) and Matt Berry (The University of Oklahoma, Norman Campus) as Region V executive committee members, and Marianne Woods (University of Texas at San Antonio) as the Region V Member of the National Board of Directors.

We are looking forward to an outstanding joint spring meeting with Region IV in St. Louis April 15th – 18th, 2012. With higher attendance we will have six program tracks—medical, predominantly undergraduate institution, financial, pre-award, compliance and special topics. We will also have plenty of opportunities for networking. The conference hotel, the Hilton St. Louis at the Ballpark, is located next to Busch Stadium and is within easy walking distance of several area attractions. Check the regional web page for the latest information. For specific questions or to volunteer for the meeting, contact Kathleen Harris, Vice Chair Kathleen.harris@ttu.edu, or Sarah Fella, Volunteer Coordinator sarah.fella@austi.utexas.edu.

Jeremy Forsberg is the Chair of Region V and serves as the Assistant Vice President of Research at the University of Texas at Arlington.
As we welcome the New Year, it brings change to our leadership for Region VI, we welcome: Gale Yamada, Secretary and Wanda Bowen, Treasurer, and I am pleased to serve as incoming Chair of the Region.

Please mark your calendars and make plans to attend our Regional Spring Meeting in Waikoloa, Hawaii from April 15th – 18th 2012. The theme of our meeting is “Discover the Difference: Creating Connections Together”. The meeting will be held at the Hilton Waikoloa Village.

The Program Committee for Region VI, along with our Region VII partners, is busy lining up workshops, concurrent sessions that will address everyone’s needs from beginners to senior level. The Region VI program committee consists of the following members:


Details of the meeting including registration, travel awards etc... can be found on our website http://www.ogrd.wsu.edu/r6ncura/. The meeting promises to be engaging, informative and exciting.

Lastly, I want to express my gratitude, appreciation and thanks to the Region VI 2011 Officers, Committees and Representatives:

Regional Advisory Committee: Jeri Muniz, Chair; Joseph McNicholas, Secretary; Mich Pane, Treasurer; Leisa Rodriguez, RAC Member; Charles Greer, RAC Member; Georgette Sakumoto, RAC Member.

Regional Nominating Committee: Ted Mordhorst, Chair Nominating Committee; Kevin Stewart, Chair, Awards Committee; Linda Patton, Chair, Education and Professional Development Committee; Melissa Mullen, Chair, Membership and Volunteer Committee

Members on NCURA National Committees: Csilla Csaplar, Georgette Sakumoto and Samantha Westcott, Board of Directors; Christopher Hale, Financial Management Committee; Virginia Anders, Nominating and Leadership Development Committee; Pat Hawk, Ted Mordhorst, and Dan Nordquist, Professional Development Committee.

Rosemary Madnick is incoming Chair of Region VI and serves as the Assistant Vice President for Research Administration at the Los Angeles Biomedical Research Institute.
Annual Meeting Changes Starting in 2013

Outstanding sessions and networking opportunities keep you and 2,000+ research administrators coming to Washington every year for NCURA’s Annual Meeting. Starting 2013, you can bring the family, too! The 55th Annual Meeting in 2013, and future annual meetings, will be held in August! This move significantly rolls back sleeping room rates and invites you to bring the family and enjoy summertime in Washington!

It’s always easy to pack your days with fun, free things to do in Washington, DC - and it’s even easier during the summertime, when free and bargain-priced concerts, performances, festivals and more abound.

In Washington, DC, you’ll enjoy access to fascinating, FREE attractions and historic sites. Touch a moon rock, marvel at the Hope Diamond, view Dorothy’s Ruby Red slippers or explore Native American culture at the Smithsonian Institution’s fifteen Washington, DC area facilities. Discover treasures like the Gutenberg Bible at the Library of Congress, the only daVinci painting in North America at the National Gallery of Art and historic documents like the Declaration of Independence at the National Archives.

Away from these celebrated federal sites, Washington, DC unwinds into a fascinating network of neighborhoods where visitors discover trendy boutiques, hip bars and restaurants, plus art galleries, historic homes and lush parks and gardens. Shoppers love the store-lined streets of Georgetown, while jazz music fans won’t want to miss a trip to U Street, where Duke Ellington played his first notes. The city’s international character shines through in its Adams Morgan and Dupont Circle neighborhoods, two prime destinations for eclectic dining and nightlife and the historic center of the city’s embassy community.

The arrival of several new eateries has made the nation’s capital a prime destination for dining out, with many of the city’s top tables located in the downtown Penn Quarter neighborhood. DC is also earning new recognition as a thriving performing arts town, with 65 professional theatre companies based in the metropolitan area presenting edgy world premieres and celebrated Broadway musicals throughout the year.

Thanks to DC’s pedestrian-friendly streets and its safe, efficient public transportation system—including Metrorail and the hip, new Circulator bus—it’s easy to get from your hotel to Washington, DC’s attractions.

So plan to bring the family, stay and enjoy the city for NCURA’s 55th Annual Meeting in 2013 and beyond!

Future Meeting Dates:

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<tr>
<th>August 4-7, 2013</th>
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<td>August 10-13, 2014</td>
<td>August 13-16, 2017</td>
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<tr>
<td>August 2-5, 2015</td>
<td>August 5-8, 2018</td>
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Mark your calendars now and plan for the future!

**Dan Nordquist** is the 2012 NCURA President and serves as the Assistant Vice President and Director, Office of Grant and Research Development, Washington State University.
James Casey is Senior Editor of NCURA Magazine and Executive Director, Office of Grants, Contracts, and Industrial Agreements, at The University of Texas at San Antonio. A research administrator since 1994, he currently serves on the NCURA Board of Directors and the Professional Development Committee. He is Chair of the Region V Professional Development Committee. Previously he served as the RMR Editor, Board member, Chair of the International Neighborhood, member on the International Commission, and has written numerous articles and given presentations on research administration in the U.S. and abroad. He received the NCURA Distinguished Service Award in 2009. He is a member of the University-Industry Demonstration Partnership (UIDP) Board of Directors. James is a member of the Wisconsin Bar, Wisconsin State Bar Communications Committee, American Bar Association, American Association for the Advancement of Science, and European Association of Research Managers and Administrators. He has been associated with NCURA Magazine (and its predecessor Newsletter) since early 2007 and looks forward to another year of fantastic issues.

Kristine M. Kulage is Co-Editor of NCURA Magazine and Director of the Office of Scholarship & Research at Columbia University School of Nursing in New York City. Originally from St. Louis, MO, she received her BA and MA in English from Southeast Missouri State University and is currently pursuing an MPH in health policy and management at Columbia’s Mailman School of Public Health. Kristine was a college composition instructor prior to beginning a career in research administration in 1996 at Washington University School of Medicine. Since 2000, she has been at Columbia University where she is responsible for preparing and monitoring the School of Nursing’s sponsored projects and training grant portfolio. In addition, she assists faculty members with grant writing and presents research seminars. Kristine is particularly interested in reducing administrative barriers to interdisciplinary research, and she serves as a peer reviewer for Academic Medicine. An NCURA member since 2007, she just completed a 2-year term as a Contributing Editor of NCURA Magazine and frequently presents at regional and national NCURA Meetings. A former musical theatre critic for a non-profit magazine, Kristine is an avid fan and supporter of Broadway Theatre.

Deborah (Debbie) L. Smith, Ed.D., is Associate Vice Chancellor for Research at the University of Tennessee Health Science Center in Memphis, where she recently completed 30 years of tenure. She has been a research administrator since 1985 and is a co-founder of the Mid-South Area Research Administrators. Debbie is Co-Editor of the NCURA Magazine and a graduate of the NCURA Leadership Development Institute and The University of Tennessee Leadership Institute. She holds a B.S.E. from Arkansas State University, and M.S. and Ed.D. degrees from Memphis State University (now University of Memphis); her background includes teaching at the community college and graduate levels. She has presented at NCURA, SRA, and AUTM regional meetings and has published in the NCURA Magazine, Research Management Review, and the SRA Journal. Debbie does volunteer work through the Memphis Area Master Gardeners and is a volunteer reader for WYPL, the Memphis Public Library radio station.

Tom Wilson is the Senior Research Administrator and Assistant Vice President at Rush University Medical Center in Chicago, Illinois. Tom has over 30 years of experience in research administration. Tom’s responsibilities have included all aspects of pre-award and post-award research administration and he has been a member of National Council of University Research Administrators since 1987. He is currently Co-Editor of the NCURA Magazine. Tom has been a frequent presenter at the NCURA annual meeting, regional meetings, and workshops on a variety of topics in research administration and has authored and co-authored a number of NCURA publications. Tom received a BS in Accounting from Rutgers University, and a MBA from the University of Arizona. Tom has had a fascination for contemporary art and design from a very young age, but did not fully explore and develop his artistic ability until 2006 when he studied art at the Armory Center for the Arts in Pasadena, California. His studies at the Armory included contemporary painting techniques and concept development. Tom’s works have been exhibited in galleries in the Chicago area and are an expressive blend of design and color utilizing a mixed media of oil and acrylic.
Electronic Research Administration

Neighborhood Watch

News from NSF about Research.gov and FastLane

SUBJECT: For Your Information: National Science Foundation is transitioning all financial services to Research.gov

January 2012 marks a new step forward in the National Science Foundation’s modernization of FastLane and transition to Research.gov. Financial administrators on projects funded by NSF must now access financial services through Research.gov and revised policy requires that institutions prepare and submit Federal Financial Reports (FFR) using the website’s FFR service.

Accessing Financial Functions on Research.gov All financial users with the following access permissions – Cash Request User, Grantee EFT User, FFR Preparer and FFR Certifier – must use Research.gov to access NSF financial services. This means that you will log into Research.gov using your FastLane credentials to request cash transfers; modify and certify banking information for Electronic Funds Transfers (EFTs); and view your organization’s NSF financial reporting activity, cash requests and EFT updates. All financial users who try to access financial services through FastLane will be transferred directly to Research.gov to login.

Using the Research.gov FFR Service Revised NSF policy requires that grantees prepare and submit quarterly Federal Financial Reports (FFRs) through Research.gov beginning with reports that are due on February 1, 2012. For further information, review Article 9 of the NSF Agency Specific Requirements to the Research Terms & Conditions posted at www.nsf.gov/pubs/policydocs/rtc/nsf_212.pdf.

The process of preparing and submitting FFRs in Research.gov is similar to FastLane and has been available on Research.gov since November 2008. You can access the FFR service from the home page, after logging into Research.gov.

Making the Move to Research.gov 2013 will bring more change to Research.gov, including the introduction of a new award payment service and a new service for submission of annual, final, and interim progress reports. The financial services change may not impact you today, but now is the time to start or continue your own transition to Research.gov.

What can you do? Try the following steps and make Research.gov a part of your daily work:

- Login using your FastLane credentials
- Bookmark Research.gov
- Use Research.gov as your “portal” to Financial Services
- Stay tuned for future changes

Research.gov Help Desk For assistance, please contact the Research.gov Help Desk, 7 AM - 9 PM Eastern Standard Time, Monday through Friday (except for federal holidays). You can contact the Research.gov Help Desk by emailing rgov@nsf.gov or by calling 1.800.381.1532.

Rebecca Puig is Director of Sponsored Research at University of South Florida

Financial Research Administration

Neighborhood Watch

From David Kennedy, Director, Cost Policy, Council on Governmental Relations

On December 16, 2011 “the House passed their version of the Final FY 2012 appropriation bills for those agencies where FY2012 funding was still uncertain. H.R. 2055 (House Report 112-331) includes appropriations for DHHS, which includes NIH. We expect the Senate will follow and that the Final FY2012 appropriation bills will be signed by the President.

Section 203, General Provisions of H.R. 2055 includes this language: ?None of the funds appropriated in this title shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II.? Consequently, this provision would reduce the salary cap on extramural grants from Executive Level I ($199,700 in 2011) to Executive Level II ($179,700).
Christa Johnson, formerly Associate Dean for Research at Southern Illinois University Edwardsville is now Assistant Vice Chancellor for Sponsored Research Services at Washington University.

Brenda Lacy-Roberts, formerly Contracts and Grant Administrator at the University of Southern California, is now Manager of Pre-Award Services at Cedars-Sinai Medical Center.

Antoinette (Toni) Lawson is the new Director of the Office of Research Administration (ORA) in the Division of Research at the University of Maryland, College Park

NIH will address a number of important implementation issues as soon as possible. It has been over a decade since this salary level has decreased, so there are a number of issues that need to be addressed. COGR is in contact with NIH staff and will provide additional updates as we learn them."

Also continue to monitor developments on comments provided to the A-21 Task Force. A summary of comments can be found at (http://rbm.nih.gov/a21_task_force.htm), where you can also find published input from COGR and the AAU.

Brian J. Sevier is the chair of the FRA Neighborhood Committee and serves as an Associate Director for Contracts and Grants at the University of Florida.

One of These Things Is Not Like the Other: Managing Project Terms

It is easy to get into a rut and assume that the way you do things most of the time is the way all things work. For those of us who primarily work with Federal awards, managing proposals and awards from non-federal agencies and foundations may require us to sharpen our thinking. These awards often do not follow policies that we think of as “standard,” and if we do not take care to address the differences, mistakes may be made.

Read every Request for Application (RFA) carefully to ensure that all of the requirements for a particular submission are met. If the proposal will be submitted through the agency or foundation’s web site, how do you register? Does your central sponsored projects office have or need access? If you are not familiar with the granting agency or foundation, talk to someone who is and learn from their experiences. Introduce yourself to the grants management staff and ask questions if you are unclear about elements of the application.

Review budget instructions and budgeting categories closely; allowable expenses and budget categories vary with funding agency. Pay attention to special restrictions on equipment or computer purchases or on the amount of PI salary that can be charged to the project. Is F&A calculated based on total costs or total direct costs? Read the agency’s policies on intellectual property and publication rights to see if they are compatible with your institution’s policies. Now is also the time to scrutinize the agency’s standard award terms for any issues that need to be addressed before your institution can accept the award.

Once the award is made, carefully review the terms and jot down notes in a place where you will see them when you need them. A note in the header of your account spreadsheet or database reminding you that “Re-budgeting > 5% requires prior approval” could save grief down the road. Review the reporting requirements and the rules about carry-forward and time extensions. Make sure that your PI understands these requirements as well. They too may have a habit of thinking that all projects fall under the same guidelines.

Jennifer Lawrence is a member of the Departmental Administration Neighborhood Committee and serves as Department Administrator for the Department of Neuroscience in the School of Mind, Brain & Behavior at the University of Arizona.
**Release Date: February 15, 2012**

**IT TAKES A VILLAGE TO MANAGE AWARDS: POST-AWARD ISSUES FOR PRE-AWARD RESEARCH ADMINISTRATORS & DEPARTMENTAL ADMINISTRATORS**

**Program Level:** Overview

As research administrators, we are challenged with multiple compliance issues in supporting our researchers. Whether it’s assisting with proposal preparation, facilitating the submission process, award negotiation and acceptance, or managing the award through closeout, there are many aspects of research administration compliance that impact what we do as administrators. Communication is essential between departmental, pre-award and post-award offices to ensure that award compliance is managed effectively and efficiently. This program will examine such areas as best practices for good communication between departmental, pre-award and post-award offices at proposal stages, facilitating budget development and budget justifications which can be defensible in post-award audits, minimizing cost transfers, and managing cost sharing on sponsored projects.

**Learning Objectives:**
- Explore key compliance issues impacting departmental, pre-award and post-award functions;
- Identify best practices to facilitate efficient and effective award management.

**Target Audience:** Departmental Administrators, Pre-Award Administrators

**Moderator:** Samantha J. Westcott, Manager, Sponsored Projects Team, Children’s Hospital Los Angeles

**Panelists:**
- Kerry Peluso, Associate Vice President for Research Administration, Emory University;
- Jerry Pogatshnik, Associate Vice President for Research and Dean of the Graduate School, Eastern Kentucky University;
- Tamara Lucas, Specialist, Contracts and Grants, Departments of Pathology, Medical & Research Technology, University of Maryland, Baltimore

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**Release Date: April 9, 2012**

**TECHNOLOGY TRANSFER ISSUES FOR THE RESEARCH ADMINISTRATOR**

**Program Level:** Overview

Universities are involved in technology transfer activities related to the intellectual property generated by their faculty, staff and students. Research administrators need to understand the basics of these activities in order to obtain agreements that are compliant with federal law and promote research activities. This program will start with the policies and regulations which created most modern practices, like the Bayh-Dole Act, the Tax Reform Act of 1986, and federal government rights and regulations. It will also provide an understanding of intellectual property, starting with patents, copyrights, and trademarks. It will continue with the transfer mechanisms used to get the IP into the hands of the industrial collaborators with definitions of the different agreements, namely licenses and options as well as the impact of the America Invents Act. It will cover the terms used in those agreements like exclusivity, fields of use, timeframes, royalties, equity, and patent cost recoveries. Examples will be shared and analyzed.

**Learning Objectives:**
- Obtain a fundamental understanding of intellectual property;
- Understand industry collaborations and what they mean to the university;
- Understand the basics and beyond of agreement terms and conditions.

**Target Audience:** Pre-Award and Departmental Administrators

**Moderator:** Jilda Garton, Associate Vice Provost for Research and General Manager of Georgia Tech Research Corporation, Georgia Institute of Technology

**Panelists:**
- Elaine Brock, Senior Associate Director, Division of Research Development and Administration, University of Michigan;
- Alexandra McKeown, Associate Dean for Research Administration, Johns Hopkins University Bloomberg School of Public Health

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National Council of University Research Administrators
1015 18th Street, NW, Ste 901, Washington, DC 20036 | www.ncura.edu | (202) 466-3894
**Release Date: July, 16, 2012**

**EXPORT CONTROLS AND OTHER SECURITY CONCERNS**

**Program Level:** Overview

This program will cover export controls and national security concerns applicable to research at those universities that may not have a skilled or dedicated export control officer or export control compliance office. The session will take export control and national security (e.g., security plans, access to classified information) issues and their applicability in the everyday life of the pre-award research administrator (proposal review, award negotiations), department administrator (field research trips, foreign travel, shipments), and faculty members (conferences, meetings, sharing of data/etc). The session will also include how to “start from the very basics” in building an internal export control management plan, training, etc.

The Obama Administration’s new export control reform initiatives and their affect on universities would be discussed. This session is not intended to review the licensing process, as its focus would be towards the organizations that perform fundamental research with no requirements for receipt of controlled information on their campus.

**Target Audience:** Departmental, Pre-Award, Research Compliance Administrators, Faculty

**Moderator:** Randall Draper, Director, Office of Contracts and Grants, University of Colorado at Boulder

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**Release Date: October 17, 2012**

**HOW TO APPLY PROCESS IMPROVEMENT STRATEGIES TO RESEARCH ADMINISTRATION**

**Program Level:** Intermediate

This program will describe the framework for some of the best practices used in both pre- and post-award. We often solve sponsored-related issues on a case-by-case basis considering the variety of factors impacting each award. As volume, sponsor [and customer] expectations, and complexity have increased, many institutions are pursuing systemic process improvement in order to increase stewardship, efficiency, and transparency while improving customer service with limited personnel and budgetary resources. Technology has advanced allowing for a range of simple and inexpensive solutions for low volume users and sophisticated electronic systems to address high volume activity.

The session will include: how to approach process improvement, strategies used in decision-making, obtaining resources, tools to define system requirements. Case studies of process improvement in the research administration area will be explored including system-to-system grant submissions, agency invoicing and reporting, electronic archiving, sophisticated reporting tools for key metrics, and responding to unintended consequences.

**Learning Objectives:**
- How to approach business process improvement in pre and post award processes;
- Identify best practices to improve processes and customer service through systemic solutions and collection of metrics;
- Identify streamlining techniques while addressing compliance concerns.

**Target Audience:** Departmental, Pre-Award, Post-Award and Research Compliance Administrators

**Moderator:** Robert Lowman, Associate Vice Chancellor for Research, UNC-Chapel Hill

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NATIONAL TRAVELING WORKSHOPS
FUNDAMENTALS OF SPONSORED PROJECT ADMINISTRATION WORKSHOP
January 30-February 1, 2012 ............................................................. Miami, FL
SPONSORED PROJECT ADMINISTRATION LEVEL II WORKSHOP
January 30-February 1, 2012 ............................................................. Miami, FL

NCURATV 2012 DVD WORKSHOPS
It Takes a Village to Manage Awards:
Post-Award Issues for Pre-Award and
Departmental Administrators......................................................Available February 15
Technology Transfer Issues for the Research Administrator............Available April 9
Export Controls and Other Security Concerns ..............................Available July 16
How to Apply Process Improvement Strategies
to Research Administration............................................................Available October 17

NATIONAL CONFERENCES
13TH ANNUAL FINANCIAL RESEARCH ADMINISTRATION
(FRA) CONFERENCE
Walt Disney World Swan and Dolphin Resort, Orlando, Fl...............March 26-28, 2012
6TH ANNUAL PRE-AWARD RESEARCH ADMINISTRATION
(PRA) CONFERENCE
Vancouver, British Columbia.........................................................July 18-20, 2012

54TH ANNUAL MEETING

REGIONAL SPRING MEETINGS
REGION I (NEW ENGLAND) SPRING MEETING
Newport, RI.... ..............................................................................May 6-9, 2012
REGION II (MID-ATLANTIC) SPRING MEETING
Gettysburg, PA..............................................................April 22-25, 2012
REGION III (SOUTHEASTERN) SPRING MEETING
Panama Beach, FL .........................................................May 6-9, 2012
REGION IV/V (MID-AMERICA/SOUTHWESTERN) SPRING MEETING
St. Louis, MO ........................................................April 14-17, 2012
REGION V/VII (WESTERN/ROCKY MOUNTAIN) SPRING MEETING
Waikoloa, HI ..........................April 15-18, 2012

DEADLINES FOR MARCH/APRIL 2012
Submission of Articles to Contributing Editors ..............February 3, 2012
Submission of Articles to Co-editors .............................February 10, 2012
Submission of Advertisements ................................February 10, 2012

Additional information for authors can be found at:
www.ncura.edu/content/news/newsletter/author_instructions.php

For further details and updates visit our
events calendar at www.ncura.edu