

11-17-2016

Changes to the Policy for the Administration of Grants, Contracts, and Gifts.

University of Rhode Island Faculty Senate

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Serial Number #16-17—8

TO: President David Dooley
FROM: W. Michael Sullivan, Chairperson of the Faculty Senate

1. The attached BILL titled, Changes to the Policy for the Administration of Grants, Contracts, and Gifts is forwarded for your consideration.
2. This BILL was adopted by vote of the Faculty Senate on November 17, 2016.
3. After considering this bill, will you please indicate your approval or disapproval. Return the original, completing the appropriate endorsement below.
4. In accordance with Section 10, paragraph 4 of the Senate's By-Laws, this bill will become effective December 8, 2016 three weeks after Senate approval, unless: (1) specific dates for implementation are written into the bill; (2) you return it disapproved; or (3) the University Faculty petitions for a referendum.



W. Michael Sullivan
Chairperson of the Faculty Senate


November 17, 2016

ENDORSEMENT

TO: Chairperson of the Faculty Senate

FROM: President of the University

- a. Approved .
- b. Approved subject to Notice of the Council on Postsecondary Education ____.
- c. Disapproved ____.



Signature of the President

11.29.16

(date)

POLICY FOR THE ADMINISTRATION OF GRANTS, CONTRACTS AND GIFTS

ORIGINATOR: Office of the ~~Provost~~ Vice President for Research and Economic Development

DATE: ~~September, 2000~~ November 9, 2015

POLICY #00-1

Introduction

This policy defines the administration of grants, contracts and gifts ~~between~~ among the University's of Rhode Island Division of Research Office and the Economic Development, Office the University of Rhode Island Research Foundation, and the University of Rhode Island (URI) Foundation. The importance of establishing a formal distinction between grants, contracts and gifts is related to the evolution of federal/state compliance and auditing issues in recent years. The following sections of this policy define the terms grants, contracts and gifts, and outline the procedure for processing awards.

Definitions of Grants, Contracts and Gifts

Sponsored Agreements (Contracts and Grants Grants {Type I}): The University's of Rhode Island Division of Research Office and Economic Development shall process and receive all grants ~~{Type I}~~, contracts, and other sponsored funds awarded to the University (see Appendix A). Grants ~~{Type I}~~, contracts and sponsored agreements are defined as external funding that comes from a federal funding agency, quasi-federal funding agency, state agency, international agency, foundation, business, corporation, or private individual that:

1) requires the delivery of a product or service, or 2) requires the delivery of a research report that includes but is not limited to results, data, findings, surveys, and financial information, or 3) requires specific commitments regarding the levels of personnel efforts, or 4) involves stipulations regarding data, publications or intellectual property such as inventions, patents, certain copyrights or licenses, or 5) involves indirect cost funds. Please note that there may be grants from large charitable foundations that require detailed project descriptions and/or deliverables. They Those must also be processed and received by the Division of Research and Economic Development. ,but the University of Rhode Island Foundation will receive full gift credit for them as specified by CASE. The URI Foundation will process gifts and provide tax receipts as allowed under IRS regulations, and provide donor recognition as governed by Council for Advancement and Support of Education (CASE) standards.

Gifts and Grants {Type II}: The Development Office University of Rhode Island URI Foundation

shall process and receive all gifts and grants ~~{Type II}~~ (see Appendix A). Gifts ~~and grants {Type II}~~ are defined as external funding (and/or donated equipment or goods) that comes from a foundation, business, corporation, or private individual that has no required deliverables such as but not limited to products, or services, and cannot carry any obligations involving data, publications or intellectual property such as inventions, patents, certain copyrights or licenses. Gifts ~~or grants {Type II}~~ may require, however, fiscal or program report for accountability purposes. The donor specifically intends the funds to be a charitable gift or deduction as defined by the IRS and as reflected by the absence of deliverables or intellectual property rights as defined in the above paragraph and Appendix A.

This policy assures the University of Rhode Island and the URI Foundation will be in compliance with all Internal Revenue Service requirements, as well as CASE standards for best practice in gift acceptance.

Related Compliance Issues

Regardless of whether the external funds are a gift, grant, or contract, any project using human subjects, animal subjects, radioactive material must be in compliance with all applicable University, State and Federal regulations. Further, regardless of whether the external funds are a gift, grant or contract, any intellectual property arising from the use of these funds shall be subject to the University Intellectual Property policy as detailed in the *University Manual*.

Faculty and staff are not authorized to enter into written or unwritten agreement(s) with sponsors, and are not authorized to sign contracts that involve the use of any University facilities, space, equipment, and personnel; or involve intellectual property; or restrictions on publications. Only the authorized representatives of the University of Rhode Island (President, ~~Provost and~~ Vice President for ~~Academic Affairs~~ Administration and Finance, Vice President for ~~Business Research~~ and ~~Finance~~ Economic Development, ~~Vice Provost for Graduate Studies, Research and Outreach~~, and ~~the~~ Controller), designated by the Board of ~~Governors~~ Education, are empowered to negotiate and sign such agreements or contracts.

Procedures

Grants ~~{Type I}~~, contracts and other sponsored agreements shall be processed and received by the University's Division of Research Office and Economic Development. All principal investigators shall submit their grant ~~{Type I}~~/contract proposals and requests for external funds to their Dean/Vice President and then to the Division of Research Office and Economic Development for administrative approval and transmittal to the funding agency. Upon receipt of the award, the Office of Sponsored Projects Post Award section, in collaboration with the Office of Grant and Contract Accounting, will assist the principal investigator(s) in the administration of their grants, contracts

and other sponsored agreements.

Gifts and grants ~~{Type II}~~ to the University shall be processed and received by the ~~University's Development Office~~ URI Foundation. Upon receipt of a gift or grant ~~{Type II}~~ from a donor, the ~~Development Office~~ URI Foundation will record the donation, send a tax receipt (when appropriate), and send a letter of a gift acknowledgement to the donor. If administrative fees are provided by the foundation or private source ~~with Type II grants~~, then these funds will be deposited into a University account. Any gift fees ~~The University of Rhode Island Foundation 5% gift fee will be deposited into a Foundation account.~~

In cases where it is not clear or there is any doubt whether a proposal and/or external award is a gift, grant or contract, it shall be the responsibility of the faculty or staff member and his/her Dean/Vice President to contact and discuss the proposal and/or award with the Vice ~~Provost~~ President for ~~Graduate Studies, Research and Outreach~~ Economic Development. The Vice ~~Provost~~ President for ~~Graduate Studies, Research and Outreach~~ Economic Development, in turn, will review the proposal and/or award with the ~~Associate Vice-President or Chief Financial Officer for of the Development~~ URI Foundation, and the Controller. ~~{In the event that a proposal and/or award is submitted directly to the Development Office {or URI Foundation}, the Associate Vice-President or Chief Financial Officer for Development of the URI Foundation will contact the Vice Provost-President for Graduate Studies, Research and Outreach Economic Development and the Controller and initiate the review.}~~ The Vice ~~Provost~~ President for ~~Graduate Studies, Research and Outreach~~ Economic Development, ~~Associate Vice~~ the URI Foundation ~~President for Development~~ or Chief Financial Officer and ~~the~~ Controller will review the proposal and/or award relative to the definitions above with particular attention to deliverables, apparent deliverables and intellectual property issues. The URI Foundation's Corporate and Foundation Relations Team Director will participate in these discussions. In the event that a decision cannot be reached by the Vice ~~Provost~~ President for ~~Graduate Studies, Research and Outreach~~ Economic Development, ~~Associate Vice~~ President or Chief Financial Officer ~~for Development of the URI Foundation~~ and ~~the~~ Controller, then the final decision will be made by the ~~Provost and Vice President for Academic Affairs~~ President of the University of Rhode Island.

The Vice ~~Provost~~ President for ~~Graduate Studies, Research and Outreach~~ Economic Development (who serves as the Chair of the University of Rhode Island Research Foundation Board), the ~~Associate Vice~~ President and Chief Financial Officer ~~for Development~~ Director of the URI Foundation, and ~~the~~ Controller will meet on a biannual basis and review all gifts that have been donated to educational and research programs. The URI Foundation's Corporate and Foundation Relations Team and the University of Rhode Island Office of Sponsored Projects will be consulted regarding these discussions.

Please note that the ~~Development Office~~ URI Foundation will not deposit external funds awarded to a faculty, staff or administrator for research programs without the written approval of the Vice

~~Provost~~ President for ~~Graduate Studies~~, Research and ~~Outreach~~ Economic Development and the ~~Associate Vice President for Development or the Provost and Vice President for Academic Affairs~~ of the URI Foundation.

Where the faculty, staff or administrator obtains direct funding for a fellowship award (e.g., Fulbright, Nobel etc.), the researcher is advised to notify the Vice ~~Provost~~ President for ~~Graduate Studies~~, Research and ~~Outreach~~ Economic Development upon receipt of the fellowship award.