

POLICY FOR THE ADMINISTRATION OF GRANTS, CONTRACTS AND GIFTS

ORIGINATOR: Office of the Provost

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POLICY #00-1

Introduction

This policy defines the administration of grants, contracts and gifts between the University's Research Office and the Development Office. 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 {Type I}): The University's Research Office 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, 4) involves stipulations regarding data, publications or intellectual property such as inventions, patents, certain copyrights or licenses, or 5) involves indirect cost funds.

Gifts and Grants {Type II}: The Development Office 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.

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, Vice President for

Business and Finance, Vice Provost for Graduate Studies, Research and Outreach, and Controller), designated by the Board of Governors, 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 Research Office. 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 Research Office for administrative approval and transmittal to the funding agency. Upon receipt of the award, 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. Upon receipt of a gift or grant {Type II} from a donor, the Development Office will record the donation 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.

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 for Graduate Studies, Research and Outreach. The Vice Provost for Graduate Studies, Research and Outreach, in turn, will review the proposal and/or award with the Associate Vice President for Development 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 for Development will contact the Vice Provost for Graduate Studies, Research and Outreach and Controller and initiate the review). The Vice Provost for Graduate Studies, Research and Outreach, Associate Vice President for Development and Controller will review the proposal and/or award relative to the definitions above with particular attention to deliverables, apparent deliverables and intellectual property issues. In the event that a decision cannot be reached by the Vice Provost for Graduate Studies, Research and Outreach, Associate Vice President for Development and Controller, then the final decision will be made by the Provost and Vice President for Academic Affairs.

The Vice Provost for Graduate Studies, Research and Outreach, Associate Vice President for Development Director and Controller will meet on a biannual basis and review all gifts that have been donated to educational and research programs.

Please note that the Development Office will not deposit external funds awarded to a faculty, staff or administrator for research programs without the written approval of the Vice Provost for Graduate Studies, Research and Outreach and the Associate Vice President for Development or the Provost and Vice President for Academic Affairs.

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 for Graduate Studies, Research and Outreach upon receipt of the fellowship award.