Windows of Opportunity

Compliance is in the Air

As recently noted in ORSP's FY 16 Annual Report, last fiscal year's award total of $11.5M represents a record high for Montclair State University, eclipsing FY 13's amount of $11.36M. Needless to say, this is great news. As our award volume has grown steadily over the years, so too have grown the complex set of rules, regulations, terms, and conditions that govern the use of those dollars. And not just from the federal government—even private sponsors are placing increasing restrictions and conditions on the use of their funds.

Ted Russo
Director,
ORSP

   As such, the theme for this Fall's newsletter is "compliance." While not the most exciting topic or aspect of carrying out your project, it's very important to demonstrate to our federal and non-federal sponsors that we remain responsible stewards of their award dollars.

   As the saying goes: "It takes a village." Here at MSU, compliance is coordinated across the entire campus between departments, colleges, and divisions. A newsletter such as this could never cover the breadth of the research compliance arena—so, this edition revisits and expands upon several "hot topics," such as export controls and cost-sharing, and begins the discussion on new topics, e.g., our obligation to the federal government to report our invention disclosures through the federal website "iEdison." Moving forward, as our award and research dollars grow, those involved in the compliance community will be offering additional informational sessions and workshops on compliance topics. We hope you enjoy this edition of *Windows of Opportunity* and welcome any and all questions and feedback!

Photo by Mike Peters

Project Budgeting and Award Management: Cost-Sharing/Matching

Catherine Bruno
Post-Award Officer, ORSP

In responding to an RFP, principal investigators may find that a sponsor mandates that a portion of the research or project costs are to be shared by the applicant organization as a condition of submitting the proposal and receiving the award. Such a stipulation is known as committed cost-share or match—the terms are often used interchangeably. If a proposal with committed cost-share is awarded, the University is obligated to meet the cost-share which will, most likely, be further defined in the terms and conditions of the award. And, importantly, cost-share is auditable. If an award that includes cost-share is chosen as part of the annual audit, auditors will review the financials to determine if the cost-share commitment is being met.

As an example, if a sponsor requires a $1-to-$1 match, then for every dollar awarded by the sponsor, the University is obligated to provide $1. If the sponsor's award is $50,000, then the University's cost-share commitment is $50,000. Consequently, total project costs equal $100,000. At most universities, cost-share commitments are not offered voluntarily, e.g., they can impact the university's negotiated F&A rate. Where they are mandated by the sponsor, they consist mostly of shared time and effort.

Here at Montclair State University, when submitting a proposal with cost-share, the total amount of cost-share is identified on the routing form along with the specific fund, department, and account the cost-share funds will come from (i.e., department funds, college funds). Additionally, the Department Manager(s) of the identified account review and determine if the proposed cost-share is approved.

Once awarded, a cost-share commitment form is completed, wherein the cost-share is verified by indicating the fund, department, and account funding the cost-share, as well as approval by the appropriate Department Manager(s) confirming funds are still available. When a grant account is set up, a separate cost-share account is simultaneously generated and tied to the grant account. This is critical for financial reporting: Both the award expenditures and cost-share expenditures are reported to the funder.

Continuing with the previous example, if a Department committed to providing $10,000 in travel, the department is obligated to allocate those funds for that *specific* awarded research or project. If at the time of award, funds are no longer available, another source of funding for the cost-share commitment with have to be identified.

As our business processes evolve, workshops will be held in the future on proposal budgeting and cost-sharing when mandated by the sponsor. Cost-sharing will be defined, and a discussion of the different types of cost-share commitment will be offered, as well as strategies to manage cost-sharing.

What is in-kind cost-share/match?
This is the value of non-cash contributions (i.e., property or services) that are contributed by third parties (not MSU), without charge, to MSU. Example: a graphic designer created a logo for your project, but didn't charge your grant for those services.

Congratulations to ORSP's Geetha Sampathkumar on her successful certification as a Certified Research Administrator (CRA)! CRA certification demonstrates comprehensive knowledge of research and sponsored programs in areas such as project development and administration, legal and compliance issues, and financial and general management. Receiving this certification is a demonstration of one's expertise and broad depth of knowledge in the field. Geetha joins the ranks of over two thousand active certificants nationwide. ORSP's staff congratulates Geetha on passing this extensive four-hour exam!

Featured Awards

Gerard Costa (Center for Autism and Early Childhood Mental Health, CEHS) received an $850,000 contract from the NJ Department of Human Services for *The MSU-Socio-Emotional Formation Initiative*, which will serve as the statewide hub, in partnership with the Department of Human Services and the array of government and community partners, to coordinate and integrate the professional formation and support initiatives promoting 0-8 mental health/social and emotional development and full inclusion.

Janet Koehnke and Maris Appelbaum (Communication Sciences and Disorders, CHSS) were awarded $56,224 by the NJ Department of Human Services for the first year of the *New Jersey Hearing Aid Project*, which is an effort to provide low income individuals access to needed hearing aid devices and related audiological services that otherwise are not available due to cost.
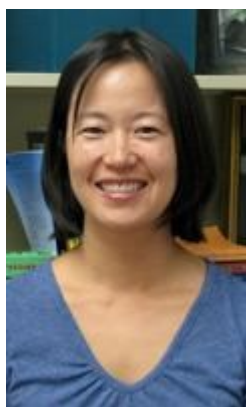
Mika Munakata and Ashuwin Vaidya (Mathematical Sciences, CSAM) were awarded $299,701 by the National Science Foundation for *Engaged Learning through Creativity in Mathematics and Science*. This three-year project will develop, implement, assess, revise, and transfer an innovative model of STEM undergraduate education that highlights creativity in STEM at Montclair State University.

The National Science Foundation awarded $497,057 to Stefan Robila (Computer Science, CSAM), David Trubatch (Mathematical Sciences, CSAM) and Charles Du (Biology, CSAM) for *MRI: Acquisition of a High Performance Computing Environment for Advancement of Computational Science Research and Education*. This award will allow the purchase of a high-performance computing (HPC) cluster that will support a wide range of research and educational activities, led by investigators from all academic departments in the College of Science and Mathematics, as well as faculty from other units of the University.

Dirk Vanderklein (Biology, CSAM), Julie Dalley (Research Academy for University Learning), Joshua Galster (Earth and Environmental Sciences, CSAM), and Nina Goodey (Chemistry and Biochemistry, CSAM) were awarded $300,000 for the first year of *STEM Pioneers: A 3-year pilot study to increase science literacy and STEM enrollment among first-year first-generation students*. The project will address the gap between best practices and diverse student populations by integrating academic, community, institutional, and social support structures and analyzing how this approach may mitigate known factors of barriers-to-entry, such as lack of academic/cultural capital, social support, and institutional navigation.

For More Information on Funding Sources, Submittal Strategies, Awards Management, and Much More,
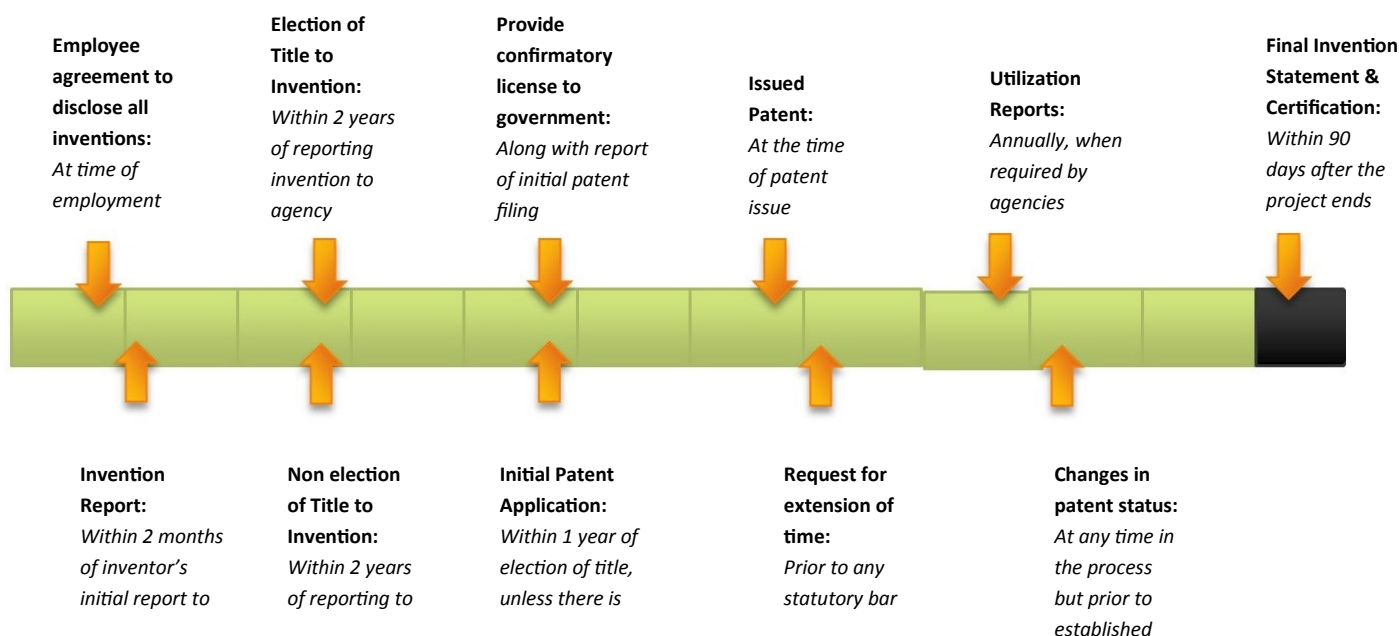*Please Visit ORSP Online at http://www.montclair.edu/orsp*

Invention Disclosure and Reporting of Inventions in iEdison

Ted Russo
Director, ORSP

As a recipient of federal funding, under the Bayh-Dole Act (37 CFR 401), the University has an obligation to report all government-funded subject inventions, patents, and any associated use of the invention to the agency that funded the project from which the invention was derived.

To comply with this federal law, over thirty federal agencies use the Interagency Edison (iEdison) web-based system, to include the NIH, NSF, Department of Energy, EPA, NOAA, and Department of Defense. iEdison's reporting system allows grantees to securely and confidentially create, upload, and submit new invention reports. Each report is unique and contains the source of the funding and the name(s) of the inventors.

Disclosure of inventions at Montclair State University are governed under MSU's patent policy, which requires that potential inventions be confidentially disclosed to the Chair of the Patent Committee via the MSU Invention Disclosure Form. Once such as disclosure has been made, the invention reporting timeline is as follows:

Employee agreement to disclose all inventions:
At time of employment

Election of Title to Invention:
Within 2 years of reporting invention to agency

Provide confirmatory license to government:
Along with report of initial patent filing

Issued Patent:
At the time of patent issue

Utilization Reports:
Annually, when required by agencies

Final Invention Statement & Certification:
Within 90 days after the project ends

Invention Report:
Within 2 months of inventor's initial report to

Non election of Title to Invention:
Within 2 years of reporting to

Initial Patent Application:
Within 1 year of election of title, unless there is

Request for extension of time:
Prior to any statutory bar

Changes in patent status:
At any time in the process but prior to established

Source: eRA Communications Office

If you have a subject invention that is the result of a federallu funded grant or contract, it is critical to disclose the invention in a timely manner to the University patent committee and Dean. The Invention Disclosure Form contains important questions about the invention and the inventor(s), any prior or planned publications, potential commercial applications, and several others. But also, importantly, it asks the inventor(s) if the work that led to the invention is the result of sponsorship. If it is the result of federal sponsorship, then the University is obligated—in most cases—to report the invention to the federal government via iEdison. The administrative designee for iEdision is the Director for Research and Sponsored Programs, who will collaborate and consult as appropriate and necessary with the Patent Committee, University Counsel, the Inventor(s), and the Dean(s) of the Inventor(s) college to complete the report in a timely manner.

Financial Conflicts: Determining Research Relatedness

Marina Savransky
Assistant Director, ORSP

In 2012, Montclair State University released its formal Financial Conflict of Interest Policy[1] following the U.S. Public Health Service's (NIH/CDC/SAMHSA, etc.) release of its Final Rule on revised regulations on the *Responsibility of Applicants for Promoting Objectivity in Research for which Public Health Service funding is sought*. By this time the National Science Foundation already had similar conflicts of interest requirements and other federal agencies would soon follow suit. The purpose of the new ruling was to promote objectivity in research by establishing standards that provide a reasonable expectation that the design, conduct, and reporting of research funded by National Institutes of Health (NIH) grants or cooperative agreements will be free from bias resulting from investigator financial conflicts of interest.[2]

To promote research objectivity at MSU, we instituted a process where faculty submit Significant Financial Interest (SFI) Disclosure Forms either with a new proposal submission, or annually for awarded grants that are federally sponsored. In this process, ORSP, in conjunction with the Compliance Office, verifies the research relatedness of any reported SFI. This is an important distinction from past processes: Prior to 2011, research relatedness was assessed by the Principal Investigator (PI) involved with the research. Since the Final Rule in 2012, the task of assessing research relatedness now rests with the institution housing the PI's grant.

In determining research relatedness, the SFI is reviewed to establish if it could be affected by the NIH-funded research, or is in an entity whose financial interest could be affected by the research.[3] "Relatedness" refers to the condition where it may reasonably appear that decisions made by the investigator in the performance of his/her institutional responsibilities could directly and significantly affect the value of his/her SFI.

The following are sample issues reviewed in determining research relatedness:

1. Research uses or involves intellectual property (IP) (technology, products, services, drugs, know-how) owned or licensed to the investigator (via patents, copyrights, etc.).
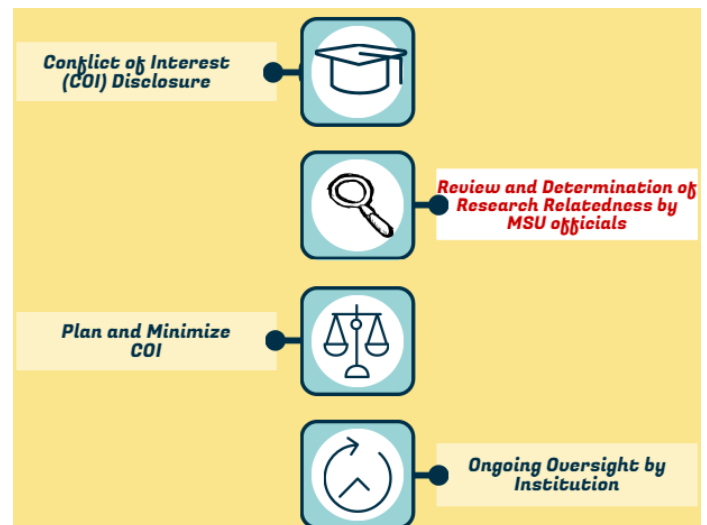
2. Research uses or involves IP for which the investigator receives royalties, or has the right to receive royalties.
3. The PI (or PI's spouse or dependent child) receives compensation from, and/or has equity in an entity. AND one of the following apply:
   a. The Research is receiving any kind of support ("in-kind" or monetary) from the entity.
   b. Proprietary access to data or rights to IP coming out of the research is/are owned by that entity (e.g., pre-publication access to the research results).
   c. Research uses or involves IP owned by or licensed to that entity.

By assessing the research relatedness of reported SFIs, MSU's authorized institutional representatives are verifying that externally sponsored research is not impacted by any perceived or actual conflicts of interest. In the cases where financial conflicts of interest are determined, ORSP, the Compliance Office, and the PI will collaborate in a plan to manage and mitigate the conflicts, and ensure compliance with reporting to the funding agency for the grant's duration.

[1] http://www.montclair.edu/orsp/compliance/conflict-of-interest/

[2] Financial Conflict of Interest (FCOI) presentation, *Promoting Objectivity in Research*, NIH Regional Seminar in Indianapolis, Indiana on April 17, 2012, http://grants.nih.gov/grants/policy/coi/.

[3] NIH FCOI FAQs, http://grants.nih.gov/grants/policy/coi/coi_faqs.htm#3163

Awardee Profile: Bryan Murdock

Bryan Murdock is the director of MSU's Center for Community Engagement, which partners with non-profit and faith-based organizations, local schools, governmental agencies, and civic associations to address real issues of public concerns. The Center is currently in the third year of a five-year, $2.5 million grant from the U.S. Department of Education. We asked Bryan to share some of his insights into the process of securing a major federal grant.

What are the major aspects of your awarded project?

The University's Center for Community Engagement is collaborating with the Orange Public Schools on the conversion of two low-performing schools into University-Assisted Full-Service Community Schools. The Orange Community School Initiative (OCSI) works to align University expertise and resources in a broad community engagement strategy that supports a variety of community-centered initiatives at Rosa Parks and Oakwood Avenue Schools, including high-quality early learning programs; remedial education and enrichment activities; mentoring and youth development programs; and community service and service learning programs. The OCSI supports special programs that help chronically absent, truant, suspended, or expelled students, provide adult education classes and career counseling services and school-based health clinic at Oakwood Avenue School to provide health services for children and their families. Under the community school model, public schools function as neighborhood centers, around which local partnerships can be developed. The goal of a university-assisted community school is to engage community-based organizations along with the resources of the entire University (students, faculty, staff, and alumni) to implement and sustain services and initiatives centered on a holistic approach to promoting the well-being and development of children, their families, and the wider communities.

What were your first thoughts after having received the news that you were awarded?

Shock! To be honest, I didn't have much confidence that our application would be competitive; especially since this was the first time we submitted a proposal for this particular grant program. Often, with large federal grants, it takes a couple of tries before one is successful and even then there are no guarantees. In some ways, I viewed it not unlike a lottery ticket, though I did believe that our odds were a bit better. In the end, we were one of nine proposals, out of 147 nationwide, to be funded. Still, pretty unbelievable odds!

What are some of the challenges involved in a project like yours? How are you tackling these?

While the Center for Community Engagement has had some success with grant writing over the years, we have never received an award of this size. I think in the beginning I believed we could adapt past practices to manage the project, but it has become quite evident that we needed to develop new strategies and tools to mange both the programmatic as well as the financial aspects of the project.

Some of our biggest challenges have been fiscal management, hiring and retaining staff with the appropriate skill set, and managing expectations (including my own). I think it's natural to want to launch into implementation as quickly as possible, but I have learned that it's important to be measured and deliberate—to avoid making mistakes that will only complicate what is already extremely complex.

How would you advise colleagues interested in submitting a grant application?

It is important to understand how the grant proposal aligns and advances the strategic priorities of the unit, the research mission of the department, the mission of a center, etc. Grants can sometimes lead to mission creep and can be a distraction to achieving mission-critical goals and objectives. I also think it is critical to assess the unit's capacity to manage the project that is being proposed. There is a tendency to believe that more funding will be the golden ticket or panacea to addressing capacity issues, when actually they can strain it even further.

Uniform Guidance and Procurement Compliance

Geetha Sampathkumar
Sponsored Programs Administrator, ORSP

The Office of Management and Budget has provided universities a two-year grace period to comply with federal procurement policies under the federal Uniform Guidance. For universities with a fiscal year ending in June 30, that date will be July 1, 2017.

MSU has its own procurement policy and procedures, as governed under the laws of the State of New Jersey. These polices are similar in several respects to the federal uniform guidance requirements (e.g., requirement for multiple quotes). MSU's Procurement Policy/Procedure #13 was updated to incorporate changes as a result of the new federal guidelines. The manual can be found at the URL listed at the end of this article.

Here are some useful guidelines to follow when you are ready to purchase goods or services using your federal award.

Item	Threshold	Method	Required documents
Supplies/Services *Note: Computer devices are deemed supplies if cost is less than $5,000 regardless of length of its useful life.*	▪ $4,950 or less	PI/Department: Purchase through Special Requisitions in PeopleSoft's FMS System	2 vendor quotes (to compare prices)
	▪ $4,950–$6,419	PI/Department: Purchase through Special Requisitions in PeopleSoft's FMS System	2 vendor quotes (multiple quotes are encouraged, but not necessary) *BRC (Business Registration Certificate is required)* If the total of one or more purchases from a particular vendor reaches the threshold limit any point, make sure the vendor has a BRC on record.
Supplies/Services/Equipment *Note: Equipment now includes information technology, equipment, and systems*	▪ $6,420–$17,499	PI/Department: Purchase through Special Requisitions in PeopleSoft's	3 vendor quotes, plus a BRC (See procurement Policy #1 for details)
	▪ $17,500–$32,999	PI/Department: Purchase through Special Requisitions in PeopleSoft's FMS System	3 vendor quotes, BRC, 2 year Vendor Certification & Disclosure of Political Contributions - Chapter 51 Form
	▪ $33,000 and greater	PUBLIC BID, RFP with Board of Trustees waiver	See MSU Procurement Policy #1 for details
		Sole Source	See Procurement Policy #22 for details

Prior to initiating a purchase, contact Procurement Services to find out if goods/services are available through an existing University Contract or whether State Contracts, or General Services Administration Contracts (GSA), might be an option. For quotes through GSA contractors, you may not need multiple quotes.

REQUISTION PROCESS IN PEOPLESOFT FINANCIAL MANAGEMENT SYSTEM			
Item	**Threshold**	**Process**	**Reference**
New procedure for Check requests for employee reimbursement for travel, purchases, and other expenses	Budgeted amount	Main Menu> MSUImplementation> Accounts Payable> Quick Invoice	http://www.montclair.edu/media/montclairedu/onemontclair/fmstrainingdocs/REF_QUICK-INVOICE_REQUISITIONER.pdf
Materials and Supplies using WB Mason, Catalog and other items through University Contracts	Budgeted amount	In e-procurement, click on **WB Mason** (under Web) for Supplies, and for Catalog items click on **All purchase items** under Catalog.	

Link to MSU Procurement Policy: https://www.montclair.edu/finance-and-treasury/procurement/policies-and-procedures/

Compliance with MSU Export Controls

Maria Anderson
Associate University Counsel

Hila Berger
Research Compliance Officer

At Montclair State University, the Office of the Provost is responsible for implementing and managing export controls and research activities. The new Global Compliance Committee will oversee the assessment of risks associated with international activities including finance and fundraising, as well as research and educational relationships created outside of the United States. The Committee will also assist with the performance of periodic audits, develop and deliver compliance training, increase awareness of compliance requirements, and communicate necessary compliance information to the campus community.

In every situation where you are contemplating sharing information with a foreign individual or entity, or sending information outside of the United States, you should complete the Screening Checklist that is posted on MSU's Global Compliance webpage at https://www.montclair.edu/provost/exportcontrol/.

What Is an Export?
Exports are defined in the following three ways:

- Physical shipment of covered items or data from the United States to a foreign destination by cargo shipments, hand carried articles, or courier.
- Electronic or digital transmission of any covered items or data from the United States to a foreign destination, including via email or fax.
- Release of "technical data" or technology (which includes information, whether printed, inscribed on media, or communicated orally). The release of such information is called a "deemed export."

Under the deemed export rule, the transfer or release of technical data or information subject to U.S. export controls to a "foreign national," whether it occurs in the United States or abroad, is "deemed" an export from the United States to the home country of the foreign national.

What Is the Screening Checklist?
The Screening Checklist should be used for every sponsored research activity, for every teaching research activity, and for presentations of international seminars and conferences. This is necessary because who you are working with, where that individual or entity is from, where you are sending information to when located outside of the U.S., and what type of information you are working with must be analyzed in order to determine if federal export control regulations either prohibit the activity or require a license before you engage in them.

Where Should I Send the Checklist?
After you complete the Screening Checklist, you must sign it and email it to exportcontrol@mail.montclair.edu for record-keeping purposes.

How Do I Access Training?
Online training regarding Export Control obligations is made available to all employees and faculty through the Collaborative Institutional Training Initiative (CITI Program). You may find a link to registering for the training at the bottom of the Global Compliance webpage.

Questions?
If you have additional questions or need assistance completing the Screening Checklist, please reach out to exportcontrol@mail.montclair.edu.