



NSF Regional Grants Conference

Award Management

March 22-23, 2010

Hosted by: Case Western Reserve University, Cleveland, OH

Panelists

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Topics Covered

- NSF Award Management Philosophy
- Award Administration Roles
- Types of Awards
- Award Notification
- Research Terms and Conditions
- Award Revisions: Awardee approval vs. NSF approval
- Publication & Data Sharing
- Other Statutory & Regulatory Requirements
 - Civil Rights Compliance
- Award Transfers
- Project Reports
- Audit Requirements
- Termination & Disciplinary Actions
- Accessing Documents on the NSF Website
- Conclusion

NSF Award Management Philosophy

- **NSF is an assistance agency**
 - Research carried out by awardee
- **Integrated Oversight Enterprise**
 - Program provides oversight of scientific progress
 - BFA provides oversight of compliance and business assistance
- **Audit responsibility resides with OIG**
- **End-to-end award management**
- **Risk-based review**

Award Administration Roles

- **Awardee:**

- Has full responsibility for the conduct of project/activity and for adhering to the award conditions.
- Agrees to comply with the applicable Federal requirements and to manage all expenditures and actions prudently.
- Ensures that expenditures are allowable, allocable, and reasonable.

Award Administration Roles

- **Awardee:**

- Ensures that actions:

- Are consistent with award terms and conditions.
 - Are consistent with NSF and awardee policies.
 - Represent effective use of resources.
 - Avoid any significant project changes.

- **NSF:**

- Provides minimal monitoring (except for Cooperative Agreements).

Types of Awards

- **Grant & Cooperative Agreements**

- Relationship is one of assistance
- Principal purpose is for the direct benefit or use of the public

- **Contracts**

- Procurement of goods and services
- Principal purpose is for the direct benefit or use of the Federal government

Award Notification

- **Grants**

- Award Notice, Research Terms & Conditions, Grant General Conditions (GC-1), occasional special conditions, and other documents incorporated by reference
- Electronic dissemination of Award Notice to AOR (Office of Sponsored Research)
- Awardee Distribution of Terms & Conditions
- Also available electronically via FastLane

- **Cooperative Agreements**

- Financial & Administrative Terms and Conditions
- Programmatic Terms and Conditions
- Dynamic Award Document (DAD) format

What are the Research Terms & Conditions?

- **A revised set of terms and conditions that implement the OMB administrative procedures contained in 2 CFR Part 215 (OMB Circular A-110)**
- **Currently in use by the following agencies:**
 - NIH, NSF, DOE, ARO, AMRMC, ONR, AFOSR, EPA, NASA, NOAA, NIST, USDA/NIFA

What are the Research Terms & Conditions?

- **These revised conditions:**
 - Are not considered by OMB to make substantive changes to the provisions of A-110 (2 CFR Part 215)
 - Incorporate sections from A-110 verbatim, where necessary
 - Provide clarifying or supplemental language, where appropriate
 - Indicate agency action, when necessary
- **Incorporate by reference a matrix of relevant grant-related statutes and regulations – “National Policy Requirements”**

What are the Research Terms & Conditions?

- Incorporate by reference a document that identifies, by agency, which guidance applies to specific types of sub-recipients
- Are accompanied by a prior approval matrix that summarizes all participating agencies prior approval requirements
- Are also accompanied by a set of agency specific requirements

Terms and Conditions – By Organization Type

- **Research Terms and Conditions & NSF Agency Specific Requirements**

- U.S. Academic Institutions of Higher Education
- Other Non-profit organizations
- Hospitals

- **Grant General Conditions (GC-1)**

- For profit organizations (other than Small Business Innovation Research awardees)
- State and local Governments

Please Be Aware...

- **Cooperative agreements have added conditions due to substantial involvement of NSF.**
 - Generally more reporting and oversight is required for a cooperative agreement than a grant.
 - There should be ongoing dialogue with the cognizant Program Officer to fully understand the conditions of this type of award.

Award Changes with Awardee-Authorized Approvals

Notification to NSF is NOT required for:

- **Virtually all budget changes**
 - Budget changes are the PI's prerogative and are subject to organizational approval
 - Exception: unless budget changes alter the objective or scope
 - Exception: unless budget changes alter participant support costs
- **90 Day Pre-Award Costs**

Award Changes Requiring NSF Notification

Notification to NSF IS required for:

- **Single 12 Month No-Cost Extension**
 - Does not include awards that contain a zero balance
 - Does not include Cooperative Agreements
- **Significant changes in methods & procedures***
- **Unusual occurrences***
- **Short term absences (less than 90 days)***
- **Conflict of interest not handled by awardee**

* Note: These three items require that the PI send notification to NSF, with a copy to the AOR.

Award Changes Requiring NSF Prior Approval (Technically Related)

NSF prior approval is required for:

- **Change in objective or scope**
- **Change in expiration date (no-cost extension)**
- **PI/co-PI changes:**
 - Withdrawal or change of PI/co-PI
 - Long-term absence: defined as 90 days or more
 - Reduction on PI level of effort: defined as a reduction of 25% or more in time devoted to the project

Award Changes Requiring NSF Prior Approval (Financially Related)

NSF prior approval is required for:

- **Transferring and project effort:**
 - Via sub-award
 - Transfer of the award to a new organization (“PI Transfers”)
- **Reallocation of participant support**
- **Alterations and renovations over \$25,000 (Construction)**
- **Change in cost sharing amount identified on Line M of the cumulative award budget**
- **Pre-award costs more than 90 days prior**

Submit Notifications and Requests via FastLane

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Notifications & Requests | MAIN ▶
Organization: NSF

Forwarded by PI
Prepared by SPO
Submitted to NSF

Prepare a New Notification or Request for Award #: 9999999

Award Amount: \$7,000,000.00
Expiration Date: 12/31/2011
Division: DIVISION OF INFORMATION SYSTEMS
Award Title: Test for Demo
Awardee Organization: NSF
PI/PD: Alphaman, Alan

Select the Notification or Request Type:

GRANTEE NOTIFICATION TYPES	Topic Guidance
<input type="radio"/> Anticipated Residual Funds in excess of \$5,000 or 5%	AAG
<input type="radio"/> Grantee Approved No Cost Extension	AAG
<input type="radio"/> Cost Sharing Equal To or Greater Than \$500,000	AAG
<input type="radio"/> Significant Changes/Delays or Events of Unusual Interest	AAG
<input type="radio"/> Conflicts of Interests	AAG
<input type="radio"/> Significant Changes in Methods/Procedures	AAG
<input type="radio"/> Short-Term Absence of the PI/PD (Up to Three Months)	AAG

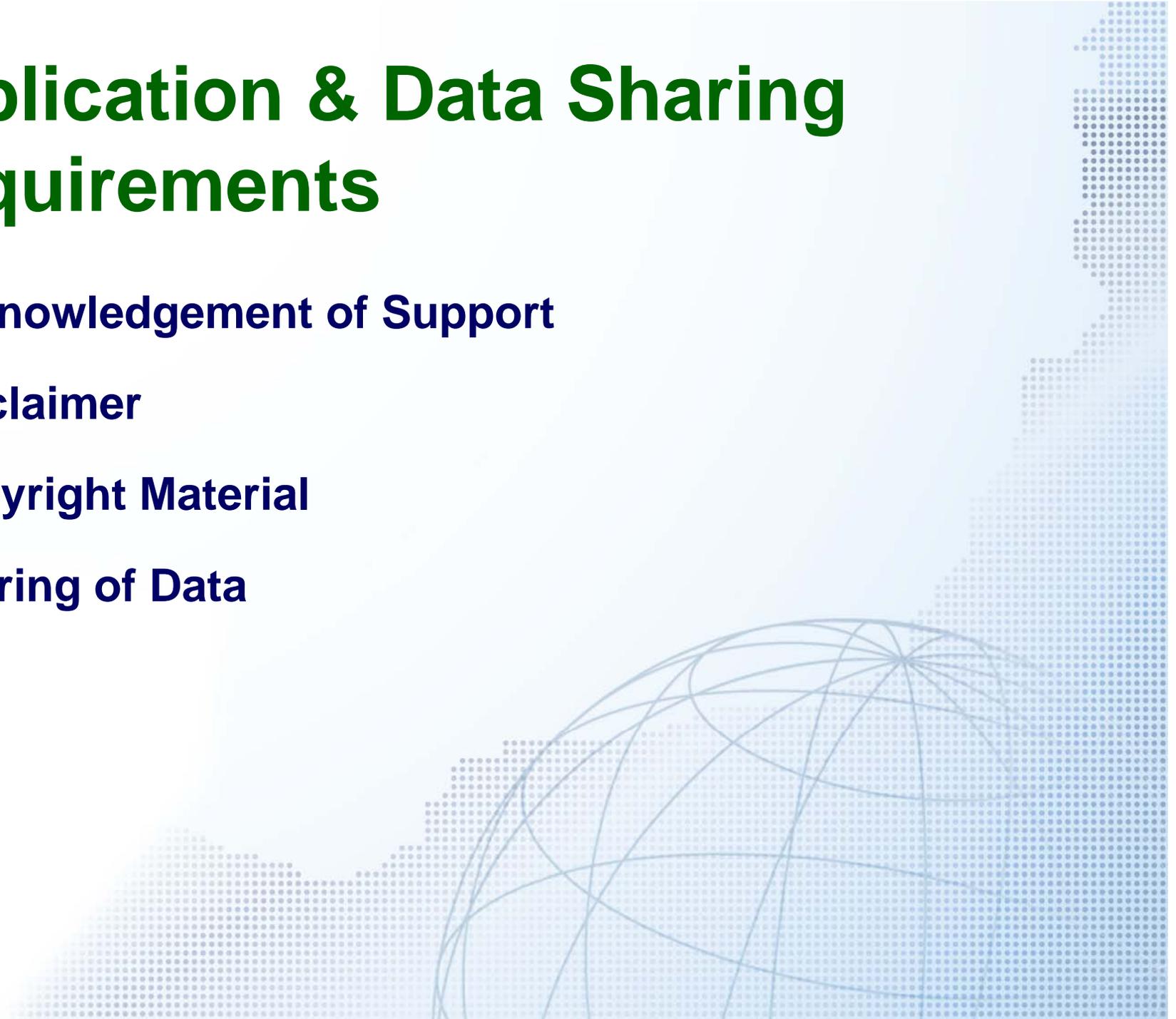
GRANTEE REQUEST TYPES (Requires NSF Approval)	Topic Guidance
<input type="radio"/> Addition of SubAward	AAG
<input type="radio"/> Withdrawal of PI/Co-PI	AAG
<input type="radio"/> Long-Term Absence of the PI/PD (Over Three Months)	AAG
<input type="radio"/> NSF Approved No-Cost Extension	AAG
<input type="radio"/> PI Transfer	AAG
<input type="radio"/> Pre-award Costs in Excess of 90 Days	AAG
<input type="radio"/> Rearrangement/Alteration \$25,000 or over (Follow these links for more information on Non-FDP Organizations or FDP Organizations . They will open a PDF file in new window.)	AAG
<input type="radio"/> Change of PI	AAG
<input type="radio"/> Significant Change in Person-Months Devoted to Project	AAG
<input type="radio"/> Changes in Objective or Scope	AAG
<input type="radio"/> Reallocation of Funds Budgeted for Participant or Trainee Support Costs	AAG

*Topic Guidance is provided through the Award & Administration Guide (AAG) reference.

Prepare
Cancel

Publication & Data Sharing Requirements

- Acknowledgement of Support
- Disclaimer
- Copyright Material
- Sharing of Data



Data Sharing by NSF Awardees

- **Data access:**

- Helps promote scientific research by permitting other qualified scientists to replicate results.

- Scientists reinterpret data or extend research methods to new areas.
 - Scientists thus build upon an existing base of scientific knowledge.



Implementing Data Sharing

- **NSF Grant Conditions set the basic standards for expected data sharing by NSF awardees.**
 - NSF programs may implement this sharing policy in ways appropriate to the scientific field and to specific circumstances.
 - Specific data sharing policies—including data “pooling”—are particularly appropriate where, for example, research transcends national boundaries, and/or where “pooled” data promotes discovery of patterns or interrelationships that would not be evident from individual research data. Examples: OPP, GE/Ocean Sciences, and SBE.

Other Administrative Requirements

- **Use of Consultants**
- **Equipment**
- **Program Income**
- **Travel**



Travel Requirements

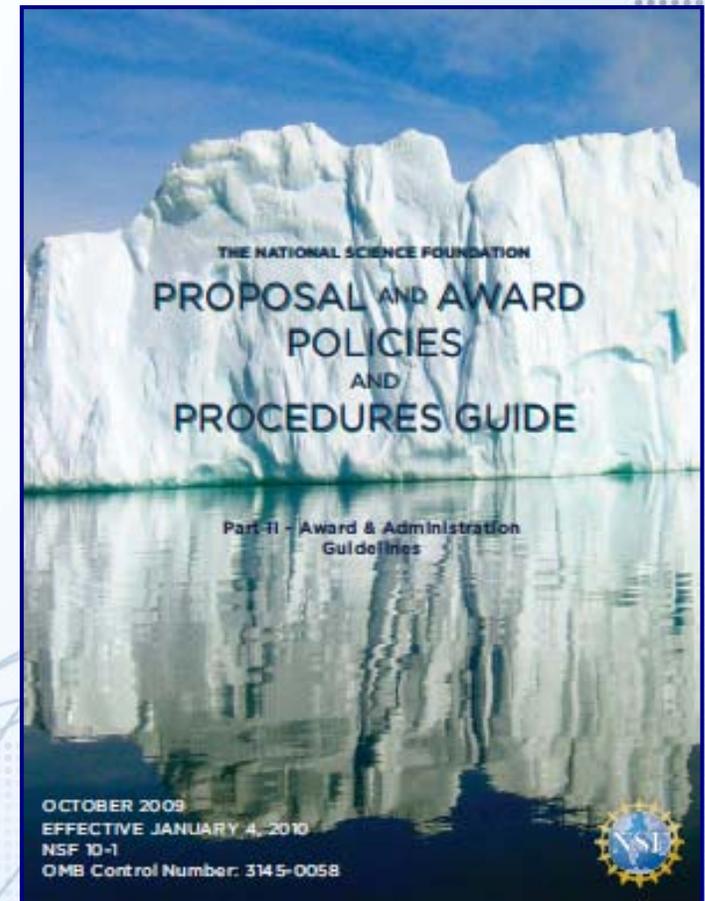
- **Expenses for transportation, lodging, subsistence, and related items incurred by project personnel and by outside consultants employed on the project who are in travel status on business related to an NSF-supported project, are allowable as prescribed in the governing cost principles.**
- **Except as provided in the governing cost principles, the difference between economy airfare and a higher-class airfare is unallowable. A train, bus or other surface carrier may be used in lieu of, or as a supplement to, air travel at the lowest first-class rate by the transportation facility used. If such travel, however, could have been performed by air, the allowance will not normally exceed that for jet economy airfare.**

Use of U.S. Flag Air Carriers

- Any air transportation to, from, between, or within a country other than the U.S. of persons or property, the expense of which will be assisted by NSF funding, must be performed by, or under, a code-sharing arrangement with, U.S.-Flag air carrier if service provided by such a carrier is “available.”

– Deviations from the U.S.-Flag air carrier policy are described in detail in the Award and Administration Guide at:

http://www.nsf.gov/pubs/policydocs/pappguide/nsf10_1/aag_6.jsp#VIG1b



Use of Foreign-Flag Air Carriers

There are limited circumstances under which use of a foreign-flag air carrier is permissible:

- ***Airline “Open Skies” Agreements:*** A foreign flag air carrier may be used if the transportation is provided under an air transportation agreement between the United States and a foreign government, which the Department of Transportation has determined meets the requirements of the Fly America Act.
 - For information on other “open skies” agreements in which the United States has entered, please refer to GSA’s website.
- ***Involuntary Rerouting:*** Travel on a foreign-flag carrier is permitted if a U.S.-flag air carrier involuntarily reroutes the traveler via a foreign-flag air carrier, notwithstanding the availability of alternative U.S-flag air carrier service.

Other Statutory & Regulatory Requirements

- **Nondiscrimination**
- **Animal Welfare**
- **Recombinant DNA Molecules**
- **Clean Air and Water**
- **Human Subjects**
- **Investigator Financial Disclosure**
- **Debarment and Suspension**

Civil Rights Compliance Requirements

- **All recipients of NSF funds are required to comply with various laws and regulations that prohibit discrimination in federally assisted programs.**
- **These laws and regulations include:**
 - Title VI of the Civil Rights Act of 1964, as amended
 - Title IX of the Education Amendments of 1972, as amended
 - Section 504 of the Rehabilitation Act of 1973, as amended
 - The Age Discrimination Act of 1975, as amended

Civil Rights Compliance Requirements (Title VI)

- Below is a brief overview of the referenced laws and regulations that apply to recipients of federal and assisted funds:
 - *Title VI of the Civil Rights Act of 1964*, as amended, prohibits discrimination on the basis of race, color, or national origin in programs and activities that receive federal financial assistance.
 - NSF is responsible for implementing and enforcing Title VI of the Civil Rights Act of 1964. NSF's implementing regulations for Title VI are found in 45 Code of Federal Regulations, Part 611.

Civil Rights Compliance Requirements (Title VI)

- **Federally assisted programs address such broad and diverse areas as:**
 - Elementary, secondary, and higher education;
 - Employment and job training;
 - Transfer of equipment; and
 - Services or benefits in the form of personal property.

Civil Rights Compliance Requirements (Title VI)

- **There are many forms of illegal discrimination based on race, color, or national origin that can limit opportunities for underrepresented groups to gain equal access to services and programs. Some are illustrated below:**
 - Denying program services, aids, or benefits;
 - Providing a different service, aid, or benefit or provide them in a manner different than they are provided to others; or
 - Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit.

Civil Rights Compliance Requirements (Title IX)

- *Title IX of the Education Amendments of 1972*, as amended, which prohibits discrimination on the basis of sex in educational programs or activities receiving federal funds.
- Recipients of Federal financial assistance include state and local governments, non-profits, private entities, and individuals.

Civil Rights Compliance Requirements (Title IX)

- **Examples of federally assisted educational programs and activities include, but are not limited to:**
 - Grants by the Department of Education to state and local education departments and school districts to operate facilities and offer program of study;
 - NSF awards to universities, individual researchers and professional associations and private businesses to conduct seminars for science teachers to improve curricula and the quality of instruction; and
 - Department of Labor grants to private/government partnerships to provide job training for unemployed young adults.

Civil Rights Compliance Requirements (Section 504)

- ***Section 504 of the Rehabilitation Act of 1973, as amended, prohibits the discrimination of qualified individuals with disabilities in any program or activity receiving Federal financial assistance or under any program or activity conducted by that entity.***
- **The law defines a qualified individual as a person with a (i) physical or mental impairment which substantially limits one or more major life activity, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment.**

Civil Rights Compliance Requirements (Section 504)

- **What does this mean to a recipient of Federal funds?**
 - It means that a recipient, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, discriminate on the basis of disability.

Civil Rights Compliance Requirements (Section 504)

- **Some examples of prohibited activity are below:***
 - Denying a qualified person with a disability the opportunity to participate in or benefit from the aid, benefit, or service;
 - Affording a qualified person an opportunity to participate from the aid, benefit, or service in a manner that is not equal to that afforded others; or
 - Providing such an aid, benefit, or service that is not as effective as that provided to others.

*An exhaustive list of prohibited activities can be found in NSF's regulations at 45 C.F.R. part 605.

Civil Rights Compliance Requirements (ADEA)

- ***The Age Discrimination Act of 1975***, as amended, pursuant to regulations issued by the Department of Health and Human Services, prohibits discrimination on the basis of age. It states “no person on the basis of age shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Civil Rights Compliance Requirements (NSF Proposal Submission Process)

- **How do these non-discrimination statutes apply to recipients of NSF funds?**

- As part of the NSF's proposal guidelines, applicants for NSF funding must adhere to the various non-discrimination requirements as discussed.

Civil Rights Compliance Requirements (NSF Proposal Submission Process)

- **NSF award conditions contains language in which the recipient agrees to comply with the various non-discrimination laws and regulations discussed during this presentation. This also applies to sub-recipients.**

Civil Rights Compliance Requirements (Compliance)

- **What happens when a complaint is filed?**
 - Since NSF provides Federal financial assistance, it is responsible for investigating complaints of discrimination under the various laws and regulations discussed above.
 - Complaints that are filed will be investigated by NSF's Office of Equal Opportunity Programs. Specific information regarding the complaint process can be obtained via the NSF website at www.nsf.gov under the link to the Office of Equal Opportunity Programs.

Civil Rights Compliance Requirements (Compliance)

- **What are some of the consequences of non-compliance with NSF requirements?**
 - Failure to comply with one or more of the terms and conditions of NSF grants may result in suspension or termination of the grant. Such action is only taken after NSF has given the recipient notice and the opportunity to correct the deficiency. Note that it is NSF's policy to work with recipients to ensure they are in compliance.
 - For a review of suspension or termination of procedures, please review NSF's Award and Administration Guide on its website at www.nsf.gov.

For More Information

Visit <http://www.nsf.gov/od/oeo/>



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Office of Equal Opportunity Programs

NSF Policy on Equal Opportunity and Diversity

It is the policy of the National Science Foundation to ensure equal opportunity in all phases of employment, delivery of services, and administering of grants and contracts. NSF will maintain an environment for all of our employees and customers that is free from prohibited discrimination and harassment based on race, color, religion, gender (includes sexual harassment and discrimination based on pregnancy), sexual orientation, disability, age, national origin, and protected genetic information.

Any complaint of prohibited discrimination will be taken seriously. Any employee, who believes that he/she has been discriminated against should contact NSF's Office of Equal Opportunity Programs.

[For more information about this policy](#) - click here

NSF Policy on the Prevention of Harassment

It is the policy of the National Science Foundation that all employees should be able to work in an environment that is free from harassment. We want to ensure a work environment that is respectful of human dignity and conducive to maximum productivity. NSF will not tolerate a hostile work environment or harassment in the workplace.

[For more information about this policy](#) - click here

This website provides information on equal employment opportunity policies & regulations, as well as about services provided by the NSF Office of Equal Opportunity

Office of Equal Opportunity Programs



Office of Equal Opportunity Programs

[NSF Policy on Equal Opportunity, Diversity, and Prevention of Harassment](#)

[EEO Laws and Regulations \(Applicable to NSF\)](#)

[Reasonable Accommodations for Persons with Disabilities](#)

[Discrimination complaint process](#)

[Complaint process for discrimination under a program or activity receiving NSF funding](#)

[Federal No FEAR Act Notice & Whistleblower Laws](#)

[No FEAR Act Data](#)

[NSF Special Observances](#)

Award Transfers

- **The award is made to the university.**
 - The organization has the discretion of appointing a substitute PI or terminating the award.
- **If the university is willing to transfer the award to another university, it should be sure to:**
 - Submit a final Federal Financial Report.
 - Accurately determine what funds are to be transferred.
 - Funds transferred cannot be changed.
 - NSF cannot intervene or re-do a transfer after it is made.
- **Universities should consider making a sub-award rather than transferring the whole award.**

Required Technical Reports

- **Annual Project Reports**

- Due 90 days prior to the current expiration date of the award
- Required for ALL Standard & Continuing Grants and Cooperative Agreements

- **Final Project Reports**

- Due within 90-days after the expiration of an award
- Required for ALL Standard & Continuing Grants and Cooperative Agreements
- Required for Individual Research Fellowships per Program Solicitation

Required Technical Reports

- **Reports contents include:**

- Participants
- Activities & Findings
- Publications & Products
- Contributions
- Special Requirements

- **Technical Monitoring**

- Program Officer site visits
- Participation in required outreach activities

Required Technical Reports

- **Project Outcomes Report for the General Public**
 - Due within 90-days after the expiration of an award
 - Required for ALL Standard & Continuing Grants and Cooperative Agreements
 - Submitted via Research.gov
 - Will be posted on the NSF website exactly as it is submitted

Optional Technical Reports

- **Interim Project Reports**

- Significant events
- Per special conditions of the award
- No submission/preparation after grant is closed
- No business process associated, information only
- No publication citations

Project Report Tracking & Notification System

- **FastLane Project Report Module**

- Provides pre-set dates for reports
 - Period for annual and final reports: 12 months
- Includes a tracking system
 - Can view report periods, statuses, and due/overdue dates
- Allows external and internal communities to track reports online
- Sends notification reminders automatically to PIs and sponsored research offices

Note: award notices will include a URL with a pass through to Project Report Module on FastLane

Consequences of Overdue Annual/Final/Project Outcomes Reports

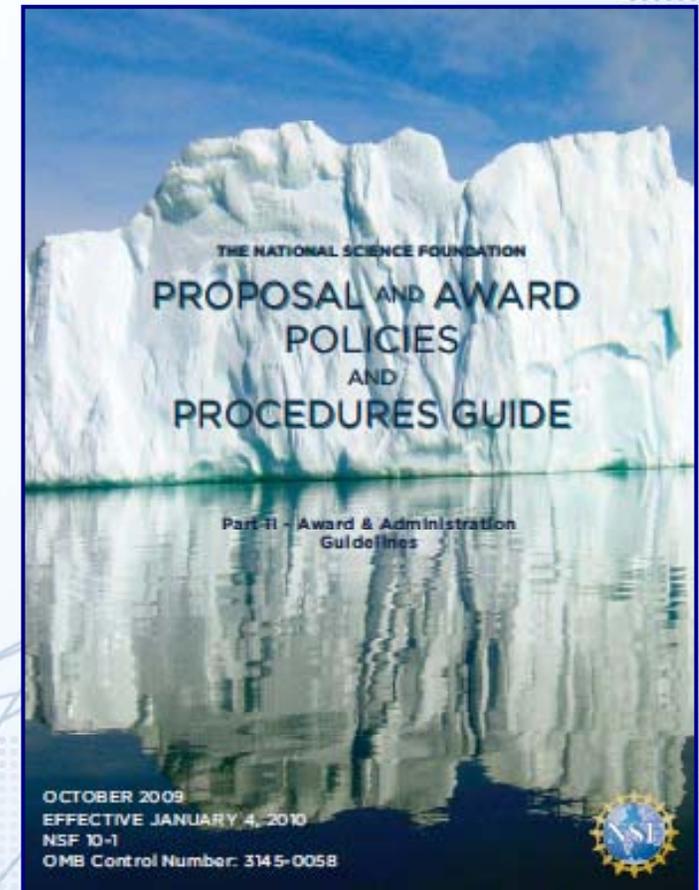
- No future funding
- No PI changes or no-cost extensions
- No changes after final report approval by PO
- PO can return final report up to 30 days after approval date
- Report status can't be re-set for annual reports

Project Reporting Facts

- **Extending the grant period does not relieve PIs of reporting requirements.**
- **In the last year of a grant, the PI owes only a final report.**
- **Final report submission means final action – no further activity is allowed.**
- **The organization is responsible for submission of required reports; not the PI.**
 - **If the PI leaves prior to submitting a required report, the organization must still fulfill reporting obligations.**
- **Reports cannot be submitted prior to period start date.**
- **No publication citations are allowed after the final report is approved; grant is closed.**

Audit Requirements

- **Grant General Conditions (GC-1)**
 - Article 23
- **Research Terms & Conditions (RTC)**
 - Article 26
- **Award & Administration Guide (AAG)**
 - Chapter II.F
- **NSF Office of Inspector General Activities**



Award Suspension & Termination

- **The award may be suspended or terminated in whole or in part in any of the following situations:**
 - By NSF when:
 - The awardee has materially failed to comply with the terms and conditions of the grant.
 - The Foundation has other reasonable cause.
 - It is ordered by the Deputy Director under NSF's Regulation on Research Misconduct (45 CFR &689).

Award Suspension & Termination

- **By NSF when (Continued):**

- NSF and the awardee mutually agree that termination would be in both parties' best interest.
 - If NSF and the awardee cannot reach an agreement, NSF reserves the right to unilaterally terminate the grant.

- **By the awardee:**

- Via written notice to NSF.

Accessing Documents on the NSF Website

Go to <http://www.nsf.gov/awards/managing/>

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Awards

How to Manage Your Award

The *Award and Administration Guide (AAG)* (Part II of the *NSF Proposal & Award Policies & Procedures Guide*) sets forth NSF policies regarding the award and administration of grants and cooperative agreements and implements Office of Management and Budget (OMB) Circular A-110, *Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations* (2 CFR Part 215), and 45 CFR Part 602 (the Common Rule implementing OMB Circular A-102), *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*. The AAG is applicable to NSF grants and cooperative agreements, unless noted otherwise in the award instrument. This Guide does not apply to NSF contracts.

The [General Grant Conditions](#), [Research Terms and Conditions](#), [Cooperative Agreement Conditions](#) and [Special Conditions](#) pages provide the full text of the terms and conditions used to manage NSF grants and cooperative agreements. Topics covered include awardee responsibilities, Federal requirements, pre-award costs, no-cost extensions, significant project changes, travel, allowable costs, project reports, final report requirements, and more.

The [Policy Office](#), in the [Division of Institution and Award Support](#), provides general proposal & award policy guidance for use by the NSF proposer and awardee community. The Policy Office page includes NSF-specific regulations, policies and procedures, other Federal regulations, information regarding important NSF policies, award conditions, as

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Ask Early, Ask Often!

<http://www.nsf.gov/staff>

<http://www.nsf.gov/staff/orglist.jsp>