Policy Statement

Introduction

Faculty and authorized professional staff at The University of Texas at Dallas (University) are encouraged to seek and obtain external financial support for research, training and instructional projects that further the mission of the University in teaching, research and public service. These sponsored projects serve to expand the educational opportunities available to undergraduate and graduate students at the University; support research activities; encourage scholarly inquiry and the development of new knowledge; and, enhance the academic structure of the University and its ability to fulfill its responsibilities to the State of Texas and the nation.

As a public institution that is part of The University of Texas System, the University cannot conduct proprietary research, develop exclusive or proprietary data for a sponsor, conduct "work-for-hire," or permit a sponsor to direct or control research on campus. Except as part of an approved educational or research collaboration, University facilities and equipment cannot be used by a sponsor's employees or for the sole benefit of a sponsor. The purpose of University research is the discovery and dissemination of new knowledge; the University cannot assume the role of an advocate or a social action agency.

Policy Compliance on Sponsored Projects

The primary responsibilities for the origination, development, and preparation of proposals rests with the Principal Investigator/Project Director (PI/PD). All proposals must be germane to the interests and/or expertise of the PI/PD; be truthful and accurate in their content; and, not contain plagiarized materials or research data that has been fabricated or falsified.

The PI/PD is responsible for compliance with all applicable University and U.T. System policies related to the research in question; e.g., Intellectual Property Policy (UTDPP1002), Procedure for Dealing with Allegations of Research Misconduct/Fraud (UTDPP1070), Institutional Animal Care and Use Committee (UTDPP1014), Committee on Research Involving Human Subjects (Institutional Review Board) (UTDPP1035), University Safety and Security Council (UTDPP1036), Biosafety Committee (UTDPP1016), Radiation Safety Committee (UTDPP1032), University Research Integrity Committee (UTDPP1034), and Research Conflict of Interest (UTDPP1029). The PI/PD is also responsible for ensuring that all personnel associated with the research also comply with such policies. Copies of all applicable documents are available for inspection in the Office of Research Administration (ORA) or in the Office of the School Dean.

The PI/PD is similarly responsible for ensuring compliance with federal, state and agency regulations, such as OMB Circulars A-21, A-110, and A-133, Federal Acquisition Regulations and Supplements, and The Federal Demonstration Project, which are applicable to the grant or contract award. In addition, the PI/PD is responsible for ensuring compliance with any specific requirements of the grant or contract.

Financial Management of Sponsored Projects

While awards for successful projects are made to the University, the PI/PD is responsible for, and held accountable for, the fiscal management, laboratory/project management, technical execution, and completion of the project, including submission of all required reports to sponsors.

To support the PI/PD in carrying out these responsibilities, the University provides administrative services and has established procedures to help meet both sponsor and University administrative requirements. Information,
assistance and technical support are provided to the PI/PD during the pre-award process by the ORA and, during the post-award phase, by the ORA and the Grants and Contract section of the Office of Finance.

Although, ultimately, the University is legally responsible and accountable to the sponsor for the performance of the activity funded and the proper use of funds, without the full cooperation and vigilance of the PI/PD the University cannot perform its stewardship role. The sponsored project process is a joint effort between the PI/PD and the University. The PI/PD is responsible for the proper expenditure of all grant and/or contract funds. If a grant or contract is over-expended, or if an unauthorized expenditure is disallowed by the auditors, the PI/PD must ask the appropriate program head/dean/director of her or his academic department/program/center/unit to cover this cost. Therefore, the PI/PD is responsible to the sponsor, the department/program/center/unit and the University to ensure that the requirements of the sponsor and the agreement are being met. The University will expect the department/program/center/unit to establish procedures to ensure that the PI/PD is complying with all of these requirements.

The PI/PD is responsible for monthly account reconciliation between grant/contract records and the monthly expenditure reports distributed by the Office of Finance. The PI/PD must certify this reconciliation by initialing the report and writing on the report the date the reconciliation took place. Accordingly, the PI/PD must seek immediate correction of any incorrect, inappropriate, or outstanding expenditure. State and federal auditors have pointed out to the University that reconciliation helps ensure the accuracy of financial information and reduces the risk of errors, fraud, and non-compliance with grant/contract terms.

It is the responsibility of the PI/PD to properly report and allocate time and effort to the appropriate project. Therefore, the PI/PD is required to certify his/her time and effort charges on grants/contracts from which he/she is paid and to certify the time and effort charges of anyone paid from a grant or contract on which he/she is the PI/PD.

The PI/PD is responsible for making staff appointments and purchases consistent with approved project budgets or subsequent agency approvals and in assessing charges for costs which meet approved guidelines (see UTDPP1071 regarding payments to individuals under contracts and grants). Reasonable judgment should be exercised when charging any of the costs restricted by A-21 as direct charges to a sponsored project, since the allowability of the costs will rest on the PI/PD and the department/program/center/unit.

**Information and Personnel Management of Sponsored Projects**

Freedom to publish is essential to the fulfillment of the University’s responsibility to disseminate the findings of research. The University therefore reserves for the PI/PD the sole and exclusive right to publish freely scientific findings and to preserve this right in sponsored research agreements. In special circumstances, such as the protecting of intellectual property and technology transfer, the University may restrict or delay publication. However, it should be noted that research which cannot be reported to the public cannot be used as the foundation of a thesis or dissertation.

1. Management Responsibilities
   1. The University will make available periodically training on internal controls which will assist the PI/PD in meeting his/her management responsibilities.
   2. The PI/PD is responsible for the following:
      1. acknowledging all federal support in publications and presentations;
      2. keeping and maintaining on campus all research or programmatic records, including human subject consent forms, lab records, primary data, correspondence, notes, reports, samples, specimens, computer programs and publications; and,
      3. working with property control at the University to identify and maintain equipment purchased with grant or contract funds.
   3. The PI/PD is responsible for the oversight of all persons working on the project, including visiting scientists, trainees, post doctoral students, graduate student assistants, undergraduate student assistants, and other staff employees to ensure that:
      1. personnel follow at all times proper laboratory and research procedures;
2. personnel understand and adhere to applicable federal, state and institutional regulations for conduct of studies involving humans, animals, radioactive and other hazardous materials, recombinant DNA, biosafety and safety and for regulations concerning employee conduct in the work place;

3. personnel know that copies of all relevant rules, policies and procedures are available for review in the Office of the School Dean and the Department/Program Office and that it is the responsibility of the individual to read and understand the content of these rules, policies, and procedures; and,

4. personnel adhere to high ethical standards in carrying out the project.

4. The PI/PD is responsible for close personal supervision of student participants to ensure research integrity in all domains, including the design of research protocols, approval by appropriate committees, data gathering and recording, statistical analysis, interpretation of results, presentations at scholarly meetings, and preparation, submission and revision of manuscripts for publication. UTDPP1075 University Policies Related to Graduate Student Teaching Assistants Teaching Associates and Graduate Student Research Assistants, states the University’s requirements for graduate students appointed to these positions and includes a statement of responsibilities that GA/TA/RA’s must provide each semester.

2. Data Ownership and Retention: Ownership of the products, including data, of a sponsored or university-supported project conducted by faculty, staff or students resides with the University. In addition to the requirements of the Public Health Services stated below, PI/PD's are required to keep data, original research notebooks, laboratory notebooks, computer programs, sample collections, research products and technical information in any form, conducted by themselves, their staffs or students, generated in the course of their UTD employment and developed with institutional support or extramural sponsored funding. The Office of Research Integrity of the Public Health Service states that, "Research data generated under Public Health Service funding is owned by the grantee institution, not the principal investigator or the researcher producing the data." In addition, the federal government in OMB Circular A-110 (administrative management of grants) and A-133 (auditing of federal funds) has stated that “... all other kinds of data (including the technical and research data produced by faculty, other investigators and research staff) are subject to the same regulations as financial and administrative data produced by the institutions.” Therefore, all data, original research notebooks, laboratory notebooks, computer programs, sample collections, research products and technical information in any form produced on a sponsored project shall be owned by The University of Texas at Dallas and must be kept by the PI/PD while the grant/contract is active and for a period of three or more years (time will vary depending upon award) after notification of the grant/contract having been officially closed by the Office of Research Administration. At the authorization of the School Dean, copies of data, research notebooks, technical information and products of research may be made, and given to faculty, students, and staff who leave the employment of UTD and who have been identified as having generated the data.

3. Disclosure of Intellectual Property: Policies and procedures governing intellectual property are found in Series 90000 of the Rules and Regulations of the Board of Regents of The University of Texas System. The U. T. System website address for these rules is http://www.utsystem.edu/ogc. Click on Intellectual Property at the top of that page. When intellectual property results from work done on University time, using University facilities, or with any University support, any invention or discovery that the creator believes may be patentable must be submitted in a timely manner for consideration by the University's Intellectual Property Committee. In addition, under 35 U.S.C. Section 202 (a) and (c), inventions created with federal funds must be disclosed to the federal agency within a reasonable time, and the University must notify the agency within a reasonable time whether it elects to retain title to an invention. It is the responsibility of the PI/PD to disclose in a timely manner any invention made by himself/herself or by persons under his/her supervision. Disclosure must be made using the University's Intellectual Property Disclosure Form. Upon receipt of the disclosure, the Office of Research Administration will make the necessary disclosures and notifications to a federal agency.