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Contact:	
Title:	
Email:	
Phone:	

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I. POLICY SUMMARY

University policy requires that all proposals for funding of research, training, and public service projects be submitted to the funding agency or organization only by specifically authorized individuals and that contract be executed and grants be accepted only by specifically authorized people. The Vice President has been delegated responsibility for administering the Division's contract and grant program. This authority has been re-delegated to the Assistant Vice President--Administration (AVP-A) and the Contract and Grant Director. This section specifies how the program is to be administered within the Division.

II. DEFINITIONS

III. POLICY TEXT

A. Proposals For Research And Training Projects

Proposals are considered potential legal and financial commitments made by the University of California to a funding agency. The legal corporate name of the University is "The Regents of the University of California," and all legal documents, such as proposals, contracts, and grants, must be in the corporate name. As such, proposals must be reviewed and approved by appropriate Division and University staff before a proposal may be submitted on behalf of the University of California. Academic appointees who are responsible for conducting research, training, or public service projects are referred to as "Principal Investigators."

1. Authority

Cooperative Extension Specialists are eligible to submit proposals for research, training, or public service contracts or grants, subject to conditions, restrictions, and review procedures that may be established by a Chancellor or the Vice President after obtaining advice from the appropriate committees of the Academic Senate. Furthermore, a Chancellor may restrict the privilege to submit proposals, by personnel not members of the Academic Senate and not appointees in the Agronomist series, to people for whom special justification has been established. Specialists on a campus are subject to procedures established by the Chancellor for the campus. Specialists in a Statewide Special Program or Project are eligible to submit proposals in accordance with the procedures contained in this section.

2. All other Cooperative Extension academic appointees are eligible to submit proposals for training or training-related research and public service contracts or grants in accordance with the procedures outlined herein.

3. The AVP or the Contract and Grant Director is the authorized official responsible

for submitting all official University proposals to a funding agency on behalf of the University. (See section V for exception on State Marketing Orders.)

B. Proposal Preparation Guidelines For New Projects

The Principal Investigator should observe the following guidelines in preparing and submitting proposals:

- a. Prepare a detailed description of the project. If the funding agency requires a special format, follow the agency guidelines. Attach a copy of the agency guidelines to the proposal.
- b. Prepare a budget for the funding request that follows the format and guidelines given in Appendix I, "Proposal Budget Format." If the agency requires a special format, follow the agency format and use the cost guidelines given in Appendix I.
2. Matching funds, cost sharing, or Division contributions are not to be included as a part of the official proposal budget unless specifically required by the agency. If required, consult with the Regional Director, Assistant Director--Programs, or Associate Dean on the source and commitment of funds and staff time. When matching funds are required, subsequent documentation will be required on their expenditure.
 - a. The Contracts and Grants Director can assist in preparing proposal budget information.
 - b. Complete and attach the "Approval Data Sheet," provided as Appendix II.
 - c. Forward the entire proposal package (items A through C above) to the appropriate Assistant Director--Programs, Regional Director, or Associate Dean for approval. Details on required approvals are given in section VII.
 - d. If the deadline is near, the proposal may be sent to the Contracts and Grants Director at the same time a copy is sent to the Assistant Director--Programs, or Associate Dean for approval. This will allow the Contracts and Grants Director to conduct the administrative review while the Assistant Director - Programs, or Associate Dean is reviewing the proposal.
 - e. The proposal and budget should be typed, and the original, suitable for copying, forwarded as a part of the proposal package. The proposal package should also include all the sponsor guidelines and related correspondence.

C. Informal Proposals Or Pre-Proposals For New Projects

1. Informal proposals or pre-proposals must be approved by the appropriate Assistant Director--Programs, or Associate Dean (as given in section VII) before submitting the proposal to the agency. A copy of the pre-proposal and cover letter should be sent to the Assistant Director--Programs, or Associate Dean and

the Contracts and Grants Director. The cover letter to the agency should state that the proposal is informal and has not been reviewed or approved for official submission on behalf of the University of California.

2. Budgets for pre-proposals should be in accordance with the guidelines given in Appendix I.
3. If an agency requests a formal proposal after reviewing a pre-proposal, the guidelines in section III must be followed. If the agency accepts the pre-proposal as sufficient and does not require an additional proposal, the guidelines in section III should be followed, and in this case, the agency should advise the Assistant Director--Programs, or Associate Dean and the Contracts and Grants Director that the agency has the proposal and only requires that official approval be forwarded to the agency.

D. State And Federal Marketing Order Proposals

Proposals for projects with marketing order board and commissions may be submitted directly to the Division Liaison Officer or the board by the Principal Investigator after approval by the appropriate Assistant Director-Programs, or Associate Dean, as given in section VIII. These proposals do not require peer review, and marketing order and commission projects have been exempted from University indirect cost charges.

E. Established Projects -- Proposals For Changes

Proposals for changes in established research and training projects do not require peer review or the Approval Data Sheet. Appropriate Assistant Director--Programs, or Associate Dean approval is required as given in Section VII. The proposal for change will be forwarded to the agency on behalf of the University of California by the Contracts and Grants Director. Typical proposals for change are no-cost extensions of time, extensions of time with additional funding, changes in work tasks and reporting requirements, and budget modifications where required.

IV. COMPLIANCE / RESPONSIBILITIES

A. Approvals Required For Proposals

Proposals for solicitation of funding for research, training, and public service projects must be approved by the appropriate Division and University staff as given below. In addition, special approvals may be required, as given in section VIII, and should be obtained before the formal proposal may be approved.

1. County Staff (Advisors)
 - a. The Principal Investigator will submit the proposal package to the County Director for review and signature approval. If several counties are involved in the project, refer to the statement of county approval confirmation in Appendix

- II, Item 16.
- b. The County Director will submit the proposal package to the Regional Director for review and signature approval. The Regional Director will then submit the proposal package to the Contracts and Grants Director for administrative review on behalf of the University of California.
 - c. When all required approvals are obtained (including special approvals), the proposal will be forwarded to the funding agency by the Contracts and Grants Director on behalf of the University of California. The agency should not receive an advance copy unless as covered in section IV.
2. Statewide Special Program or Project Specialists
- a. If the proposed project involves the use of county facilities or staff, either wholly or partially, the Principal Investigator must obtain the County Director's approval. Refer to the statement of county approval confirmation in Appendix II, "Approval Data Sheet."
 - b. The Principal Investigator will submit the proposal package through the Statewide Special Program or Project Director to the Assistant Director—Programs for review and signature approval.
 - c. The Assistant Director--Programs will send the proposal package to the Contracts and Grants Director for administrative review and approval on behalf of the University of California.
 - d. When all required approvals are obtained (including special approvals), the proposal will be forwarded to the funding agency by the DANR Contracts and Grants Director on behalf of The Regents of the University of California. The agency should not receive an advance copy unless as covered in section IV.
 - e. Statewide Special Program or Project Specialists who have joint appointments with a campus department (Associate appointments in the Agricultural Experiment Station are not considered official joint appointments for these purposes) may process proposals and administer subsequent agreements for research activities only through their campus department and the campus research office. The activity should qualify as an official Agricultural Experiment Station project, and the campus indirect cost rate for "Sponsored Research" must be used in the proposal budget where applicable. The proposal should be sent to the Assistant Director--Programs for review and approval before submission to the campus research office.
3. Berkeley Campus Specialists
- a. If the proposed project involves the use of county facilities or staff, either wholly or partially, the Principal Investigator must obtain the County Director's approval. Refer to the statement of county approval confirmation in Appendix

II, "Approval Data Sheet," Item 16.

- b. The Principal Investigator will submit the proposal package through the Department Chair to the Associate Dean for review and signature approval.
- c. The Associate Dean will send the proposal package to the DANR Contracts and Grants Director for administrative review and approval on behalf of the University of California.
- d. When all required approvals are obtained (including special approvals), the proposal will be forwarded to the funding agency by the DANR Contracts and Grants Director on behalf of The Regents of the University of California. The agency should not receive an advance copy unless as covered in section IV.
- e. Berkeley campus Specialists who have joint appointments with a campus department (Associate appointments in the Agricultural Experiment Station are not considered official joint appointments for these purposes) may process proposals and administer subsequent agreements for research activities only through their campus department and the campus research office. The activity should qualify as an official Agricultural Experiment Station project, and the campus indirect cost rate for "Sponsored Research" must be used in the proposal budget where applicable.

B. Special Approvals Required For Proposals

1. Special Approvals Required by Division

Division coordination approvals will be obtained by the Principal Investigator if the proposals involve any of the areas listed below. Verbal approvals may be indicated on the "Approval Data Sheet" in Appendix II in the interest of meeting time requirements.

- a. **County Involvement:** Proposals requiring the use of county facilities or staff will be approved by the respective County Director of each county involved.
- b. **Publications:** Proposals requiring the use of Agriculture and Natural Resources Publications staff or production services will be approved by the Agriculture and Natural Resources Publications Manager. The cost of printing publications cannot be subsidized by Agriculture and Natural Resources Publications. Refer to Section 290 for more information on publications.
- c. **Analytical Laboratory:** Proposals requiring the use of the Plant, Soil and Water Analytical Laboratory must be approved by the analytical laboratory manager.

2. Special Approvals Required by the University

Special approvals must be obtained under the circumstances listed below. Approvals will be obtained by the person indicated in each item.

- a. Funding requests of \$2,000,000 or more in direct costs per year must be approved by The Regents. This approval will require at least two months to obtain. The Contracts and Grants Director is responsible for obtaining this approval after receipt of the proposal. Use of human subjects in projects requires the approval of a University committee. The Principal Investigator should notify the Contracts and Grants Director as soon as possible of the intention to include human subjects as part of a project proposal and should make arrangements to obtain the required approvals.
- b. Processes involving safety hazards, as listed in item 12 of the "Approval Data Sheet" in Appendix II, must be approved by the appropriate campus Office of Environmental Health and Safety or, for off-campus projects, by the Director of Facilities Planning and Management. The Cooperative Extension Statewide Pesticide Coordinator may be contacted for information on safety procedures for off-campus projects.

C. Contacting The Funding Agency

1. After the funding agency receives the official University proposal, the Principal Investigator may discuss the proposed work with the agency and make changes as mutually agreed to. Substantial changes in the work to be performed should be approved by the Assistant Director--Programs or Regional Director. Changes to the funding request must be approved by the Assistant Director--Programs or Regional Director and should be reviewed by the Contracts and Grants Director.
2. Funding agency questions regarding proposed legal and financial terms and conditions for a potential agreement must be referred to the Contracts and Grants Director to assure compliance with University policies.

V. PROCEDURES

A. Contracts And Grants

Contract and grant documents that may result from proposals are considered legal and financial commitments to be made between The Regents of the University of California and the funding agency. The Contracts and Grants Director is the official authorized to review all legal terms and conditions and to sign the agreement on behalf of The Regents of the University of California. All contract and grant documents received by staff should be forwarded immediately to the Contracts and Grants Director.

B. Contracts And Grants Received On Unapproved Proposals

All contracts and grants received on proposals that have not been reviewed and approved by the appropriate Division and University staff will be subject to the approval procedures as provided for in sections VII and VIII.

C. Administration Of Contracts And Grants

Contracts and grants between the University of California and a funding agency for Division Principal Investigators will be administered in the following manner.

1. Training Projects

All contracts and grants for training projects will be administered by the Regional Office for County staff and by the Budget and Financial Services Office for Statewide Special Programs or Projects staff.

2. Research Projects

- a. County Principal Investigators located in counties will have contracts and grants for research projects administered by the Regional Office.
- b. Statewide Special Program and Project Principal Investigators and Berkeley campus Specialists will have contracts and grants for research projects administered by the Budget and Financial Services Office.

3. Authority to Begin Project Work

- a. Project work may not begin until the Principal Investigator has been notified by the Contracts and Grants Director that the University has received the fully executed contract or grant. If the funding agency sends a fully executed contract or grant to a staff member, it should be forwarded to the Contracts and Grants Director immediately.
- b. Commitments such as hiring or expenditures of any kind before the Contracts and Grants Director receives a fully executed contract or grant is prohibited except as may be otherwise authorized in accordance with regulations of the University.
- c. Project expenses incurred before the official starting date of a project, as given in the fully executed contract or grant, cannot be honored for payment under the contract or grant.

Contact the DANR Contracts and Grants Office should there be expenses of this nature.

D. Use Of University Facilities And Resources Under Contracts And Grants

1. Testing

University participation in tests and investigations shall be limited to activities that lead to the extension of knowledge or to increased effectiveness in teaching or public service outreach. Routine tasks of a commonplace type will not be undertaken. University laboratories and facilities are not to be used for tests, studies, or investigations of a purely commercial character, such as the performance efficiencies of machines, analysis of soils, water, insecticides, fertilizers, feeds, fuels, and other materials, statistical calculations, etc., except when it is shown conclusively that satisfactory facilities for such services do not

exist elsewhere. Those requiring such tests or services should apply to business firms or to such public agencies as the State of California, Department of Food and Agriculture. Commercial tests or investigations involving controversial elements may be undertaken only at the direct and unanimous request of representatives of all parties to the controversy. A charge shall be made sufficient to cover all expenses, both direct and indirect, for all tests and investigations made for agencies, organizations, or individuals outside the University.

2. **Publicity of Results**

All research shall be conducted so as to be as generally useful as possible. To this end, the right of publication is reserved by the University. The University may publish the material or, in any specific case, may authorize the individual to publish it through some recognized scientific or professional medium of publication. A report detailing the essential data and presenting the final results must, in most cases, be filed with a supporting agency and the University. Notebooks and other original records of research are the property of the University.

3. **Use of the Name of the University**

California Education Code Section 92000 et seq. governs the use of the name "University of California."

4. **Patents**

All rights to research results and inventions are retained by the University for projects conducted on behalf of the University.

E. Conflict Of Interest

1. **Form 730-U, "Statement of Economic Interests"**

University policy on disclosure of financial interest in private sponsors of research, as required by State law, requires that a principal investigator must disclose whether or not he or she has a direct or indirect financial interest in the sponsor of research that is funded in whole or in part (1) through a contract or grant with a non-governmental entity or (2) by a gift from a non-governmental entity that is earmarked by the donor for a specific research project or a specific principal investigator. The Form 730-U, "Statement of Economic Interests," must be filed (1) before final acceptance of the contract, grant, or gift, (2) when funding is renewed, and (3) within 90 days after expiration in the case of a contract or grant, or after funds have been completely expended in the case of a gift. The statements will be open to public inspection. When disclosure indicates that a financial interest exists, a review committee must conduct an independent substantive review of the disclosure statement and the research project before acceptance of the contract, grant, or gift. County, Statewide Special Program and

Project Directors, and Regional Directors must disqualify themselves from approving a research proposal for a project that is funded in whole or in part by a non-governmental entity in which they have a financial interest. The Division Contracts and Grants Director is responsible for coordinating this process. Form 730-U and instructions may be found in Appendix III.

2. Conduct of Research

The following excerpt from a 1964 joint statement of the American Council on Education and the American Association of University Professors illustrates the types of situations that may give rise to conflict of interest. It has been used as a guide for the faculty of the University, and it is also applicable under Section 403.

Conflict Situations

Favoring of Outside Interests: When a University staff member (administrator, faculty member, professional staff member, or employee) undertaking or engaging in government-sponsored work has a significant financial interest in, or a consulting arrangement with, a private business concern, it is important to avoid actual or apparent conflicts of interest between his/her government-sponsored University research obligations and his/her outside interests and other obligations. Situations in or from which conflicts of interests may arise are the:

- a. Undertaking of orientation of the staff member's University research to serve the research or other needs of the private firm without disclosure of such undertaking or orientation to the University and to the sponsoring agency.
- b. Transmission to the private firm, for other use or personal gain, the government-sponsored work products, results, materials, records, or information that are not made generally available. (This would not necessarily preclude appropriate licensing arrangements for inventions or consulting on the basis of government-sponsored research results where there is significant additional work by the staff member independent of his/her government-sponsored research).
- c. Use for personal gain or other unauthorized use of privileged information acquired in connection with the staff member's government-sponsored activities. (The term "privileged information" includes but is not limited to, medical, personnel, or security records of individuals; anticipated material requirements or price actions; possible new sites for government operations; and knowledge of forthcoming programs or of selection of contractors or subcontractors in advance of official announcements.)
- d. Negotiation or influence upon the negotiation of contracts relating to the staff member's government sponsored research between the University and private organizations with which he/she has consulting or other significant relationships.

Additional information on conflict of interest situations may be found in Section 403.

VI. RELATED INFORMATION

- University Contract and Grant Manual
- Business and Finance Bulletin G-39
- APPENDIX I. Proposal Budget -- To Be Added Later
- APPENDIX II. Approval Data Sheet -- To Be Added Later
- APPENDIX III. Statement of Economic Interest -- To Be Added Later

VII. FREQUENTLY ASKED QUESTIONS

VIII. REVISION HISTORY

October 2017:

Format updated.