



MEMORANDUM

November 30, 2023

Amendment to Board Policy R532, Acceptance and Approval of Contracts and Grants

Proposed amendments to [Board Policy R532, Acceptance and Approval of Contracts and Grants](#), outline changes to sections 4.5 Delegation of Authority, and 4.6 Board Approval, by delegating Board approval to respective institution board of trustees. This amendment fully aligns with [Utah Code 53B-7-103 \(4\)\(b\)](#), *Board Designated State Education Agent for Federal Contracts and Aid*, wherein the Board may delegate the approval of a contract or grant to an institution of higher education's board of trustees.

Institutions are still required to submit an annual report to the Board on all approved contracts or grants for the prior fiscal year by September 30, as instructed in Policy R532-5.

The proposed amendments also make changes for clarity and consistency with other Board policies.

Commissioner's Recommendation

The Commissioner recommends the Board approve the amendments to Board policy R532, *Acceptance and Approval of Contracts and Grants*.

Attachment



R532, Acceptance and Approval of Contracts and Grants¹

R532-1 Purpose: This policy provide for the outlines acceptance of research and training grants by Utah System of Higher Education (“USHE”) institutions.

R532-2 References

- 2.1 Utah Code § 53B-7-103, (Federal Contracts and Aid – Individual Research Grants)
- 2.2 Board Policy R535, Reimbursed Overhead

R532-3 Definitions

- 3.1 **“Reimbursed Overhead Revenue”** means recovery from contracts or grants designated to reimburse the institution for associated overhead expenses.

R532-4 Approval of Contracts and Grants

4.1 Contracts and Grants Reimbursed Overhead: Contracts or grants that bear no reimbursed overhead revenue or are approved for less than the finalized reimbursed overhead rate shall be justified in writing on the basis of based on educational value and approved by a responsible officer of the institution or a committee designated by the president for such purpose. An institution’s acceptance of a research contracts, training grants, or contracts for other sponsored programs shall be in conformity with this policy.

4.2 Criteria for Educational Value: Each institution shall establish Ccriteria are to be established and outlined by each institution for determining the educational value of the a proposed research or training grant. Some suggested areas of such eCriteria are may include: (1) the How many number of students will be involved;? (2) Are whether the involved students to be are involved working toward a degree;? (3) Is whether the contract is funding a post-doctoral program;? (4) Hhow much faculty and other personnel released time will be required to accomplish the proposed project;? (5) What would the formula be for such released time and compensation;? (6) Of what the educational value is of the contract project to the institution as contrasted with the principal investigator;? (7) Will whether existing assigned space will be utilized;? (8) Will whether new personnel will be added producing pressures for more space; and?

¹ Approved June 30, 1969; amended October 27, 1970, October 19, 1971, September 15, 1995, October 31, 2003, and July 16, 2021; and XXX.

(g) ~~Will-whether~~ the grant ~~will~~ cover costs of all equipment and services required, including computer services, without obligating other institutional funds.

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4.3 Training Grants: Training grants ~~for less than that do not~~ fully funded costs shall be justified for educational value. Student credit hours produced on fully funded training grant programs ~~will shall~~ be reported separately from the student credit hours produced by state funds.

4.4 ~~Board~~ Board of Higher Education Standards for Waiver of Full Recovery: Nothing in the institution's criteria for waiver of full recovery shall ~~supersede conflict with the Utah~~ Board of Higher Education ("~~Board~~") ~~Policy R535, Reimbursed Overhead~~, or institutional responsibilities under state law.

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4.5 Delegation of Authority and Approval: The Board delegates to ~~the~~ presidents, with the approval of their respective Boards of Trustees, ~~power-authority~~ to enter into contracts for maintenance, research grants, and continuing programs of the institution. ~~involving amounts less than \$2,000,000 for the doctoral/research universities; less than \$1,000,000 for regional universities; and less than \$500,000 for comprehensive community and technical colleges based on the total funded amount of the award.~~

~~**4.6. Board Approval:** For proposals exceeding the amounts specified in section 3.6, the institution will provide a description of the project to the Board in a regular consent calendar report and request approval at that time. In those cases where applications or proposals cannot be approved by the Board before submittal for reasons which are deemed justifiable by the president, the president may sign them and authorize their submittal. The institution will then report the action at the next Board meeting with a description of the project and a request for approval on that meeting's consent calendar. It is understood that a proposal can be withdrawn at any time before an award is made if the Board should not approve the project retroactively.~~

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R532-5 Reporting

5.1 Annual Reports: ~~By September 30 each year, Each~~ institutions shall submit ~~an annual~~ report ~~to the Board by September 30~~ summarizing the number and dollar amounts of awards received during the previous fiscal year beginning July 1 and ending June 30. The report shall include summary totals by college or unit of all awards received.

5.2 Criteria for Reporting: ~~The following criteria~~ Institutions shall apply the following ~~criteria when determining which awards to include in their reports to the Board. are to be used in determining reportability.~~ ~~Institutions should report o~~ Only the amount of the annual award ~~should be reported~~, not the ~~amount of the~~ entire award.

5.2.1 Type of Award: Contracts, grants, and cooperative agreements are reportable.

Financial aid, appropriated funds, and gifts are not ~~to be reported~~reportable.

5.2.2 Agency/Source of Award: Awards made by federal, state, and local municipal governments, ~~;~~ and by private partnerships, individuals, foundations, trusts, and corporations are all reportable.

If both ~~5.10.1, the T~~type of Award under subsection 5.2.1, and source of award under this subsection ~~5.10.2, Agency/Source of Award~~, are reportable, ~~at the institution shall submit a report~~ report must be submitted. If either or both ~~is~~ are not reportable, the institution item should need not report the award not be included in the report.

5.2.3 Function and Purpose: ~~If there is a question as to~~When determining whether ~~the an~~ award ~~must be included in a is~~ reportable, the institution shall consider the award's function and purpose, are to be considered. If this criterion is affirmative, the award shall be included in the report. Awards for research, training, and public service, e.g., (extension, clinical testing, clinics, or other projects for the benefit of the public) are reportable. Charitable activities, business sales, auxiliary enterprise activities, ~~and~~ scholarships, ~~and~~ /student financial aid are not reportable. need not be reported.

5.2.4 Development: Development activities are not ~~reported-reportable to the Board of Higher Education.~~

5.2.5 Subcontracts: Subcontracts, subawards, and sub-agreements made between USHE institutions are not ~~reported-reportable to the Board.~~

R532, Acceptance and Approval of Contracts and Grants¹

R532-1 Purpose: This policy outlines acceptance of research and training grants by Utah System of Higher Education (“USHE”) institutions.

R532-2 References

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4.2 Criteria for Educational Value: Each institution shall establish criteria for determining the educational value of a proposed research or training grant. Criteria may include: (1) the number of students involved; (2) whether the involved students are working toward a degree; (3) whether the contract is funding a post-doctoral program; (4) how much faculty and other personnel released time will be required to accomplish the proposed project; (5) the formula for such released time and compensation; (6) the educational value of the project to the institution as contrasted with the principal investigator; (7) whether existing assigned space will be utilized; (8) whether new personnel will be added producing pressures for more space; and (9) whether the grant will cover costs of all equipment and services required, including computer services, without obligating other institutional funds.

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4.3 Training Grants: Training grants that do not fully fund costs shall be justified for educational value. Student credit hours produced on fully funded training grant programs shall be reported separately from the student credit hours produced by state funds.

4.4 Board Standards for Waiver of Full Recovery: Nothing in the institution's criteria for waiver of full recovery shall conflict with Utah Board of Higher Education ("Board") Policy R535, *Reimbursed Overhead*, or institutional responsibilities under state law.

4.5 Delegation of Authority and Approval: The Board delegates to presidents, with the approval of their respective Boards of Trustees, authority to enter into contracts for maintenance, research grants, and continuing programs of the institution.

R532-5 Reporting

5.1 Annual Reports: By September 30 each year, institutions shall submit a report summarizing the number and dollar amounts of awards received during the previous fiscal year beginning July 1 and ending June 30. The report shall include summary totals by college or unit of all awards received.

5.2 Criteria for Reporting: Institutions shall apply the following criteria when determining which awards to include in their reports to the Board. Institutions should report only the amount of the annual award, not the entire award.

5.2.1 Type of Award: Contracts, grants, and cooperative agreements are reportable. Financial aid, appropriated funds, and gifts are not reportable.

5.2.2 Source of Award: Awards made by federal, state, and local municipal governments, and by private partnerships, individuals, foundations, trusts, and corporations are all reportable.

If both the type of award under subsection 5.2.1, and source of award under this subsection are reportable, the institution shall submit a report. If either or both are not reportable, the institution need not report the award.

5.2.3 Function and Purpose: When determining whether an award is reportable, the institution shall consider the award's function and purpose. Awards for research, training, and public service, e.g., extension, clinical testing, clinics, or other projects for the benefit of the public are reportable. Charitable activities, business sales, auxiliary enterprise activities, scholarships, and student financial aid are not reportable.

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