



Academic Grants Handbook

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CHAPTER ONE

Introduction

1.1. HANDBOOK: INFORMATION AND OVERVIEW

To assist in the procurement and administration of grants and contracts, the Cabinet appointed an *ad hoc* Academic Grants Task Force. This handbook is a culmination of their efforts and serves as a guide for those involved in sponsored projects at Daemen College. This handbook was approved by the Cabinet on March 15, 2004. It has since been revised periodically to include relevant updates.

1.2. DEFINITIONS OF ROLES, OFFICES AND COMMITTEES

The following outlines the roles of individuals, on-campus offices and committees involved in grants:

Project Director/Principal Investigator

Jointly, Daemen College and the project director (or principal investigator) of the grant are responsible for appropriately expending and monitoring funds. When the grant is awarded, one person is designated as project director. The project director is the only person who can sign purchase requisitions for the grant.

Specific responsibilities of the project director or principal investigator include:

- Developing the grant proposal narrative and budget (With assistance from the Academic Grants Office);
- Carrying out the work proposed in the project proposal;
- Keeping records of all expenses, including in-kind and cost sharing;
- Distributing time and effort reports to the appropriate individuals for completion or assuming responsibility for those individuals by completing the forms on their behalf;
- Submitting reports and evaluations in a timely manner;
- Submitting copies of interim and final reports to the Grant Administration Manager for records;
- Maintaining contact with program officer to ensure compliance;
- Notifying the AG Office, Grant Administration Manager, and sponsor of any major changes in a project.

Academic Grants Office (Pre-Award)

(<http://www.daemen.edu/offices/academicgrants/Pages/default.aspx>)

Purpose: The Academic Grants Office, a unit within the Office of Academic Affairs, advances academic initiatives, faculty research, institutional collaborations, and community partnerships by helping faculty, staff, and administrators obtain external sources of funding.

Function: The mission of the Office is to facilitate the procurement of external support by assisting faculty, staff, and administrators with identification of private and government funding sources and with development of grant and contract proposals; by documenting and promoting the achievements of those who procure grants; and by facilitating acknowledgement of external support.

The Director of the Office of Academic Grants' tasks and responsibilities are as follows:

Cultivation:

- Identifies funding sources

- Arranges meetings with prospective sponsors
- Obtains grant applications and guidelines
- Coordinates with External Relations staff to share information about funding sources and College priorities.

Proposal Development:

A. Narratives

- Assists project director with all aspects of narrative, as needed.
- Provides current information about institution, as needed.
- Examines proposals to ensure that all guidelines are met.

B. Budgets

Examines budgets for the following:

- **Matching components.** Examines to ensure they are accurate and not excessive. Ensures they meet the sponsor's requirements. Distinguishes in-kind and cash outlay.
- **Indirect Costs.** Informs project director of indirect cost guidelines. Directs project director to VP of Academic Affairs for final approval of waiver or reduction of indirect costs.
- **Compliance with institutional policies and practices.** Examines budget to ensure that time and effort, indirect costs, expenses, salaries, wages, and benefits are compliant with Daemen's policies and consistent with Daemen's practices.
- **Compliance with sponsor requirements.** Examines budget to ensure that all proposed expenses are consistent with the sponsor's guidelines and allowed by the sponsor. Contacts sponsor for guidance, if needed, and when appropriate.
- **Compliance with government regulations.** Ensures that the proposed expenses meet the definitions of allowable costs spelled out in OMB circulars relating to the grant. Ensures they are itemized correctly.
- **Budget narrative.** Examines budget narrative to ensure that it is consistent with budget.

Supporting information

- Provides supporting forms and documents (e.g. 501 [c] (3), assurances)
- Drafts letters of support (e.g. cover letter, letter from Board President)

Submission of Proposals

- Mails or transmits proposals in accordance with sponsor guidelines;
- Serves as Authorized Organizational Representative (AOR) for electronic grant submissions;
- Serves as institutional Point of Contact for grant proposals.

Internal Communication:

- Signs grant proposal agreement form and circulates it for certifications.
- Questions sections of proposals that subject the institution to risk. Communicates these questions to Project Director and appropriate parties prior to submission of proposal.

- Copies completed proposals and submits to Grant Administration Manager and VP for External Relations for files.
- Informs campus community of new grants.
- Updates academic grants website.
- Works with College Relations Director to ensure press releases/public media meet sponsors' guidelines for public recognition.
- Records grant proposal submission and other pertinent contact information in Donor Perfect.
- Prepares annual report for Vice President for Academic Affairs. Details all proposals submitted, awarded, and declined, reasons, and information.
- Serves as the point person for the Academic Grants Task Force.

External Communication

- Coordinates with external sponsor to ensure that proposed project objectives and budget comply with sponsor guidelines or regulations.

Grant Administration

- Facilitates policy development related to grants.
- Informs faculty of policies and procedures required by sponsors.
- Assists in drafting or updating grant-related institutional policies and procedures to comply with state and federal requirements and agency requirements.
- Serves as point person for Academic Grants Task Force.
- Updates Academic Grants Handbook, as needed. Coordinates efforts with Grant Administration Manager.

Training

- Attends technical assistance workshops and training sessions.

Vice President for Academic Affairs and Dean of the College

The Vice President for Academic Affairs:

- Reports to the Board on all new academic initiatives and academic grants;
- Approves academic grant applications to private foundations and government funding sources;
- Represents academic affairs to federal agencies; and
- Approves new positions or changes in compensation directly resulting from grant-funded initiatives.

Division Deans and Chairs

The Divisional Dean and Chair facilitate grant activity by providing support, direction and guidance regarding project idea development as well as in the development of the proposal application. The PI/Project Director is required to sign a certification in the grant proposal agreement form acknowledging that he or she has reviewed the proposal with his or her Department Chair and Divisional Dean. Divisional Deans and Department Chairs examine the proposal for the following:

- Appropriateness and benefits of the project to the department, the division, the College and the community;

- Commitments of faculty and staff time, space, workloads, and resources;
- Considerations and needs for adjustment of departmental/divisional budgets as necessary to support commitments of grant.

Business Office (Post Award)

The Vice President for Business Affairs and Treasurer oversees all budgets and accounting for the College.

The Grant Administration Manager, reporting to the Controller, is the point person in the Business Office for post award administration. In relation to grants, it is the responsibility of the Grant Administration Manager to fulfill the following duties:

- Establish, maintain and close sponsored program accounts
- Interpret and enforce sponsor, college and other administrative procedures
- Monitor expenditures for compliance with sponsor and college policies and procedures
- Prepare and monitor sub-awards and contracts
- Work with faculty and staff to provide accurate and timely financial information
- Carry out all cash management responsibilities with all funding agencies
- Act as a liaison with other college administrative support units, sponsors and auditors
- Maintain a Time & Effort Reporting System for the college
- Clarify questions and concerns relating to grant management with the sponsor when necessary and in consultation with the PI.

External Relations

The Development Office, under the Vice President for External Relations, is the clearinghouse for the fund-raising activities of Daemen College. It shall be the responsibility of the Development Staff to:

1. Maintain and increase financial support for Daemen College;
2. Develop and propose to the President and Board of Trustees, plans for a comprehensive development program, including annual, capital and planned giving efforts.
3. Advise the President, the Board of Trustees and volunteers on matters relating to the cultivating, solicitation and acceptance of gifts and grants in support of Daemen College;
4. Inform, serve, guide, and assist Daemen College's constituents in fulfilling their family, financial and philanthropic objectives;
5. Coordinate all such fund raising efforts of Daemen College by matching donor interests with specific funding opportunities so that prospects and donors are not solicited by multiple entities within Daemen College;
6. Undertake research on prospects and donors so as to identify interests and to maintain confidentiality with regards to research findings and donor records;
7. Oversee and monitor such solicitations as authorized by the Board of Trustees and/or the administration (e.g. the annual fund and any capital campaign); and
8. Report regularly to the President and the Board of Trustees regarding gifts, grants, pledges, and planned gift commitments received by Daemen College.

For gifts over \$250, thank you notes are required for documentation and potential auditing purposes, so it is important that External Relations be informed of all academic grants. The

External Relations Office has a database called Donor Perfect. This office records all gifts and grants received by the College.

In addition, this office also promotes faculty and projects by writing up press releases about grants and gifts received. Some sponsors have specific materials to include in press releases, so it is important that the Director of College Relations is made aware of any requirements for acknowledgement in press releases.

Academic Grants Task Force

This *ad hoc* task force offers advisement to the President's Cabinet on sound institutional policies and procedures as they relate to sponsored projects. This *ad hoc* task force convenes when the need for new policies or procedures related to grants arises.

Human Subjects Research Review Committee

This committee works to ensure that research involving human subjects meets federal subject protection guidelines. The faculty chair of the committee is appointed annually. If your proposed project involves human subjects, please contact the Human Subjects Research Review Committee.

CHAPTER TWO

Pre-Award

2.1. OVERVIEW OF GRANT APPLICATION PROCESS

The following is a general look at how an idea develops into a funded project.

I. PRE-AWARD

Idea phase

1. Faculty or administrator (or team of faculty/administrators) has an idea for a project.
2. Faculty member discusses project with the Department Chair and Division Dean.
3. Faculty member meets with the Office of Academic Grants to discuss the idea and identify prospective funding opportunities. Or, faculty member learns of prospective funding source and shares this with the Academic Grants Office.

Application Phase

1. Once funding sources are identified, the Director, AG writes for or downloads application for funding and gives it to the project director.
2. Following guidelines, the project director writes the grant proposal narrative and shares it with the Director, AG for feedback and input.
3. PI works with the Director, AG to craft the budget in accordance with state, federal, sponsor, and institutional policies.
4. PI obtains letters of support for project, when needed.
5. PI finishes final draft and fills in and signs grant approval signature form.
6. PI gives completed grant proposal and proposal agreement form to Director, Office of Academic Grants. Director reviews proposal, checking for completeness, consistency with sponsor instructions and requirements, federal and state regulations, and Daemen policies.
7. AG Office routes grant to Vice President for Academic Affairs and departmental Vice President or Dean for certifications and signatures.
9. AG Office attaches supporting documents and makes necessary copies.
10. AG Office sends out proposal in timely manner.

II. POST AWARD

Grant Administration Phase

1. PI receives notification that proposal will be funded. If proposal is not funded, project director meets with Academic Grants Office to consider other funding sources.
2. PI sends notification of award to Director, Office of Academic Grants and Grant Administration Manager.
3. PI sets up meeting with Grant Administration Manager to go over budget and expenditure processing. In the case that matching funds or adjustments in departmental budgets are necessary, the Divisional Dean or Dept. Chair will be engaged in the budget planning process.
4. Director of College Relations works with PI on press release for the grant.
5. Project director keeps record of expenditures and submits reports in a timely manner.
6. PI completes time & effort reports for each semester and returns them to the Grant Administration Manager in a timely manner.
7. Project is completed and final report is submitted

2.2. EXTERNAL FUNDING SOURCES

1. Identifying External Sources of Funds.

Making the appropriate match between a funding source and a proposed project is an important step in the proposal process. The Director of The Office of Academic Grants will

conduct searches on potential funding sources on request and uses these resources to find funds:

On-line Resources. Daemen College subscribes to BigOnline USA (www.bigdatabase.com) and FoundationSearch www.foundationsearch.com. These on-line resources are the equivalents of foundation encyclopedias or directories. If you would like to know more about a specific foundation, request a search by the Academic Grants Office (a password is required).

Internal Files. The AG Office has files of past applications and correspondence with funders. Sometimes funders who have provided grants to Daemen in the past will accept an application for a different project.

Journals, Newsletters. The Dir. Academic Grants reads these resources and informs faculty via on-campus mail or e-mail relevant notices about grant competitions.

List serves. The National Science Foundation, the Department of Education, and The Foundation Center are just some of the organizations that periodically send out announcements with RFPs.

Professional Associations, Workshops and Contacts. The Council for Advancement and Support of Education (CASE) and The Association of Fundraising Professionals (AFP) offer resources and tips for finding sources.

The following additional resources are available:

Community of Science <http://fundingopps.cos.com/>

The most comprehensive source of funding information available on the Web, with more than 25,000 records, representing over 400,000 funding opportunities, worth over \$33 billion.

Grants Web <http://www.srainternational.org/newweb/grantsweb/index.cfm>

Hosted by the Society of Research Administrators International, this is one of the largest Internet clearinghouses for funding sources. This site offers everything from federal, state, and government funding sources to tips on writing.

Professional Journals. Professional journals sometimes list grant announcements related to the specific profession.

The Buffalo and Erie County Library. The Business Section on the 2nd floor of the library offers excellent text and computer resources for funding.

2. Initial Contact with the Sponsor

Contacting a sponsor prior to submitting a proposal is highly advisable. An investigator may initiate contact with a sponsor by telephone, e-mail, visit, or a letter of intent. It is required that the investigator first contact the AG Office, especially before contacting private foundations, to ensure that another application from the College is not under consideration. The Academic Grants Office also keeps records of all prior contacts to sponsors and may have already determined whether the College is eligible to apply.

A sponsor may request that a letter of intent be submitted prior to a full proposal. While these do not require official institutional approval, the submission should be discussed with

the Department Chair and Director, Office of Academic Grants for the reasons outlined above. An informational copy of any letter of intent as well as follow up correspondence should be sent to the Director, Office of Academic Grants.

3. Application Guidelines

The Director of the Office of Academic Grants will obtain guidelines, if requested.

4. Deciding to Apply to a Foundation or Agency

Nearly every sponsor has guidelines. Some are very detailed-down to the type of paper on which you must apply. Some change from year to year. Others are less defined. Enough cannot be said about reading a sponsor's guidelines. Grant proposal writing takes a good amount of time, and there is no need to spend energy applying to a funder who is not a good match. There are thousands of funding agencies that support nearly every type of project and institution that exist. Research can help to best identify the most likely sources.

It is tempting to "chase funding"--that is, to hear about a foundation or granting agency and then try to fit your project into their guidelines. Another mistake often made by first time grant writers is to write a proposal, then send it out this generic draft to numerous funders--regardless of their guidelines. The "bullet approach," as it is called, is nearly always unsuccessful.

Avoiding these simple pitfalls--and thoroughly reading a sponsor's guidelines--can save an investigator hours of work and spare disheartening rejections.

5. Final Thoughts before Beginning to Write the Proposal

Grant proposals can take weeks to write, and grant-funded projects can take years to complete. It is important to consider the long-term impact of a grant on your time, your department, Daemen, and the community. Here are a few final questions to consider before starting to write a grant proposal.

- Have I exhausted internal sources of funding?
- Do I have the time to commit to this project?
- Am I duplicating a service/idea/project that already exists at Daemen or in the community?

- Is there another person or organization that would be a good collaborator for this project?
- Have I identified one or more external funding sources that would likely fund this proposal?
- Does this project fit into the vision of my department?
- Does this project fit into the future direction of Daemen College?
- Do I have an evaluation plan to measure the success of this project?
- Can I ensure that this project will be able to continue (when relevant) when the funding ends?

The Vice President for Academic Affairs encourages discussion of project ideas with that office and the Divisional Deans. At any time, you can set up a meeting to discuss your idea.

2.3. PROPOSAL PREPARATION

General Guidance

There are no set rules for preparing grant proposals, and there is a lot of help available. To

assist with grant proposal development, the Academic Grants Office provides Program Planning and Proposal Writing to any Daemen employee interested in pursuing a grant. Please e-mail the Director, Office of Academic Grants at dwoodman@daemen.edu for a copy of this resourceful booklet.

The following are additional resources that may be helpful for developing proposals:

The Grantsmanship Center <http://www.tgci.com>

A leader in grant information and grantsmanship training. This web site provides current Federal Register grant information, grant writing tips, copies of winning grant proposals available on CD, plus links to federal, state, community, and international funding sources.

The Foundation Center Proposal Writing Short Course:

<http://foundationcenter.org/getstarted/tutorials/shortcourse/index.html>

A helpful on-line tutorial provided by The Foundation Center.

U.S. Environmental Protection Agency Grantwriting Tutorial

<http://www.epa.gov/ogd/recipient/tips.htm>

National Science Foundation Grant Proposal Guide:

http://www.nsf.gov/publications/pub_summ.jsp?ods_key=gpg

BUDGET DEVELOPMENT

External sponsors closely review budgets to ensure that all costs are accurate and reasonable. Keep in mind when preparing a budget that reviewers see many budgets—accuracy and reasonableness can often be determined simply by comparing them to other grant proposals they are reviewing. Sponsors also look to make sure that items are allowable within their guidelines. It is important to review a sponsor's guidelines to see what is and is not allowed. A budget narrative, when required, will fully explain the purpose of each itemized cost; the itemized budget should summarize the narrative budget, meaning there should be no “hidden surprises” in the itemized budget.

Daemen's internal reviewers—those approving the grant before it is sent out—will look for similar qualities in a budget. It is best to discuss budgets with the department chair and divisional dean to address items such as reassigned time and matching funds. The Academic Grants Office will assist in determining what are and are not allowable costs and how budgets should be structured.

Budgets should be drafted early to provide time for modification.

Finally, it is not uncommon for a sponsor to provide less than the requested amount and negotiate the final budget. It is important when drafting the budget to consider what is absolutely necessary to make the project succeed.

Any questions about crafting budgets can be discussed with the Director, Office of Academic Grants.

Common Budget Categories

What to Know About Direct costs & Indirect Costs:

The following definitions from Circular No. A-21 explains the difference between direct and indirect costs:

Direct costs are "those costs that can be identified specifically with a particular sponsored project, an instructional activity, or any other institutional activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy." Direct costs include personnel, fringes, supplies, and equipment that are related to the objective of the sponsored project.

Indirect or F&A costs, on the other hand, are "costs that are incurred for common or joint objectives and, therefore, cannot be identified readily and specifically with a particular sponsored project, an instructional activity, or any other institutional activity. F&A costs are synonymous with "indirect" costs. . ." Examples of indirect costs are departmental and college administration, utilities, building use, libraries and general clerical support.

Many private sponsors will not allow for indirect costs. Also, some federal agencies will limit the amount of indirects that can be requested, depending upon the agency and type of grant. It is highly advisable to discuss your budget well in advance of the deadline with the Director, Office of Academic Grants to ensure that the proposed direct costs are allowed by the sponsor.

Indirect requests are to be made at the maximum rate allowed by the funding agency. Any reduction in this request must be requested in the grant approval form in accordance with the indirect cost policy and with the approval of the VPAA.

Personnel

This category includes salaries and wages for Daemen faculty, research assistants, undergraduate students, clerical support, computer programmers, etc. Personnel costs are usually expressed as a percent effort with the percentage multiplied by the salary to obtain the budgeted amount. Or, the costs may be expressed as person-months. For example, a faculty member earning \$40,000 per year who anticipates devoting 25 percent of effort to a grant project would budget \$10,000 in the application.

Daemen employees are not typically compensated at an amount greater than their authorized salary level, unless they meet the criteria for extra-service compensation or bonus (see policy in next section).

When an unfilled and/or newly created position is budgeted for a grant, the salary figure should be determined in consultation with the Department Chair, Divisional Dean, and Academic Vice President. If the budget involves the creation of new faculty (or other postdoctoral) positions, you will need approval from the Academic Vice President. Depending on the situation, you may also need to consult the Personnel Office. There are specific policies relating to hiring procedures and salaries for these positions.

Please see the [Daemen faculty handbook \(PDF\)](#) for policies relating to faculty leave of absence and reassign time. Please also see the Policy and Procedures for Extra Service/Bonus Compensation for additional guidance on extra compensation on grants.

For multi-year grants, an estimated increase of salary at 3% per year for future increases is reasonable and reflects the general practices of Daemen College.

Fringe Benefits

Fringe benefits include insurance, retirement contributions, vacation and sick leave, social security contributions and other costs. When a faculty member whose contract is less than 12 months proposes to work on a project during the summer months, a part-time fringe benefit rate should be added. Fringe benefits must be included as a direct cost of all grant proposals. Please check with the AG Office for the most up to date fringe benefit rate.

Students receive no fringe benefits.

Consultants

List each consultant and indicate the nature of the service to be performed and rate of reimbursement. Costs may include fees, travel, accommodations, and other related expenses.

Consultants generally should be limited to those off-campus individuals needed to complete a specific component of a project. Subject to agency guidelines, on-campus consultants are permitted only on a case-by-case basis. Otherwise, Daemen personnel, including part-time and adjunct faculty, should be included in the personnel section of the budget.

Applicants should be aware that state and federal grants frequently have daily maximum rates for consultants. This information is available from the Academic Grants Office. If you have questions about whether an individual would be a consultant or employee, please see the contractor checklist in the appendix.

Each consultant will need to complete a W-9 and submit this to the Grant Administration Manager. A printable PDF is available at <http://www.irs.gov/pub/irs-pdf/fw9.pdf>.

Daemen College has a **Competitive Bidding Policy**. Consultants charging between \$5000.01 - \$25,000 will require a minimum of 2 quotes and purchases over \$25,000 require a minimum of 3 written quotes. Sponsors may also have additional guidelines for obtaining quotes for consultants. Please the Competitive Bidding Policy in the Appendix.

Equipment

Daemen College defines equipment as items with a useful life of one year or more and cost over \$5000 (as of 6/1/05). Any items not meeting this definition should be included in the materials and supplies category, unless the sponsor has a lower threshold for equipment.

Most sponsors will not fund the purchase of general purpose equipment (e.g., office furnishings, refrigerators) unless the reason for using such equipment is research specific. Check sponsor guidelines to see what is allowable.

Daemen College has a **Competitive Bidding Policy**. Purchases between \$5000.01 - \$25,000 will require a minimum of 2 quotes and purchases over \$25,000 require a minimum of 3 written quotes. Sponsors may also have additional guidelines for obtaining quotes for equipment purchases. Please the Competitive Bidding Policy in the Appendix.

Materials and Supplies

Any consumable item regardless of cost, any item having an acquisition unit cost of less than \$5000, or any item having an anticipated life expectancy of less than one year is considered a supply item (unless the sponsor has a lower cost threshold for equipment). Examples include: lab supplies, office supplies, questionnaires and test materials, duplicating materials, etc.

Travel

Indicate the travelers, destination, duration, and purpose of the trip. Include form of transportation, registration fees, hotel, and other related costs. If a personal automobile is to be used for travel, indicate the number of miles that will be traveled and calculate the anticipated cost using the Daemen reimbursement rate. Please check the Business Affairs website for the current rate. Commuting miles do not qualify for reimbursement.

Please note state and federal grants will have different requirements that will be based on the GSA per diem rates per city.

Meals/Per Diem: All costs in this category are subject to the Daemen College Travel Policy. The Business Office offers guidelines for meal costs (including tips), based on an average of historical spending at the college and published IRS per diem rates based on city. The College does not distribute a general per diem; rather the College reimburses per meal.

Please note state and federal grants will have different requirements that will be based on the GSA per diem rates per city.

Foreign Travel

Domestic and foreign travel should be separately identified. The U.S. State Department publishes rates for per diem and monthly living expenses for various places around the world. In most countries there is a value-added tax on hotels and food which can add substantially to advertised costs. Most funding agencies require that foreign travel be specifically authorized through the awarded budget, contract or post-award memo. Foreign travel paid for with federal funds must be on U.S. flag carriers (with certain, limited exceptions). Check with the Director, Office of Academic Grants for guidelines and regulations relating to federally-funded foreign travel.

Subcontracts

Establishing subcontracts for work done at other institutions should be discussed with the Director of Office of Academic Grants prior to inclusion. Most subcontractors will have their own separate required budget review process. A separate budget will be required for each subcontract with justification. *Subcontracts are executed at the time a grant is awarded.* Additional indirect costs may be charged to administer a subcontract.

Purchased Services (Contractual costs)

Purchased Services are contractual services or agreements with outside institutions for services such as medical waste pick up and website maintenance. Purchased services are distinct from consultants and from subcontracts. Please check with the Academic Grants Office with help in determining if a cost is a purchased service, subcontract, or consultant. Please note that purchased services are subject to Daemen's competitive bidding policy.

Other Expenses

Identify any other expenses necessary for completion of the project. Examples:

- Alterations and renovations
- Telephone and fax charges
- Publication costs
- Equipment maintenance, repairs and service contracts
- Copying and printing costs

Facilities & Administration Costs (formerly known as "Indirect Costs") Daemen College has a three-year predetermined rate 6/1/09-5/31/12 of **42.7%**. This rate is based on direct salary and wage including all fringe benefits. This rate is for on-campus activities and is applicable to all programs.

The agency with whom this rate was negotiated -- called the cognizant federal agency -- is the Department of Health and Human Services. This federally negotiated rate is applied uniformly to all Federal sponsored projects.

A standard exception to this rate is sponsors who have a written policy of paying a rate lower than Daemen's negotiated rate if this rate is applied uniformly to all grantees. For example, some foundations will not pay indirect costs; the Department of Education caps indirect costs at 8% for most projects. Some federal sponsors will not pay indirect costs but allow us to use our negotiated rate in calculating cost-sharing.

Any waiver to using Daemen's negotiated rate (except where the sponsor disallows for or caps indirect costs below Daemen's federally negotiated rate) will be reviewed by those signing the grant approval form.

Cost Sharing

Some granting agencies require Daemen College to share in the cost of the project. Cost sharing can take the form of cash or, more often, as an in-kind contribution. Such contributions may take the form of faculty salary and fringes, a portion of indirect cost recovery, space, supplies, etc.

In all cases, cost sharing requires the prior approval of the source, usually the department chair and dean. Cost sharing also must be documented on the Grant Proposal Agreement Form.

Cost sharing is not always required by the sponsor. Because the College, the federal government, and in nearly all cases, the sponsor, require that the grantee keeps track of direct costs as well as cost sharing, cost-sharing should be used with discretion and only in accordance with the sponsor's stated guidelines.

Miscellaneous Proposal Information

Active and Pending Support. Many sponsors require the inclusion of a listing of the PI's current awards and pending proposals.

Appendices. Follow sponsor policy on inclusion of appendices (e.g. 501 (c) 3, list of Board of Trustees.) The Director, Office of Academic Grants has these attachments.

Assurances. Assurances are required for federal and state grants and contracts. The AG Office will prepare assurances and circulate them for appropriate signature.

Letters of support. Some sponsors ask for letters of support. The Academic Grants Office will assist in providing information about Daemen for these letters.

2.4. ON-CAMPUS REVIEWS

Daemen College Review and Approval

Before a proposal is submitted, The Project Director must receive approvals from the appropriate department and College officials.

1. Proposal Agreement Form

This internal form is used to obtain most of the needed approvals and certifications for sponsored awards. This process is conducted electronically.

The Executive Director of the Office of Academic Grants completes the form based on information provided in the proposal then begins the routing process.

The Principal Investigator (PI) first certifies the following by email:

CERTIFICATION: I certify that the information provided on this form is accurate and complete as of this date. I agree to accept responsibility for the scientific or technical conduct of the project and for provision of required technical reports if an award results from this application. My email response of “Yes” certifies that 1) I have reviewed this proposal with my Department Chair and Divisional Dean (where applicable) 2) I agree to abide with applicable Daemen College policies; and 3) I agree to be bound by the terms and conditions of the outside grant or contract which supports this proposed activity.

The application, with routing form attached, is then circulated to the other co-investigators for signature. Finally, it is routed to the Vice President for Business Affairs and the Vice President of Academic Affairs for review.

This signoff policy applies to all grants, contracts, subcontracts, and agreements for any type of sponsored award. Routing of the proposal should begin *at least one week prior to the deadline*. The Director, Office of Academic Grants, respective Vice President or Dean, and Vice President of Business Affairs may write additional comments on the form or address questions to the PI about any items in the proposal that are questionable or unclear. Therefore, it is best to begin the routing process at least one week in advance of a proposal. Those signing the form may decline signing the form if they do not have sufficient time to review the proposal, i.e. less than 48 hours. Proposals that do not have the signature form attached or do not have all the necessary signatures may not be submitted.

Letters of intent, if they obligate the College in any way to sponsor requirements, also must be routed. If the letter of intent is simply a general description of the project with no institutional commitments, it does not have to be routed, although the Academic Grants Office should receive a copy for tracking purposes. It is advisable to contact the grants office prior to submitting a letter of inquiry to see if any other letters have been submitted recently.

The Internal reviewers look to ensure that:

- The project fits in the mission of the Department, Division, and College.

- The commitments of faculty and staff time are realistic; possible effects on the teaching and other obligations of the personnel involved have been considered; and efforts do not to exceed 100% effort.
- The salary arrangements are consistent with the overall salaries of the College.
- The proposal meets all the guidelines outlined by the proposed sponsor. Appropriate provisions have been made for space, staff, and resources.
- The budget is realistic and includes all anticipated needs; that items included are in compliance with the policies of Daemen College, the federal government, and the sponsor; and that cost sharing funds are available when indicated in the proposal.
- Special requirements, such as review for the use of human subjects, have been met.

Proposals that do not meet these guidelines may not be supported by the College.

2. Required Signatures and Authorizations

In nearly all cases, sponsors will require that proposals are signed by and an official authorized to sign on behalf of Daemen. In addition, the following individuals **must approve** the grant proposal, as evidenced by their signature on the Grant Proposal Agreement Form (see appendix).

- Director, Office of Academic Grants
- Vice President for Academic Affairs, Vice President for External Relations, Dean of Students Affairs, or Dean of Enrollment Management (depending on reporting structure).
- Vice President for Business Affairs

It is important to note that many foundations and agencies require letters of endorsement that are signed by the President of the College as well as the Chair of the Board. The AG Office can prepare these letters. If this is a requirement of your proposal, please allow enough time to prepare the letter and obtain the signatures of endorsement.

3. Required Copies of Proposal

The number of copies required by the sponsor varies. The Academic Grants Office will duplicate proposals received within 48 hours of the mailing deadline. Final copies of the proposal will be made for the Academic Grants Office, the Grant Administration Manager, and the PI and will be distributed promptly after the proposal is submitted. The PI should keep the copy on hand in case the agency follows up with questions.

4. Deadlines

On-Campus Officers of the College require a minimum of 48 hours for proposal review. Project Directors are also encouraged to set up meetings with the AG Office to discuss the proposals, and are strongly advised to submit proposals for review well in advance of the sponsor deadline to allow time for any needed corrections.

Funding Agencies: To ensure timely proposal submission, the Project Director should be aware of what type of deadline the sponsor has indicated.

* **A receipt deadline** is the date by which the sponsor must receive the proposal.

* **A postmark deadline** means that the proposal must be postmarked by that date, not necessarily received by the sponsor.

* **E-mail proposals** are submitted as attachments and are due by the date and time provided by the sponsor.

* **On-line, web-based proposals** are also due by the date and time provided by the

sponsor. It is important to keep in mind that web based applications may require specific formatting. Also, it is important to anticipate time delays that may occur because of traffic on Daemen's server and the agency website. Note: Sometimes e-mail and web-based proposals require separate attachments to be sent by mail. These attachments must also be received by a given deadline, usually within 3-7 days of the proposal submission.

All proposals, whether sent by mail or submitted on-line, must receive the appropriate signatures prior to being submitted.

In most cases, a proposal will not be considered if it misses the agency deadline.

The Academic Grants Office will handle all mailing expenses for proposal. If a PI wishes to submit the proposal on his or her own, please contact the AG Office for reimbursement.

CHAPTER THREE

Post-Award

3.1. AWARD ADMINISTRATION (Post Award)

1. Introduction

The administration of sponsored projects requires a collaborative effort between the PI, the Grant Administration Manager, and the Academic Grants Office. The PI and his/her department should ensure compliance with all Daemen/sponsor policies/regulations, utilize administrative offices, and work with the Academic Grants Office to assure proper administration of awards.

2. Establishing an Account

Upon receipt of the award document, the Grant Administration Manager will furnish the PI with account number(s) for use in posting receipts and disbursements relating to the grant. An account will be created in Datatel for each new award. The PI will be able to view the grant account on Web-Advisor. (Further information on Web-Advisor is in Section 4.) Reports available through Web-Advisor will aid in ensuring timely draw down of funds as well as to ensure that all respective parties are current as to the financial status of a grant.

3. Sponsored Project Budgets

The creation of an account for a new award (or receipt of additional funding under an existing award) requires that a budget be entered in Datatel. For all awards received which equal the amount proposed, the Grant Administration Manager's office will automatically enter the appropriate budget line items using College-approved account numbers. For any award received that is less or greater than the amount proposed, the Grant Administration Manager will contact the department to develop a budget. All budget and attribute (e.g., award number, department code, and principal investigator) information entered into Datatel and viewed through Web-Advisor should be verified by the department. Errors should be brought to the immediate attention of the Grant Administration Manager.

4. Interpreting Accounting Information

(a) Account Number Basics

The 12-digit number assigned to grants/projects identifies the **fund**, **department** and **specific account** for that particular grant/project. The 12-digit account number for sponsored projects required for processing expenditures:

Sample Account Number

3 - **123456** - **78900**

- **Fund number**. For Sponsored Projects, this number is either a "2" or "3"
- **6 digit department code**. Unique to each award received.
- **5 digit object code**. Type of expenditure: e.g. supplies, travel, etc.

Once a purchase requisition has been submitted, the items are captured in the exact department and object code that was assigned by the PI. Any changes must be requested by email to the Grant Administration Manager's office.

(b) Monthly Accounting Report

The Web-Advisor is used by the PI to monitor financial activities of the grant/project. Initial access to the Web-Advisor is done by contacting webadvisor@daemen.edu.

Once access to Web-Advisor has been established, it is necessary to contact the Grant Administration Manager who will allow access to the grant accounts. This security level guarantees only authorized personnel may view/monitor the accounts set up for specific grants/projects.

Instructions for usage of Web-Advisor can be found on Web-Advisor Home page.

To access the account assigned to a grant/project, the PI or personnel that has been authorized to view the activity, need only enter the 6 digit "department" code.

Since Web-Advisor is used for viewing/monitoring, PIs are encouraged to drill down at all levels to see all the information that is available to them. The Grant Administration Manager is available to help out with further questions.

After entering the six digit department code, the PI will be directed to his or her "Budget Summary" page. This summary will give current total budgets (by category), total encumbered, total actual expense and total balance available by category. These figures will be current as of the last time the general ledger is posted. Typically this is done by the Accounting Department at the end of each business day. Any dollar amount underlined on this Summary Page may be "drilled down". By clicking on these underlined figures, a new page will appear which will have the breakdown of the previous page total. Such information as reference number/check number, date, description and amount will be available for viewing.

Questions or concerns should be directed immediately to the Grant Administration Manager's office for investigation and resolution.

Any significant changes in the approved budget ("significant" is traditionally defined by the sponsor) must receive written approval by the funding agency and copies should be given to the Grant Administration Manager's office in order to process those changes in our internal financial records. It is advisable to discuss proposed changes with the Grant Administration Manager in advance of contacting the agency.

In summary, the PI should utilize Web-Advisor to obtain the most current information regarding their grant/project.

3.2. EXPENDITURE PROCESSING

Daemen College utilizes a variety of approved procedures and forms to initiate expenditure transactions.

Type of Expense	Forms to Use
Personnel Related	Employee/Independent Contractor Checklist
Supplies & Equipment	Purchase Requisition (check competitive bidding policy for purchases over \$5000.)

Professional and Other Services	Employee/Independent Contractor Checklist
Travel	Travel Expense Report
Subcontract	Purchase Requisition
Cost Transfer	Written (e-mail) request to Grant Administration Manager's Office

When completing forms to process expenditures against an award, the following should be taken into consideration:

- **Account number** - Is the account valid? Are sufficient funds available? (Utilize webadvisor as a guide)
- **Object code** - Is the object code a valid College object code? Does it appropriately describe the charge?
- **Justification** - Is the charge appropriate? Has sufficient justification been given
- **Documentation** - Are all original receipts or an invoice attached? If transferring a charge from one account to another, has the department maintained documentation for the original charge? In the absence of original documentation, has an explanation of the circumstances been provided?
- **Payroll/Professional Fees** - Has sufficient detail or description been provided to satisfy audit requirements? Typically dates/hours worked and a brief description of the service performed is sufficient.

These are just some of the important questions that should be answered before processing charges to a sponsored projects account. One of the Controller's primary goals is to expedite the review and approval of expenditures. Delay in the approval process will occur when a form is not completed properly or sufficient information is not provided. All expenditures must be in compliance with both the sponsor's terms and conditions and the College's policies and procedures.

3.3. ADMINISTRATIVE PROCEDURES

1. Prior Approvals

During the course of a sponsored project, it may become necessary to modify certain aspects of the original award. Some federal agencies have granted the institution internal prior approval authority for many actions concerning grants and cooperative agreements such as awarding of pre-award costs up to 90 days (at department risk), rebudgeting of funds, and no-cost extensions. However, this authority has not been uniformly implemented by all federal agencies; and it is therefore suggested that each PI familiarize him/herself with the appropriate guidelines for their award, especially in areas such as equipment purchases, travel, and subcontracting.

Internal rebudgeting requests can be made by sending an e-mail to the Grant Administration Manager. The e-mail request should state the amount of funds involved, how the funds will be used, and the reasons for the change.

NOTE: The following actions will always require prior sponsor approval: change in PI, a significant reduction in effort of key personnel, institution, or scope of work. Questions regarding the appropriate prior approval procedure should be addressed to the Academic Grants Office.

2. Cost Transfers

During the life of most grants and contracts, it may become necessary to transfer costs. Cost transfers should be prepared only to correct an error affecting the financial status of an award. Please note that cost transfers made in the last month of grant period are usually disallowed as they are perceived as a means of using unobligated funds.

When processing a cost transfer the following issues must be addressed:

- **Justification** - a detailed explanation must be provided which justifies the need to transfer an expense which had been previously approved on another account.
- **Documentation** - there must be an audit trail traceable to the original charge, including copies of the document used to process the expense (e.g., Request for Check) and copies of receipts which support the charge.
- **Timeliness** - cost transfers must be prepared within 90 days from the date of the original charge.

Any questions regarding cost transfers to or from 12-ledger accounts should be addressed to the Grant Administration Manager.

3. Time and Effort Reporting

Federal regulations require the certification of effort directly charged to a sponsored project, as well as the identification of effort devoted to activities included in the indirect cost calculation, i.e., departmental administration.

Effort Certification Reports are distributed by semester (fall, spring, summer). Each PI will be asked to either distribute the reports to the appropriate individuals for completion or to assume responsibility for those individuals by completing the forms on their behalf. These reports are reviewed regularly by the Federal auditors who may discuss indicated effort with individual faculty and staff members. Exempt administrative personnel are asked to complete annual certification reports of their time and effort as it impacts indirect cost rate calculations.

3.4. REPORTING REQUIREMENTS

1. Interim Program/Progress Reports

Although each sponsor's reporting requirements may vary, it is usually required that a PI prepare and submit interim programmatic reports to document the progress to date on a given project.

Once Daemen College has entered into an agreement with a sponsor, it is Daemen College's responsibility to comply with all reporting requirements of that agreement. It is the responsibility of the PI to complete programmatic reports. Evidence of required narrative and technical reports must be sent to the Grant Administration Manager's office. Often continued funding and/or release of cash payments are related to the receipt of interim programmatic reports. Reporting requirement specifics can be found in the award terms and conditions which are forwarded to academic departments at the inception/continuation of awards. The Grant Administration Manager's office should be consulted if questions arise regarding compliance with award terms and conditions.

2. Interim Financial Reports

Draft interim financial reports for grants and contracts are prepared by the PI for each grant when required by the sponsor. These interim reports should be reviewed and approved by the Grant Administration Manager's office prior to submission to ensure that internal

financial records match those that are reported to the granting agency. A copy is provided to the Academic Grants Office for records.

3. Final Technical Reports

Sponsored programs usually require a final technical report from the PI. This report will include a detailed description of the work performed, progress made, suggestions for future areas of study or involvement, and any related publications that resulted from the sponsored activity. Most sponsoring agencies have specific guidelines for the preparation and submission of the final technical report. Failure to submit the final technical report in a timely manner may jeopardize subsequent funding and release of cash to Daemen.

The Academic Grants Office can provide assistance in preparing final reports. Once complete, a copy of the report is provided to the Academic Grants Office for records.

4. Final Financial Reports

The closing of awards begins six weeks after the expiration date. The Grant Administration Manager will monitor the 12-ledger account, which should prevent further expenses from being charged. The rough draft financial report should be prepared and signed by the authorized departmental administrator and PI. The signed rough draft is sent to the Grant Administration Manager's office for review. Following approval by the Grant Administration Manager's office, the PI must submit the report by the due date indicated so that the final financial report and/or invoice may be prepared and sent to the sponsor by the required date. Typically, the final invoices/financial reports are due 90 days after the award termination date. If a different time frame for the submission of the final invoice/financial report is indicated by the award notice, then the above process is adjusted accordingly.

CHAPTER FOUR

Applicable Policies and Procedures

The following Daemen policies and procedures are applicable to grant-funded projects, depending on the scope of the project and the funding source.

4.1 Training in the Ethical Use of Humans in Research

The research community has a responsibility to ensure that the treatment of human subjects in research meets the highest ethical standard. The Human Subjects Research Review Committee (HSRRC) serves as the Institutional Review Board (IRB) to approve the use of human subjects in proposed research at Daemen College and to ensure such use is consistent with the standards and practices set forth herein. No research involving the use of human subjects is to be conducted by faculty or students unless approved by the HSRRC.

In addition to completing training as required by the Human Subjects Research Review Committee, principal investigators who are awarded federal funding are required to certify that they have completed training.

- Daemen College recommends the completion of the web-based tutorial available from the National Institutes of Health. A certification of completion is provided at the end of the course. Principal Investigators may register for this free course at: <http://phrp.nihtraining.com/>
- Education may also take place in the form of graduate seminars, professional workshops, monographs, or other comparable forms of study.
- A form certifying training should be submitted to the IRB. A copy should also be kept by the Principal Investigator.
- The principal investigator should inform additional key personnel of training procedures.
- It is left to the principal investigator's discretion whether or not to require the training of undergraduate students who serve as research staff.

The Human Subjects Review Committee Chair will prepare letters describing the certification requirements met by the key personnel. A sample letter follows.



December 20, 2010

RE: *<Enter Grant number>*
Human Subjects Protection Training Certification

Dear Human Subjects Review Committee Chair:

This letter is to provide certification of training in the protection of human subjects. The Key Personnel on this grant as listed below have taken either the NIH web-based course or comparable training, as described below.

Key Personnel:

<Enter personnel>

Course Description(s) or Training for Human Subjects Protection Training:

<Enter type of training and date>

This letter hereby certifies the Key Personnel listed above have completed the human subjects protection training as required by the *<Name of granting agency>*.

Sincerely,

<Name of Principal Investigator>

4.2. Daemen College Competitive Bidding Policy

Approved by President's Cabinet – December 15, 2003

Revisions Approved by Cabinet September 19, 2005

Purchases are defined as supplies, equipment, purchased services, consultants, and contractors.

1) Dollar Thresholds:

- \$0 - \$5000 – No Quotes Required

- \$5000.01 - \$25,000 – Minimum of 2 Quotes (can be verbal)

- Over \$25,000 – Minimum of 3 Written Quotes

- Although bids are not required for purchases under \$5000, the college strongly encourages departments to seek the best price on all purchases.

- Purchases over \$5000, up to and including \$25,000, require 2 quotations. The quotes can be in writing, via telephone or via fax. If by telephone, a record of the transaction must be maintained to include the: name of each supplier contacted; person providing the quote; date of the quote; and, the quoted price. Departments can directly solicit bids or request that the Purchasing Department solicit the bids on their behalf. If the low bid is found to be unacceptable, the department head should write a justification for not accepting the lowest bid.

- All purchases over \$25,000 require 3 written quotations. Departments can directly solicit bids or request that the Purchasing Department solicit the bids on their behalf.

Documentation for purchases over \$25,000 are to include the following:

1. Copy of the "Request for Bids" or the letter soliciting quotes which clearly specify the college's requirements, such as: quantity; description; delivery; special conditions; drawings; bid due date; etc.

2. Names and contact persons for suppliers solicited.

3. Copy of quotes from all responsive suppliers.

4. Basis for selection and award price.

5. Justification for lack of competition when competitive bids were not obtained, such as: emergency purchases; library acquisitions; requirements based on lease; rental or warranty agreements; design compatibility with existing equipment; only know source of supply; or agency specified vendor.

2) When evaluating quotes, consideration should be given to the following criteria when applicable:

- Price.

- Quality and conformance to specifications.

- Delivery schedule.

- Life Expectancy.

- Warranty.

- Bidder's previous record of performance.

- Vendor Stability.

- Ability of bidder to render satisfactory service in this instance.

- 3) Unsuccessful bidders are to be notified that the bid has been awarded, although it is not necessary to inform them of the successful bidder.
- 4) Documentation of bids and awards are to be sent to the Business Office with the original purchase requisition, to be maintained for year end auditing purposes.
- 5) This policy applies to initial bids for purchases. Documentation to justify why competitive bids are not obtained on renewal contracts of \$5,000 or greater must be submitted to Cabinet and approved in advance.
- 6) This policy applies to all purchases by Daemen College employees and departments. In addition, employees who make purchases on grants where Daemen is serving as the fiscal agent must follow this policy and any additional regulations as mandated by the funding agency. Purchasing policies applicable to federal grants and agreements are listed in Circular A110 at <http://www.whitehouse.gov/omb/circulars/a110/a110.html>.

4.3. Policy on Access to and Retention of Research Data

Approved by the Daemen College Faculty Senate

September 12, 2006

Introduction

Enacted in 1966, The Freedom of Information Act (FOIA) is a federal law that establishes the public's right to obtain information from federal government agencies. The FOIA is codified at 5 U.S.C. Section 552. "Any person" can file a FOIA request, including U.S. citizens, foreign nationals, organizations, associations, and universities.

An amendment effective 11/8/99 expands FOIA to include data that are first produced in a project that is supported exclusively with Federal funds or in a project with both Federal and non-Federal support. It applies to data collected by institutions of higher education as well as by hospitals and non-profit institutions that receive grants and other financial assistance provided by Federal agencies.

Definition of Data

The term "research data" is defined as the recorded factual material commonly accepted in the scientific community as necessary to validate research findings. For the purpose of this policy, "research data" is defined as recorded information regardless of form or the media on which it may be recorded. The term includes technical data, computer software, laboratory worksheets, memoranda, notes or exact copies thereof that are the result of original observation and activities of a study and are necessary for reconstruction and evaluation of the report of the study. In clinical investigations, this term also includes case history records and study protocol.

In practice, scientific data include both intangible data (statistics, findings, conclusions, etc.) and tangible data. Tangible data may also include, but are not limited to notebooks, printouts, computer disks, photographs, slides, negatives, films, scans, images, autoradiograms, electrophysiological recordings, gels, blots, spectra, samples, specimens, IRB consent forms, and other materials that are relevant to the research project.

Research data does not include:

- preliminary analyses
- drafts of scientific papers
- plans for future research
- peer reviews
- communications with colleagues
- trade secrets
- commercial information
- materials necessary to be held confidential by a researcher until publication in a peer-reviewed journal
- information which is protected under the law (e.g., intellectual property)
- personnel and medical files and similar files, the disclosure of which would constitute unwarranted invasion of personal privacy
- information that could be used to identify a particular person in a research study.

In addition, for the purposes of this policy, the term "research data" does not include information incidental to award administration, such as financial, administrative, cost or pricing, or management information. Policies and procedures relating to financial record retention are addressed in the Academic Grants Handbook.

Scope of Data to be Retained

Retained or archived research data should include sufficient detail to permit examination for the purpose of replicating the research, responding to questions that may result from unintentional error or misinterpretation, establishing authenticity of the records, and confirming the validity of the conclusions.

Data Ownership and Retention-Responsibilities

Both the principal investigator and the College have responsibilities and rights concerning access to, use of, and maintenance of original research data.

The College's ownership and stewardship of the scientific record for projects conducted at the College, under the auspices of the College, or with College resources are based on both regulation (OMB Circular A-110, Sec. 53) and sound management principles. Daemen College's responsibilities in this regard include, but are not limited to:

1. complying with the terms of sponsored project agreements;
2. ensuring the appropriate use of human subjects;
3. protecting the rights of students, scholars, and staff, including, but not limited to, their rights to access to data from research in which they participated;
4. securing intellectual property rights;
5. facilitating the investigation of charges, such as scientific misconduct or conflict of interest.

The College is ultimately responsible for producing original records in case of allegations of misconduct or fraud against its researchers and protecting research integrity.

The PI is responsible for the collection, management and retention of research data. In the case of sponsored research, the individual designated in the award as the principal investigator is the primary individual responsible for fulfilling the retention and access requirements. Senior members of research teams have an obligation to discuss the responsibilities of data management, retention, and authorship with other members of the team or project and have a plan which guarantees the retention of the data.

PIs should adopt an orderly system of data organization and should communicate the chosen system to all members of a research group and to the appropriate administrative personnel, where applicable. Particularly for long-term research projects, PIs should establish and maintain procedures for the protection of essential records in the event of a natural disaster or other emergency.

Retention Period

At a minimum, research data must be archived **for a minimum of three years after the final project close-out, with original data retained wherever possible**. For student research projects that are not submitted for publication or presentation outside the College, data must be retained for one year. This provision ensures compliance with federal regulations contained in OMB Circular A-110, which states that all records pertinent to a federal award shall be retained by the institution. Such data must be available to representatives of external sponsors of the research, designated governmental officials, or individuals when such access is deemed to meet FOIA guidelines for release. Such data must not be destroyed or altered at any time unless express permission is granted by the VPAA or designee.

In addition, any of the following circumstances may justify longer periods of retention:

1. data must be kept for as long as may be necessary to protect any intellectual property resulting from the work;
2. if any charges regarding the research arise, such as allegations of scientific misconduct or conflict of interest, data must be retained until such charges are fully resolved;
3. if a student is involved, data must be retained at least until the degree is awarded or it is clear that the student has abandoned the work; and
4. a longer retention period is specified by the research sponsor.

Beyond the period of retention specified here, the destruction of the research record is at the discretion of the PI and his or her department or laboratory.

Retention of Data: Practices and Procedures

Records will normally be retained in the unit where they are produced. Research records must be retained on the Daemen College campus, or in facilities under the auspices of Daemen College, unless specific permission to do otherwise is granted by the Vice President for Academic Affairs. Investigators have the right to maintain copies of their research records at off-campus locations. The College will not destroy research records without providing adequate notice to investigators, and permitting investigators to take possession of their research records.

Transfer of Data

If a Principal Investigator leaves Daemen, and a project is to be moved to another institution, ownership of the data may be transferred with the approval of the Vice President for Academic Affairs, and with written agreement from the PI's new institution that guarantees: 1) its acceptance of custodial responsibilities for the data, and 2) Daemen access to the data, should that become necessary.

Also, the investigator may be asked by college administration to leave copies of original data with the institution. In addition, other investigators associated with the project may make copies of data, unless restricted by the terms of the applicable contract or other contractual agreement, including material transfer agreements.

Investigators should additionally note that many contractual agreements require the sponsor's consent before data are transferred or removed. Before transferring the original data, the principal investigator should ensure that any special conditions stated in the grant, contract, or cooperative agreement are met.

Multi-Institutional Studies

In the case of multi-institutional studies, the institution of the primary study director is responsible for retention and access to original data. Extramural sponsors providing support for research may also have the right to review the data and records resulting from that extramural support.

Split of collaborative team

When a collaborative team is dissolved, Daemen College policy states that each member of the team should have continuing access to the data and materials with which he/she had been working, unless some other agreement was established at the outset. The unique materials prepared in the course of the research should be available/accessible under negotiated terms of a transfer agreement

Patent applications

When the data are used for a patent application filed by the College, it may be necessary for the original data to be kept at the College.

Access to Data

During the retention period, data must be provided to Daemen College administration upon request. Data must be available to representatives of external sponsors or designated governmental officials, as appropriate. Any disputes regarding requests for original data, copies of data, or transfer of data will be resolved in accordance with the Dispute resolution procedures in the Faculty Handbook.

FOIA requests

Overview of Process

- The requestor prepares a FOIA request. The request must include:
 - The specific regulation or administrative order citing the data being requested;
 - The publication cited in the regulation or administrative order;
 - The grant number under which the data were produced;
 - A specific description of the data being sought;
 - A statement that the data are being requested under the amendment to Circular A-110 (45 CFR 74.36).
- Daemen asks the requestor to send the request to the Academic Grants Office.
- The Academic Grants Office submits a copy to the Principal Investigator notifying them about the FOIA Request.
- If the data are already available to the public through an archive or other source, the A-110 amendment allows the Academic Grants Office to direct the requestor to the public source. And the process stops here.
- However, if the data are not publicly available, the process continues as follows.
- The amendment to A-110 provides for a reasonable fee to cover costs incurred in responding to the request. The fee will include the costs incurred by the grantee institution. To accomplish this, the Academic Grants Office:
 - Estimates the cost of providing the data; and
 - Tells the requestor the estimated cost of producing the data.
 - If the requester has a history of not paying for costs related to either FOIA or A-110 or if the estimated cost is greater than \$250, then prepayment will be requested.
 - The Academic Grants Office may consult with college counsel if needed.
- Under the A-110 amendment, the grantee institution and the investigator are required to provide data that are consistent with the definition of research data (see definitions above) and deemed responsive to the request.
- Prior to sending the data, the grantee institution and the investigator redact the data to remove personal identifiers and other information in accordance with amended A-110 definitions (see above) and FOIA procedures.
- The grantee institution transmits the data to the Academic Grants Office with an accounting of all associated costs.
- The Academic Grants Office will review the submitted data.
- The Academic Grants Office responds to the requestor, issues a final invoice for the fees, and transmits the data.

4.4. Daemen College Conflict Of Interest Policy

Policy Purpose

Daemen College's policy is to comply with all laws and regulations affecting its activities. This policy on conflict of interest is intended to satisfy compliance requirements and guide College personnel in avoiding those situations that can result in a conflict of interest.

POLICY:

It is the policy of Daemen College that employees must discharge their duties in the best interests of the College to the extent permitted by law. Therefore, each employee must:

1. Refrain from any activity or transaction that could influence or cause an employee not to act in the best interests of the College, including, without limitation, any business transaction or private arrangement for personal profit which arises out of or relates to a position of authority with the College or upon confidential information which is obtained by reason of such position of authority. For purposes of this policy "personal profit" means profit to the employee, any member of his or her immediate family (spouse, parents, children, siblings) and any entity with which he or she may be associated.
2. Disclose any financial, ownership, or management interest in any entity engaged either in the delivery of educational services, or in the delivery of goods or services of any kind to the College.
3. Refrain from participation in a transaction with the College which could result in personal profit except upon the written approval of the President or his designee.
4. Disclose any personal activity or business opportunity which is within the scope of the activities of the College and refrain from pursuing or exploiting such opportunity except upon written approval of the President or his designee.
5. Refrain from accepting any gift, favor, service, compensation, or benefit of any kind from any person who can influence the exercise of the employee's professional judgment on behalf of the College. This includes any person with whom the employee may transact business on behalf of the College, or whom the employee knows to be transacting, or seeking to transact, business with the College. Items of minimal value (*e.g.*, \$50 or less) are not included within this policy, and need not be reported, unless they occur more than twice per calendar year.
6. Refrain from making or tendering payments, gifts or services to or for the benefit of any government or accrediting agency official, employee or designee who is in a position to influence directly or indirectly, any government or accrediting agency action or decision.
7. Refrain from making or soliciting contributions in the name or on behalf of the College or with College funds, services or facilities in any form to, or in aid of, any political party, group, candidate or cause. It is not a violation of this Policy for an employee to contribute to a political party or campaign as a private citizen.
8. Refrain from participating in any employment, salary, or other important decision regarding an immediate family member or person with whom the employee is in a

close personal relationship. Members of the same family may not be employed in a situation where one member of the family works under the administrative supervision of another except with the approval of the appropriate vice president. Pertinent provisions of the Faculty Handbook will be observed in any cases involving faculty members.

9. Comply with all established accounting and audit policies and practices to ensure the protection of College assets.

A conflict or a potential conflict of interest can arise at any time. It is therefore required that a situation encompassed by this Policy be disclosed before occurrence if that is possible, and in any event as quickly as possible after the situation is appreciated.

If any employee is in doubt about a situation, it should be fully disclosed to the appropriate vice president, so that a determination can be made as to what action, if any, needs to be taken. There is no harm in good faith, over-reporting; by contrast, failure to report may be a violation of this Policy.

PROCEDURE:

The President of the College, or his designee(s), will administer the Conflict of Interest Policy. The President may, at his discretion, refer selected issues or matters to the Audit Committee of the Board of Trustees.

1. This Conflict of Interest Policy is to be communicated at least annually to all employees. New employees are to be given a copy of this policy.

2. A Conflict of Interest Statement must be executed by all College officers, Cabinet members, Deans, administrators and full time faculty members. Cabinet members are to assure that all of their employees who are required to execute the Statements do so. Signed Statements must be submitted to the Vice President for Business Affairs. An employee may be asked to complete and sign a new Statement whenever a situation arises that may potentially involve this policy. Failure to complete or sign a Statement upon request will be deemed an admission of an actual conflict of interest.

3. An employee who becomes aware at any time of a conflict of interest involving himself/herself should immediately obtain and complete a Conflict of Interest Disclosure Form and deliver it to the Cabinet member responsible for his/her area. The Cabinet member must deliver a copy of each Disclosure Form to the Vice President for Business Affairs.

4. All Conflict of Interest Statements and Disclosure Forms should be delivered to the Vice President for Business Affairs. If a possible, perceived, or actual conflict is disclosed, the Vice President for Business Affairs will require the appropriate Cabinet member or dean to review the situation and contact the necessary people to develop an understanding of the situation. Thereafter the Vice President for Academic Affairs will render a decision in those cases pertaining to faculty members and the Vice President for Business Affairs will render a decision in all other cases.. All decisions and resolutions must be in the best interests of the College. If research is involved, the resolution must meet the granting institution's requirements. Conflicts involving the Vice President for Business Affairs will be handled by the Board Audit Committee.

5. An employee impacted by a resolution may appeal to the President by submitting a written statement explaining the disagreement. After consulting with the Board Audit Committee, if deemed necessary, the President will issue a final decision.

6. A copy of all documents relating to the disclosure and the resolution will be retained by the Vice President for Business Affairs.

7. In general, all Conflict of Interest Statements and Disclosure Forms are to be retained for four years. All Conflict of Interest documents and related actions for grants must be maintained at least three years beyond the termination of the related grant or resolution of any action with the granting organization, whichever is longer. Research related disclosure materials are to be maintained by the Vice President for Academic Affairs.

8. All Conflict of Interest documents will be available for review by the Board Audit Committee and external auditors.

9. Conflicts involving senior management are to be resolved by the President in consultation with the Board Audit Committee and College legal counsel.

10. Conflicts involving the President are to be resolved by the Board Audit Committee and the Executive Committee of the Board if deemed necessary.

POLICY VIOLATIONS AND RETALIATION:

A deliberate or grossly negligent violation of this policy may result in disciplinary action up to and including termination of employment, cessation or prohibition of business with a vendor, and other appropriate remedies. Any disciplinary action against an employee will be subject to review in accordance with the Dispute Resolution Procedure of the applicable handbook.

It is also a violation of College policy to retaliate against an individual who reports a potential or perceived violation of this conflict of interest policy. If an individual believes that retaliation has occurred or is threatened, he or she should report it immediately to the Cabinet member responsible for his/her area or to the President. It is also a violation of this Policy for an employee to file a Disclosure Form or give a statement that is made in bad faith. The identity of the person reporting conduct in accordance with this Policy will be kept confidential to the extent possible with an adequate investigation.

4.5. Daemen College Research Integrity Policy and Guidelines on Misconduct

Approved by the Faculty Senate March 2007

(Also an appendix in the Faculty Handbook)

I. Introduction

The following sets forth Daemen College's expectations with regard to integrity in research of all kinds. This Policy describes the responsibilities of research personnel, administrators, and others in the academic community, and outlines the procedures for dealing with instances of alleged misconduct in research.

As a recipient of extramural funding, Daemen College must ensure that its practices and procedures are consistent with the requirements of granting agencies. Daemen College expects that its employees, students and contractors will conform to the highest standards of professional conduct in academic and scientific research.

II. Statement on Integrity in Research

It is the policy of Daemen College to require adherence to the highest ethical standards in the research conducted by its faculty, students, staff and contractors. The College will inquire into and, if necessary, investigate and resolve promptly and fairly all instances of alleged misconduct and to comply in a timely manner with agency requirements for reporting on cases of possible misconduct when sponsored project funds are involved. Since a charge of research misconduct, even if unjustified, may damage an individual's career, any allegation of research misconduct must be handled in an expeditious and confidential manner. It is of paramount importance that full attention be given to the rights of all individuals involved.

III. Scope of Application.

This policy applies to all personnel affiliated with Daemen College, to include, but not limited to, faculty (including temporary or adjunct members) who conduct research using the College facilities and resources, students, trainees, and other research personnel. Cases of research misconduct involving students are subject to the normal disciplinary rules governing students, but will be reviewed, as appropriate, under this policy.

The procedure and policies apply with equal force to unfunded research, research funded by Daemen College, and research funded by an extramural funding agency or source. This policy applies to the conduct of research (and related activities), presentation or publication of research results, the process of applying for research funds, and the expenditure or fiscal reporting of the use of research funds. For acts of alleged research misconduct, this policy shall be followed in lieu of sections V. D and XII of the Daemen College Faculty Handbook.

IV. Definitions

Allegation means a disclosure of possible research misconduct through any means of communication. The disclosure may be by written or oral statement or other communication to an institutional official.

Complainant means a person who in good faith makes an allegation of research misconduct

Deciding Official (DO) means the institutional official who makes final determinations on allegations of research misconduct and any institutional administrative actions. At Daemen College the DO is the President.

Evidence means any document, tangible item, or testimony offered or obtained during a research misconduct proceeding that tends to prove or disprove the existence of an alleged fact

Fabrication is making up data or results and recording or reporting them.

Falsification is manipulating research, equipment or processes, or changing or omitting data or results such that the research is not correctly represented in the research record.

Frivolous claim is 1) a claim clearly made in bad faith and/or 2) a claim, even if found to be true, would not constitute research misconduct under this policy.

Good faith as applied to a complainant or witness, means having a belief in the truth of one's allegation or testimony that a reasonable person in the complainant's or witness's position could have based on the information known to the complainant or witness at the time. An allegation or cooperation with a research misconduct proceeding is not in good faith if it is made with knowing or reckless disregard for information that would negate the allegation or testimony. A committee member does not act in good faith if his/her acts or omissions on the committee are dishonest or influenced by personal, professional, or financial conflicts of interest with those involved in the research misconduct proceeding.

Inquiry means preliminary information-gathering and preliminary fact-finding

Institutional member means a person who is employed by, is an agent of, or is affiliated by contract or agreement with Daemen College. Institutional members may include, but are not limited to, officials, tenured and untenured faculty, teaching and support staff, researchers, research coordinators, clinical technicians, students, volunteers, agents, and contractors, subcontractors, and sub-awardees, and their employees.

Investigation means the formal development of a factual record and the examination of that record leading to a decision not to make a finding of research misconduct or to a recommendation for a finding of research misconduct which may include a recommendation for other appropriate actions, including administrative actions.

Preponderance of the evidence means proof by information that, compared with that opposing it, leads to the conclusion that the fact at issue is more probably true than not.

Plagiarism is the appropriation of another person's ideas, process, results or words without giving appropriate credit.

Records of research misconduct proceedings means: (1) the research records and evidence secured for the research misconduct proceeding pursuant to this policy, except to the extent the Research Integrity Officer determines and documents that those records are not relevant to the proceeding or that the records duplicate other records that have been retained; (2) the documentation of the determination of irrelevant or duplicate records; (3) the inquiry report and final documents (not drafts) produced in the course of preparing that report, including the documentation of any decision not to investigate, (4) the investigation report and all records (other than drafts of the report) in support of the report, including the recordings or transcripts of each interview conducted; and (5) the complete record of any appeal within the institution from the finding of research misconduct.

Research includes all basic, applied and demonstration research in all fields.

Research Integrity Officer (RIO) means the institutional official responsible for: (1) assessing allegations of research misconduct to determine if they fall within the definition of research misconduct, and warrant an inquiry on the basis that the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified; and (2) overseeing inquiries and investigations; and (3) the other responsibilities described in this policy. The RIO is responsible for ensuring compliance with all notification requirements of funding or sponsoring agencies. At Daemen College the RIO is the Vice President for Academic Affairs (VPAA).

Research misconduct means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest error or differences of opinion.

Research misconduct proceeding means any actions related to alleged research misconduct, including but not limited to, allegation assessments, inquiries, and investigations and administrative appeals related thereto.

Research Record means the record of data or results that embody the facts resulting from scientific inquiry, including but not limited to, research proposals, laboratory records, both physical and electronic, progress reports, abstracts, theses, oral presentations, internal reports, journal articles, and any documents and materials provided to an institutional official by a respondent in the course of the research misconduct proceeding

Respondent means the person against whom an allegation of research misconduct is directed or who is the subject of a research misconduct proceeding

Retaliation means an adverse action taken against a complainant, witness, or committee member by Daemen College or one of its institutional members in response to (1) a good faith allegation of research misconduct; or (2) good faith cooperation with a research misconduct proceeding.

V. Requirements for Finding of Research Misconduct

A finding of Research Misconduct requires that:

- 1) There be a significant departure from accepted practices of the relevant research community;
- 2) The misconduct be committed intentionally, or knowingly, or recklessly; and
- 3) The allegation be proved by a preponderance of the evidence.

General Policies and Principles

A. Responsibility to Report Misconduct

An institutional member must report observed, suspected, or apparent research misconduct to the RIO. If an individual is unsure whether a suspected incident falls within the definition of research misconduct, he or she may meet with or contact the RIO to discuss the suspected research misconduct informally, which may include discussing it anonymously and/or hypothetically. If the circumstances described by the individual do not meet the definition of research misconduct, the RIO will refer the individual or allegation to other offices or officials with responsibility for resolving the problem.

An institutional member may have confidential discussions and consultations about concerns of possible misconduct with the RIO at any time.

B. Cooperation with Research Misconduct Proceedings

Institutional members will cooperate with the RIO and other College officials in the review of allegations and the conduct of inquiries and investigations. Institutional members, including respondents, have an obligation to provide evidence relevant to research misconduct allegations to the RIO or other College officials.

C. Confidentiality

The RIO shall: (1) limit disclosure of the identity of respondents and complainants to those who need to know in order to carry out a thorough, competent, objective and fair research misconduct proceeding; and (2) except as otherwise prescribed by law, limit the disclosure of any records or evidence from which research subjects might be identified to those who need to know in order to carry out a research misconduct proceeding. The RIO will require institutional members involved in research misconduct proceedings to execute a written confidentiality agreement or other mechanism to ensure against any further disclosure of identifying information.

D. Conflict of Interest

Prior to participation in any inquiry or investigation committee under this policy, an institutional member must disclose to the RIO the existence of (a) a conflict of interest, or (b) any facts which might cause him or her to be perceived to be biased concerning the facts of the allegation. No person who has a bias or conflict of interest or the appearance of a bias or a conflict of interest shall serve as a member of any committee formed under the policy. The RIO will determine whether a conflict of interest exists and will be responsible for determining how to deal with any such conflicts within the context of this policy.

E. Protecting complainants, witnesses, and committee members

Institutional members may not retaliate in any way against complainants, witnesses, or committee members. Any person who observes or suspects retaliation against complainants, witnesses or committee members should immediately report such conduct to the RIO, who shall review the matter and, as necessary, make all reasonable and practical efforts to counter any potential or actual retaliation and protect and restore the position and reputation of the person against whom the retaliation is directed.

F. Protecting the Respondent

As requested and as appropriate, the RIO and other College officials shall make all reasonable and practical efforts to protect or restore the reputation of persons alleged to have engaged in research misconduct, but against whom no finding of research misconduct is made.

During the research misconduct proceeding, the RIO is responsible for ensuring that respondents receive all the notices and opportunities provided for in the policies and procedures of the institution. Respondents may consult with legal counsel or a non-lawyer personal adviser (who is not a principal or witness in the case) to seek advice and may bring the counsel or personal adviser to interviews or meetings on the case.

G. Interim Administrative Actions and Notifying Extramural Funding Sources of Special Circumstances

Throughout the research misconduct proceeding, the RIO will review the situation to determine if there is any threat of harm to public health, research funds and equipment, or the integrity of the research process. In the event of such a threat, the RIO will, in consultation with other institutional officials, take appropriate interim action to protect against any such threat. Interim action might include additional monitoring of the research process and the handling of research funds and equipment, reassignment of personnel or of the responsibility for the handling of research funds and equipment, additional review of research data and results or delaying publication. The RIO shall, at any time during a research misconduct proceeding, notify extramural funding sources immediately if he/she has reason to believe that any of the following conditions exist:

- Health or safety of the public is at risk, including an immediate need to protect human or animal subjects;
- Extramural resources or interests are threatened;
- Research activities should be suspended;
- There is a reasonable indication of possible violations of civil or criminal law;
- Action is required to protect the interests of those involved in the research misconduct proceeding;
- The research misconduct proceeding may be made public prematurely and action may be necessary to safeguard evidence and protect the rights of those involved; or
- The research community or public should be informed.

Conducting the Assessment and Inquiry

Assessment of Allegations

Upon receiving an allegation of research misconduct, the RIO will immediately assess the allegation to determine whether it is sufficiently credible and specific so that potential evidence of research misconduct may be identified, and whether the allegation falls within the definition of research misconduct in this policy. **An inquiry must be conducted if these criteria are met.**

The assessment period should be concluded within seven (7) days. In conducting the assessment, the RIO need not interview the complainant, respondent, or other witnesses, or gather data beyond any that may have been submitted with the allegation, except as necessary to determine whether the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified.

Initiation and Purpose of the Inquiry

If the RIO determines that the criteria for an inquiry are met, he or she will immediately initiate the inquiry process. The purpose of the inquiry is to conduct an initial review of the available evidence to determine whether to conduct an investigation. An inquiry does not require a full review of all the evidence related to the allegation.

Notice to Respondent; Sequestration of Research Records

At the time of or before beginning an inquiry, the RIO must make a good faith effort to notify the respondent in writing. If the inquiry subsequently identifies additional respondents, they must be notified in writing. On or before the date on which the respondent is notified, or the inquiry begins, whichever is earlier, the RIO must take all reasonable and practical steps to obtain custody of all the research records and evidence needed to conduct the research misconduct proceeding, inventory the records and evidence and sequester them in a secure manner, except that where the research records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments. The RIO may consult with extramural funding sources for advice and assistance in this regard.

Appointment of the Inquiry Committee

The RIO, after consultation with other institutional officials as appropriate, will appoint an inquiry committee and committee chair **within 10 days** of the decision to conduct an inquiry or as soon thereafter as practical. The inquiry committee must consist of individuals who do not have unresolved personal, professional, or financial conflicts of interest with those involved with the inquiry and should include individuals with the appropriate scientific expertise to evaluate the evidence and issues related to the allegation, interview the principals and key witnesses, and conduct the inquiry.

Charge to the Committee and First Meeting

The RIO will prepare a charge for the inquiry committee that:

- Sets forth the time for completion of the inquiry;
- Describes the allegations and any related issues identified during the allegation assessment;
- States that the purpose of the inquiry is to conduct an initial review of the evidence, including interviewing the respondent, complainant and key witnesses, to determine whether an investigation is warranted, not to determine whether research misconduct definitely occurred or who was responsible;
- States that an investigation is warranted if the committee determines: (1) there is a reasonable basis for concluding that the allegation falls within the definition of research misconduct, and the allegation may have substance, based on the committee's review during the inquiry.

• Informs the inquiry committee that they are responsible for preparing or directing the preparation of a written report of the inquiry that meets the requirements of this policy. At the committee's first meeting, the RIO will review the charge with the committee, discuss the allegations, any related issues, and the appropriate procedures for conducting the inquiry, assist the committee with organizing plans for the inquiry, and answer any questions raised by the committee. The RIO will be present or available throughout the inquiry to advise the committee as needed.

Inquiry Process

The inquiry committee will normally interview the complainant, the respondent, and key witnesses as well as examine relevant research records and materials. Then the inquiry committee will evaluate the evidence, including the testimony obtained during the inquiry. After consultation with the RIO, the committee members will decide whether an investigation is warranted based on the criteria in this policy. The scope of the inquiry is not required to and does not normally include deciding whether misconduct definitely occurred,

determining definitely who committed the research misconduct or conducting exhaustive interviews and analyses. However, if a legally sufficient admission of research misconduct is made by the respondent, misconduct may be determined at the inquiry stage if all relevant issues are resolved.

G. Time for Completion

The inquiry, including preparation of the final inquiry report and the decision of the DO on whether an investigation is warranted, should be completed within 60 calendar days of initiation of the inquiry, unless the RIO determines that circumstances clearly warrant a longer period. If the RIO approves an extension, the inquiry record must include documentation of the reasons for exceeding the 60-day period. The respondent will be notified of any extension.

VIII. The Inquiry Report

Elements of the Inquiry Report

A written inquiry report must be prepared that includes the following information: (1) the name and position of the respondent(s); (2) a description of the allegations of research misconduct; (3) extramural support, including, for example, grant numbers, grant applications, contracts and publications; (4) the basis for recommending or not recommending that the allegations warrant an investigation; (5) any comments on the draft report by the respondent or complainant; (6) the names and titles of the committee members who conducted the inquiry and any experts who were consulted; (7) a summary of the inquiry process used; (8) a list of the research records reviewed; (9) summaries of any interviews; and (10) whether any other actions should be taken if an investigation is not recommended.

College counsel should review the report for compliance with any regulatory authority and this policy. Modifications should be made as appropriate in consultation with the RIO and the inquiry committee.

Notification to the Respondent and Claimant and Opportunity to Comment

The RIO must notify the respondent whether the inquiry found an investigation to be warranted, include a copy of the draft inquiry report for comment within 10 days, and include a copy of the College's policy on research misconduct. The RIO will also notify the complainant whether the inquiry found an investigation to be warranted and provide relevant portions of the inquiry report to the complainant for comment within 10 days. A confidentiality agreement will be a condition for access to the report.

Any comments that are submitted will be attached to the final inquiry report. Based on the comments, the inquiry committee may revise the draft report as appropriate and prepare it in final form. The committee will deliver the final report to the RIO.

C. Decision by Deciding Official

The RIO will transmit the final inquiry report and the RIO's comments, if any, to the DO, who will render a decision in writing whether or not to conduct an investigation. The inquiry is completed when the DO makes this decision.

D. Notification to the Extramural Funding Source and Institutional Officials

As required by the extramural funding source, if any, the RIO will provide the DO's written decision and a copy of the inquiry report. The RIO will also notify those institutional officials who need to know of the DO's decision. Upon a proper request the RIO shall provide the following information to the extramural funding source: (1) the institutional policies and procedures under which the inquiry was conducted; (2) the research records and evidence reviewed, transcripts or recordings of any interviews, and copies of all relevant documents; and (3) the charges to be considered in the investigation.

E. Documentation of Decision Not to Investigate

If the DO decides that an investigation is not warranted the matter is concluded. In such case, the RIO shall maintain for 7 years after the termination of the inquiry sufficiently detailed documentation of the inquiry to permit a later assessment by extramural funding sources of the reasons why an investigation was not conducted. These documents must be provided to the extramural funding source upon request.

IX. Conducting the Investigation

Initiation and Purpose

The investigation should begin as soon as possible after the determination by the DO that an investigation is warranted unless a more expedited course is required by a extramural funding source. The investigation is to be completed within 120 days of the DO's decision unless extended in accordance with subparagraph F below. The purpose of the investigation is to develop a factual record by exploring the allegations in detail and examining the evidence in depth, leading to recommended findings on whether research misconduct has been committed, by whom, and to what extent. The investigation will also determine whether there are additional instances of possible research misconduct that would justify broadening the scope beyond the initial allegations. This is particularly important where the alleged research misconduct involves clinical trials or potential harm to human subjects or the general public or if it affects research that forms the basis for public policy, clinical practice, or public health practice. The findings of the investigation will be set forth in an investigation report.

Notifying Extramural Funding Sources and Respondent; Sequestration of Research Records

On or before the date on which the investigation begins, the RIO will notify the respondent in writing of the allegations to be investigated; and if required, extramural funding sources. The RIO must also give the respondent written notice of any new allegations of research misconduct within a reasonable amount of time of deciding to pursue allegations not addressed during the inquiry or in the initial notice of the investigation.

The RIO will, prior to notifying respondent of the allegations, take all reasonable and practical steps to obtain custody of and sequester in a secure manner all research records and evidence needed to conduct the research misconduct proceeding that were not previously sequestered during the inquiry. The procedures to be followed for sequestration during the investigation are the same procedures that apply during the inquiry.

Appointment of the Investigation Committee

The RIO, after consultation with other institutional officials as appropriate, will appoint an investigation committee and the committee chair within 10 days of the decision by the DO

to conduct an investigation or as soon thereafter as practical. The committee must have at least 3 and usually not more than 5 members.

The RIO will notify the respondent of the proposed committee membership. The respondent may object to a proposed member based upon a personal, professional, or financial conflict of interest. If so, objections must be submitted within 10 calendar days. The DO will make the final determination of whether a conflict exists.

D. Charge to the Committee

The RIO will define the subject matter of the investigation in a written charge to the committee that:

- Describes the allegations and related issues identified during the inquiry;
- Identifies the respondent;
- Informs the committee that it must conduct the investigation as prescribed in paragraph E. of this section;
- Defines research misconduct;
- Informs the committee that it must evaluate the evidence and testimony to determine whether, based on a preponderance of the evidence, research misconduct occurred and, if so, the type and extent of it and who was responsible;
- Informs the committee that in order to determine that the respondent committed research misconduct it must find that a preponderance of the evidence establishes that: (1) research misconduct, as defined in this policy, occurred (respondent has the burden of proving by a preponderance of the evidence any affirmative defenses raised, including honest error or a difference of opinion); (2) the research misconduct is a significant departure from accepted practices of the relevant research community; and (3) the respondent committed the research misconduct intentionally, knowingly, or recklessly; and
- Informs the committee that it must prepare or direct the preparation of a written investigation report that meets the requirements of this policy.

E. First Meeting of the Committee

The RIO will convene the first meeting of the investigation committee to review the charge, the inquiry report, and the prescribed procedures and standards for the conduct of the investigation, including the necessity for confidentiality and for developing a specific investigation plan. The investigation committee will be provided with a copy of this policy and applicable policies of the extramural funding source(s), if any. The RIO will be present or available throughout the investigation to advise the committee as needed.

In cases where the respondent is a Daemen College faculty member, the investigation committee will include all members of the Faculty Review Committee (FRC) who do not have an unresolved personal, professional, or financial conflict of interest with those involved with the investigation. The committee must include individuals with the appropriate scientific expertise to evaluate the evidence and issues related to the allegation. Individuals appointed to the investigation committee may also have served on the inquiry committee. When necessary to secure the necessary expertise or to avoid conflicts of interest, the RIO may add committee members from inside or outside the institution to the investigation committee; however, in cases involving faculty members, non-faculty appointments may not achieve a majority on the committee.

F. Investigation Process

The investigation committee and the RIO must:

- Use diligent efforts to ensure that the investigation is thorough and sufficiently documented and includes examination of all relevant research records and evidence necessary to reaching a decision on the merits of each allegation;
- Take reasonable steps to ensure an impartial and unbiased investigation;
- Interview each respondent, complainant, and any other available person who has been reasonably identified as having relevant information regarding the investigation, including witnesses identified by the respondent. The testimony of each witness must be transcribed and a copy of the transcript provided to each interviewee for correction. The corrected transcript must be included in the record of the investigation; and
- Pursue diligently all significant issues and leads discovered that are determined relevant to the investigation, including any evidence of any additional instances of possible research misconduct, and continue the investigation to completion.

G. Time for Completion

The investigation should be completed within 120 days of the DO's decision, including conducting the investigation, preparing the report of findings, providing the draft report for comment and sending the final report to any extramural funding sources, if required, unless the RIO determines that circumstances clearly warrant a longer period. If the RIO approves an extension, the investigation record must include documentation of the reasons for exceeding the 120-day period. The respondent will be notified of any extension.

X. The Investigation Report

Elements of the Investigation Report

The investigation committee and the RIO are responsible for preparing a written draft report of the investigation that:

- Identifies the respondent(s);
- Describes the specific allegations of research misconduct considered in the investigation
- Describes and documents the extramural support, including, for example, the numbers of any grants that are involved, grant applications, contracts, and publications listing support;
- Includes the institutional policies and procedures under which the investigation was conducted;
- Identifies and summarizes the research records and evidence reviewed and identifies any evidence taken into custody but not reviewed; and
- Includes a statement of findings for each allegation of research misconduct identified during the investigation.

Each statement of findings must: (1) identify whether the research misconduct did or did not occur; (2) if it did occur, was the misconduct falsification, fabrication, or plagiarism, and whether it was committed intentionally, knowingly, or recklessly; (3) identify the person(s) responsible for the misconduct; (4) summarize the facts and the analysis that support the conclusion and consider the merits of any reasonable explanation by the respondent, including any effort by respondent to establish by a preponderance of the evidence that he or she did not engage in research misconduct because of honest error or a difference of opinion; (5) identify any specific extramural support; (6) identify whether any publications need correction or retraction; (7) list any current support or known applications or proposals for support that the respondent has pending with extramural funding sources; and (8) list any recommended institutional actions to respond to a finding of research misconduct. College counsel should review the report for compliance with regulatory authority and this policy. Modifications should be made as appropriate in consultation with the RIO and the investigation committee.

Comments on the Draft Report and Access to Evidence

1. Respondent

The RIO must provide each respondent a copy of the draft investigation report for comment and, concurrently, a copy of, or supervised access to the evidence on which the report is based. Each respondent will be allowed 30 days from the date he/she received the draft report to submit comments to the RIO. The respondent's comments must be included and considered in the final report.

2. Complainant

The RIO must provide the complainant a copy of the draft investigation report, or relevant portions of it, for comment. Any comments by the complainant must be submitted to the RIO within 30 days of the date on which the complainant received the draft report and the comments must be included and considered in the final report.

3. Confidentiality

In distributing the draft report, or portions thereof, to the respondent and the complainant, the RIO will inform the recipients of the confidentiality under which the draft report is made available and will require that the recipient sign a confidentiality agreement.

Decision by Deciding Official

The RIO will assist the investigation committee in finalizing the draft investigation report, including ensuring that the respondent's and complainant's comments are included and considered, and transmit the final investigation report to the DO.

Within 10 days, the DO will render a decision in writing stating whether the College accepts, all or in part, the investigation report and its findings. The decision shall also identify the appropriate actions the College will take in response to any findings of research misconduct.

If the DO's decision materially varies from the findings or recommendations of the investigation committee, the decision will contain an explanation of the DO's reasons for the variation. Alternatively, the DO may return the report to the investigation committee with a request for further fact-finding or analysis.

If the DO's decides that research misconduct is substantiated by the findings, he or she will also decide, after consultation with the RIO, on the appropriate actions to be taken. The administrative actions may include:

- Withdrawal or correction of all pending or published abstracts and papers emanating from the research where research misconduct was found;
- Removal of the responsible person from the particular project, letter of reprimand, special monitoring of future work, probation, suspension, salary reduction, or initiation of steps leading to possible rank reduction or termination of employment;
- Restitution of funds to the grantor agency as appropriate; and
- Other action appropriate to the misconduct

When a final decision on the case has been reached, the RIO will notify both the respondent and the complainant in writing. The RIO will also provide the appropriate notification to the extramural funding sources, if any, and will determine whether other relevant parties should be notified of the outcome of the case. (i.e. law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work, etc.)

Appeals

The decision of the DO is final subject only to review by the College Board of Trustees.

Notice to Extramural Funding Sources of Institutional Findings and Actions

Upon the DO's final decision, if required, the RIO will submit the following to the extramural funding source: (1) a copy of the final investigation report with all attachments; (2) a statement of whether the institution accepts the findings of the investigation report; (3) a statement of whether the institution found misconduct and, if so, who committed the misconduct; and (4) a description of any pending or completed administrative actions against the respondent.

Maintaining Records for Review by Extramural Funding Sources

The RIO must maintain and provide upon request "records of research misconduct proceedings" to the extramural funding source, if any. Records of research misconduct proceedings must be maintained in a secure manner for 7 years after completion of the proceeding. The RIO is also responsible for providing any information, documentation, research records, evidence or clarification requested by the extramural funding source, if any, to carry out its review of an allegation of research misconduct or of the institution's handling of such an allegation.

XI. Completion of Cases; Reporting Premature Closures

Generally, all inquiries and investigations will be carried through to completion and all significant issues will be pursued diligently. If required, the RIO will notify extramural funding sources, if any, in advance if there are plans to close a case at the inquiry, investigation, or appeal stage on the basis that the respondent has admitted guilt or a settlement with the respondent has been reached.

XII. Other Considerations

A. Termination or Resignation Prior to Completing Inquiry or Investigation

The termination of the respondent's institutional employment, by resignation or otherwise, before or after an allegation of possible research misconduct has been reported, will not preclude or terminate the research misconduct proceeding or otherwise limit any of the institution's responsibilities under this policy.

If the respondent, without admitting to the misconduct, elects to resign his or her position after the College receives an allegation of research misconduct, the assessment of the allegation including the inquiry and investigation, as appropriate, will proceed. If the respondent refuses to participate in the process after resignation, the RIO and any inquiry or investigation committee will use their best efforts to reach a conclusion concerning the allegations, noting in the report the respondent's failure to cooperate and its effect on the evidence.

B. Restoration of the Respondent's Reputation

Following a final finding of no research misconduct, the RIO will, at the request of the respondent, undertake all reasonable and practical efforts to restore the respondent's reputation. Depending on the particular circumstances and the views of the respondent, the RIO should consider (1) notifying those individuals aware of or involved in the investigation of the final outcome; (2) publicizing the final outcome in any forum in which the allegation of research misconduct was previously publicized,; and (3) expunging all reference to the research misconduct allegation from the respondent's personnel file. Any institutional actions to restore the respondent's reputation should first be approved by the DO.

C. Protection of the Complainant, Witnesses and Committee Members

During the research misconduct proceeding and upon its completion, regardless of whether the College determines that research misconduct occurred, the RIO will undertake all reasonable and practical efforts to protect the position and reputation of, or to counter potential or actual retaliation against, any complainant who made allegations of research misconduct in good faith and of any witnesses and committee members who cooperate in good faith with the research misconduct proceeding. The DO will determine, after consulting with the RIO, and with the complainant, witnesses, or committee members, respectively, what steps, if any, are needed to restore their respective positions or reputations or to counter potential or actual retaliation against them. The RIO is responsible for implementing any steps the DO approves.

D. Allegations Not Made in Good Faith

If relevant, the DO will determine whether the complainant's allegations of research misconduct were made in good faith, or whether a witness or committee member acted in good faith. If the DO determines that there was an absence of good faith he/she will determine whether any administrative action should be taken against the person who failed to act in good faith.

4.6. Daemen College Policy and Procedures for Extra Service/Bonus Compensation

Approved by the President's Cabinet: April 4, 2005

Daemen College recognizes that employees make extraordinary contributions to the College. These written policies and procedures are designed to clarify, assist, and enable all employees to understand how and when Extra Service/Bonus Compensation can be awarded and what steps need to be followed to assure that such payments are in line with policy.

I. Policy

- Extra service and bonus for full time faculty and for full time administrative and hourly staff of Daemen College is defined as work performed for Daemen College which is substantially different from or substantially in addition to an individual's responsibilities.
- This extra service must not interfere with the individual's regular professional responsibilities, and it may be during or after regular working hours.
- Additional compensation for research and other externally-funded activities must be consistent with all policies of the program sponsor and all state and federal regulations.
- In the specific case of a bonus, only full time faculty, administrators, and hourly staff of Daemen College are eligible. Such payment is defined as a one time disbursement for specific effort that merits recognition and clearly demonstrates work above and beyond what is normally expected of an employee.

II. Procedure

A. Extra Service governed by OMB Circular A-21: Expenses Charged to Government Grants, Contracts, and Subcontracts

The federal Office of Management and Budget has established principles for determining costs that may be applied to grants, contracts, and other agreements with educational institutions. These are spelled out in OMB Circular A-21. Compensation for extra-service charging government contracts and/or grants, including subsequent revisions, must receive prior approval through the granting agency. Please note that some funding agencies may have additional policies relating to extra service.

In addition, an internal Request for Prior Approval for Extra Compensation/Bonus form must be submitted to the appropriate Cabinet member outlining the nature of the extra service for any one of the three categories of employees. Written approval, including approval for any subsequent revisions, must be obtained **prior** to commencement of the extra service.

Faculty: The institution must determine how it will pay faculty members working on grants at the time of application for funding.

1. Extra-service payments may be made only after the approval of the appropriate supervisor, Cabinet member and President. The immediate supervisor (in the case of faculty, the appropriate Dean) is responsible for evaluating the request to be sure it is consistent with the general policies, in particular that this extra service will not and does not interfere with the individual's regular professional responsibilities and

that such service will and does exceed that which is normally performed under the employee's regular obligations.

2. If faculty members receive release time for their efforts on grant, the release time must be written into the grant as a percent of effort stated at their regular institutional salary. These individuals will be asked to complete Time and Effort Reports on a semester basis to verify the percent of time for pay from the grant project.

(a.) When nine-month faculty do work on grant-funded projects outside of their nine-month schedule (normally during the summer months), compensation for such should be written into the grant based on their nine month institutional salary rate, not to exceed three additional months of contract pay. These individuals will be asked to complete Time & Effort Reports for the summer semester to verify the percent of time actually spent on the grant project. This satisfies all Federal Regulations and audit documentation requirements.

(b) If nine-month faculty work on grant-funded projects during their normal nine month schedules and this work is outside of their normal load, this additional work will constitute "extra compensation" to the faculty member if it meets the following criteria:

In unusual cases where consultation is across departmental lines or involves a separate or remote operation, and the work performed by the consultant is in addition to his regular departmental load, any charges for such work representing extra compensation above the base salary are allowable provided that such consulting arrangements are specifically provided for in the agreement or approved in writing by the sponsoring agency.

(c.) Grant work performed by twelve month faculty members must either have associated release time for their efforts on grant funded projects or satisfy the same provisions as discussed in (b) above to qualify that faculty member for extra compensation through the grant. Release time will mandate the preparation of Time & Effort Reports each semester to verify the percent of time actually spent on the grant project.

Salaried Administrative Employees:

OMB Circular A-21 imposes restrictions on charging clerical and administrative salaries to grants. Support services for institutional activities (including grants) are normally considered as administrative duties and charged to Indirect Costs. The circular allows charging to grants as a buyout of time, but prohibits additional compensation to the employee coming solely from the grant. The circular states:

The salaries of administrative and clerical staff should normally be treated as Indirect Costs (also called F & A Costs). Direct charging of these costs may be appropriate where a major project or activity explicitly budgets for administrative or clerical services and individuals involved can be specifically identified with the project or activity. "Major project" is defined as a project that requires an extensive amount of administrative or clerical support, which is significantly greater than the routine level of such services provided by academic departments.

An increase in compensation can only be paid to salaried Administrative employees under Institutional Extra Service, section B or Bonus, section C.

Hourly Employees: Hourly employees must expand their biweekly timesheet reporting to summarize hours worked for the institution as well as any additional work on grant funded projects. The first 35 hours are institutional and above 35 maybe eligible to be charged to a grant. Overtime hours are paid according to the Staff and Administrative Handbook Section 2.5. Timesheets should total the regular institutional hours as well as the grant hours and indicate the appropriate grant line to which the payroll charges should be applied. Sign off on the timesheet indicates approval by the supervisor (and PI) that those hours were worked.

B. Institutional Extra Service

Faculty, administrative and hourly staff whose primary responsibilities have substantially changed can apply through their Cabinet member for adjustment to their current compensation. An internal Request for Prior Approval for Extra Compensation/Bonus form must be submitted to the appropriate Cabinet member outlining the nature of the extra service for any one of the three categories of employees. Where additional compensation is awarded, the additional compensation will be funded through the Daemen College operating budget. This adjustment may or may not be permanent, depending on whether the project is funded for a finite period of time or whether the extra service becomes a permanent part of the person's job description.

C. Bonuses

As part of each budget cycle, funds will be budgeted to each Cabinet member for bonus allocations. Additionally, funds for more bonuses or bonuses of a larger amount maybe requested and allocated with the approval of the President.

Every Cabinet member, other than the President, will have a pre-determined amount for members of their staff, other than themselves. The President can authorize bonuses for Cabinet members.

Cabinet members should notify the payroll office of their decisions. Bonuses will be awarded one time in one payroll on or near April 1.

4.7. Daemen College Gift Acceptance Policies and Guidelines

Approved by the Board of Trustees November, 2003

Section 1.01 Introduction

Daemen College, a not-for-profit educational institution organized under the laws of the State of New York exempt from Federal income tax under section 501 (c) (3) of the Internal Revenue Code, encourages the solicitation and acceptance of gifts to the College for purposes that will further and fulfill its mission. It is the purpose of these policies and guidelines to provide guidance to the College, and to prospective donors and their advisors, when making and accepting gifts to the College.

It is the policy of the Board of Trustees of Daemen College: (1) to offer diverse opportunities to all the constituencies of Daemen College to give support to the organization; (2) to communicate such opportunities to constituents on a regular basis; and (3) to provide resources for a full and effective development program for the benefit of both donors and Daemen College.

The Development Office is the clearinghouse for the fund-raising activities of Daemen College. It shall be the responsibility of the Development Staff to:

9. Maintain and increase financial support for Daemen College;
10. Develop and propose to the President and Board of Trustees, plans for a comprehensive development program, including annual, capital and planned giving efforts.
11. Advise the President, the Board of Trustees and volunteers on matters relating to the cultivating, solicitation and acceptance of gifts and grants in support of Daemen College;
12. Inform, serve, guide, and assist Daemen College's constituents in fulfilling their family, financial and philanthropic objectives;
13. Coordinate all such fund raising efforts of Daemen College by matching donor interests with specific funding opportunities so that prospects and donors are not solicited by multiple entities within Daemen College;
14. Undertake research on prospects and donors so as to identify interests and to maintain confidentiality with regards to research findings and donor records;
15. Oversee and monitor such solicitations as authorized by the Board of Trustees and/or the administration (e.g. the annual fund and any capital campaign); and
16. Report regularly to the President and the Board of Trustees regarding gifts, grants, pledges, and planned gift commitments received by Daemen College.

Section 1.02 General Policies and Guidelines

1. Daemen College welcomes expressions of interest and financial support regardless of size or form, from any alumnae/us, parent, corporation, foundation or other private or public sector source. Daemen College's development staff and volunteers are available and would be pleased to meet with any prospective donor, without obligation, to discuss areas of interest, the plans of Daemen College, types of commitments, options for payment, estate planning, and the tax consequences of a possible gift commitment so as to provide assistance to a prospective donor. (Please refer also to #9 in this section.)
2. Gifts to the College should be made in the name of Daemen College. All gifts to Daemen College should be directed to the Development Office where they will be accepted, acknowledged and administered in accordance with the policies of the Board of Trustees.
3. All gift solicitations and fund-raising events on behalf of Daemen College must be reviewed and approved by the President, the Vice President for External Relations or their designee.
4. No gift or grant shall be received by Daemen College with restrictions which exclude beneficiaries of the gift or grant on the basis of race, color, religion, creed, sex, sexual orientation, national origin or disability except in those extraordinary circumstances where the Board of Trustees may authorize restrictions so as to provide opportunities for historically disadvantaged individuals.
5. Commitments to Daemen College and/or payment of same may take the form of one, or a combination, of the following: cash; appreciated securities or other personal assets; deferred or planned gifts including trusts, annuities, retirement funds, insurance policies; gifts of residence with or without a retained life interest; other real property; and/or will commitments.
6. The Board of Trustees and appropriate officers of Daemen College reserve the right to accept or, in cases where absolutely necessary, to decline any commitment which is offered to them. The Board also reserves the right to determine how any commitment will be credited and recognized.
7. Commitments will be recognized publicly and/or commemorated consistent with the guidelines adopted by the Board of Trustees and publicized by Daemen College. Once a gift has been recognized and/or commemorated, the name of the donor or designee will not be removed from the named facility, program or endowment without the express written request, or permission, of the donor or the donor's heirs and the authorization of the Board of Trustees.
8. Requests by donors for anonymity will be honored.
9. Although representatives of Daemen College will provide appropriate assistance, the ultimate responsibility regarding evaluations, tax deductibility and/or similar federal, state or local legal compliance rests with the donor and with such counsel as the donor may wish to secure.
10. Daemen College will seek the advice of legal counsel as needed and will issue no legal documents without the advice of legal counsel.

11. Daemen College, through its Board of Trustees, other volunteers, or paid employees, will not knowingly seek nor accept any commitment regardless of size, designation or other condition which they believe is not in the potential donor's best interest to commit.
12. All persons employed by Daemen College authorized to contact prospective donors and promote the fund-raising programs of the College shall be paid a salary or fixed wage and shall not receive commissions or any other form of remuneration which could give such an employee a direct interest in any current or future gift to be received by Daemen College.

Section 1.03 Types of Commitments

1. Gifts of negotiable securities will be receipted at the mean value at which the security traded on the date of the gift. Such securities will be conveyed to Daemen College's broker for sale or to Daemen College's investment manager for investment, consistent with the established policies of the College.
2. Gifts of closely-held stock will be receipted at the donor's appraisal value and will be held as quasi-endowed funds until liquidated, at which time the funds will be used consistent with the gift intentions of the donor and the established policies of Daemen College.
3. Fully paid-up, or otherwise vested, insurance policies which irrevocably designate the name of Daemen College will be credited at the full face value of the policy.
4. Commitments of insurance where ownership is assigned to Daemen College but where the policy is not paid-up will be credited at the current cash value of the policy or the value of the paid-up premiums, whichever is greater. Subsequent payments of appropriate premiums will be added to the value assigned to this commitment. Such commitments will qualify for commemorative opportunities at a level consistent with the value of the policy as it was credited (i.e., cash value plus ongoing premium payments).
5. Commitments of term insurance naming Daemen College as beneficiary will not be counted in the College's attainment figures.
6. Will commitments, commitments of unpaid insurance policies, and other revocable deferred gifts will be recorded as "future" commitments to Daemen College at the value established in writing by the donor through a Will commitment form, a letter, a copy of appropriate sections of the will or an insurance document, trust document or the like.
 - Such revocable gift commitments will be recognized, subject to the donor's specific request and intent, only when the funds are irrevocably committed to Daemen College or when the gift matures.
 - Will commitments for which the donor does not indicate a specific gift value and/or does not provide an estimate of a residuary bequest will be credited to the "futures" account at a minimum value level of \$1,000.
 - Will commitments for which the donor does indicate a specific, or estimated, value will be recognized at full value in the case of donors 65 years of age

and older and at a minimum value of \$1,000 in case of donors under 65 years of age.

7. Bequests will be credited to outright organizational attainment figures as received. Such bequests will be credited, recognized and/or commemorated at the value on the date of the gift.
8. Gifts of wholly-owned real estate will be credited, recognized and/or commemorated at the appraisal value of the property at the time it is transferred to Daemen College, less any encumbrances. Prior to acceptance of real estate, the College shall require an initial environmental review of the property to insure that the property is not contaminated with environmental damage. In the event that the initial inspection reveals a potential problem, the College shall retain a qualified inspection firm to conduct an environmental audit. The cost of the environmental audit shall generally be an expense of the donor. (Environmental inspection forms are attached to this document.) Criteria for acceptance of real estate include:
 - Is the property useful for the purposes of the College?
 - Is the property marketable?
 - Are there any restrictions, reservations, easements or other limitations associated with the property?
 - Are there any carrying costs, which may include insurance, property taxes, mortgages or notes, associated with the property?
 - Does the environmental audit reflect that the property is not damaged?
9. Gifts of other personal property with an appraised value of at least \$1,000 will be credited, recognized and/or commemorated at the appraised value of the property at the time it is transferred to Daemen College, less encumbrances. Under normal circumstances, Daemen College will seek to liquidate such assets as soon as possible in order to secure the cash needed to fund its construction and operational programs and/or to invest such assets in ways consistent with the currently authorized investment strategies of Daemen College. The following are general guidelines or considerations in connection with gifts of personal property:
 - Generally, Daemen College's acceptance of such gifts can not involve significant additional expense for their present or future display, maintenance or administration.
 - Generally, no burdensome financial or other obligation can be incurred, directly or indirectly, by Daemen College as a result of its acceptance of such gifts.
 - Generally, no member of the Board of Trustees or College employee can furnish valuations or appraisals to donors in connection with gifts of personal property to Daemen College.
 - Except in those cases where the Board of Trustees determines that it is in the best interest of the College to do so, Daemen College will not accept gifts of personal property, such as paintings, if the gifts are to be made on the condition, understanding or expectation that the gifted items are to be loaned to the donor or to the persons designated by the donor for life or for an extended period of time as determined by the donor.
10. The College will accept a remainder interest in a personal residence, farm or vacation home subject to the provisions of number 8 above. The donor or other occupants may continue to occupy the real estate for the duration of the stated life. At

the death of the donor, the College may use the property or liquidate it to cash. Where the College receives a gift of a remainder interest, expenses for maintenance, real estate taxes, and any property indebtedness are to be paid by the donor.

11. Annuity, irrevocable trust and similar life income agreement commitments will be credited, recognized and/or commemorated as follows:
- a. At the fair market value of the asset, on the date of transfer, being used to “fund” the life income trusts, annuity trusts and charitable gift annuities.
 - b. At the total pay-out level in the case of a charitable lead trust.

12. Any in-kind gift may be liquidated, and the donor will be credited on an item for item basis.

Section 1.04

Section 1.05

Section 1.06 Named Endowment Fund

1. Endowment gifts may be used to establish a special endowment fund as described below, or may be added to an existing endowment fund.
2. Only the most frequent uses of endowment funds and their funding requirements are described below. There are many other possible uses for endowment funds, which offer a variety of opportunities to the donor.
3. Persons interested in establishing a named endowment fund are encouraged to consult with a member of the development staff, prior to making the gift so that the donor’s intentions are appropriately established in writing. In designating that an endowment gift for a specific purpose, the donor is encouraged to (1) describe that purpose as broadly as possible; (2) avoid detailed limitations; and (3) provide an “escape” clause granting Daemen College freedom to make use of designated funds in a manner most consistent with the intent of the donor and with the interests of Daemen College.
4. Gifts to establish named endowment funds for specific purposes must meet the minimum dollar requirements as established by the Board of Trustees. The principal amount of the original gift need not meet the minimum dollar requirement if the donor agrees to fully fund the endowment at the minimum dollar requirement within a specified and reasonable period of time.

Daemen College reserves the right to review the minimum amounts required for named endowments periodically and to amend the minimum amount required so as to ensure that endowment proceeds are sufficient to fund the intended purpose(s) of the endowment. If and when Daemen College acts to

increase the minimum amount required to establish a particular named endowment fund, such action shall not be retroactive to funds already established and named.

5. An endowment gift in an amount less than that required to establish a named

endowment fund will be managed as part of the general organizational endowment fund. If the donor subsequently makes further additions to the fund, sufficient to meet the stated minimum dollar requirement for establishing a named endowment fund, the total principal amount (and subsequent earnings on that principal) will be utilized.

6. Named endowment opportunities include, but are not limited to the following: (Items 1-6 following serve as examples and can be customized by Daemen College):

- (1) **Named Endowed Academic Departments:** Academic units are organized by the College as departments. The endowment of an academic department provides a guaranteed source of funding for faculty salaries and benefits, support services, instructional equipment and supplies and other ongoing expenses associated with the operation of the department.
- (2) **Named Endowed Chair:** Vital to the College's continued academic and scholarly accomplishments is the ability to attract and sustain a distinguished scholar in a particular field. An endowed chair may be established for this purpose, with the endowment being in an amount sufficient to provide income to fully fund an annual salary and fringe benefits.
- (3) **Named Endowed Scholarship:** A named endowed scholarship may be established to provide financial support to a student for the pursuit of educational opportunities offered by the College. Endowment income primarily covers tuition and fees and, in some cases, may provide additional financial support to the recipient. Recipients of named scholarships shall be selected through the regular financial aid administrative procedures of the College.

The following restrictions on endowed scholarship funds are unacceptable:

- (a) Except in extraordinary circumstances approved by the Board of Trustees in order to provide opportunities for historically disadvantaged individuals, no scholarship funds may be restricted on the basis of race, color, religion, creed, sex, sexual orientation, national origin or disability.
- (b) No scholarship may be designated for a specific recipient nor for relatives or descendents of the donor.
- (c) No scholarship may specify the future employment of the recipient.
- (d) No scholarship may specify that monies be loaned to the recipient at a specific interest rate or with specific repayment terms.

- (4) **Named Endowed Library or Book fund:** A named endowed library or book fund may be established to purchase books and/or other library materials in a particular academic field or to add to the general collection, consistent with the acquisition policies of the library.
- (5) **Named Endowed Prize Fund:** A named endowed prize fund may be established to recognize a member of the College community for outstanding accomplishment. Recipients of endowed prizes shall be selected by the Board of Trustees.

(6) Named Endowed Award Fund: A named endowed award fund may be established to recognize a student for outstanding academic, leadership, and/or community achievement. Recipients of endowed awards are selected by an appropriate committee of faculty, administrators, and/or others. Awards are presented at Honor Convocations or another public occasion.

Daemen College reserves the right to limit the number of named endowed prizes and award funds.

Approval and Changes

These policies and guidelines are to be reviewed by the Development Committee of the Board of Trustees, and recommended to the full Board for approval. Any changes or deviations from the policies and guidelines are to follow this same procedure.

4.8. Daemen College Policy on Disposal of Equipment

Revised: 2/24/04

I. PURPOSE & SCOPE: To define a policy for disposing of equipment or furniture (in any condition) purchased with College funds or grants.

II. PROCEDURE:

- 1) Department identifies the condition of the furniture or equipment to be disposed. Department obtains "Fixed Asset Disposition Form" from the Purchasing Department.
- 2) Department removes all miscellaneous, non-related items found in or on the asset.
- 3) If the asset is attached to the building and or it is necessary to disassemble or disconnect utilities from it, the Department should contact the Maintenance Department at extension 8222.
- 4) Department completes a "Fixed Asset Disposition Form", obtaining the signature of the Department Chair. The form should be filled out completely being as specific as possible. The Department sends the signed original Form to the Purchasing Department.
- 5) Method of Disposal:
 - a. Asset is sold: The Department in combination with the Business Office determines the sale price and makes arrangements with the seller to pick up the asset. The proceeds of the sale are remitted to the Business Office and a receipt is issued. The sale of asset is recorded in the budget account Sale of Assets.
 - b. Asset is scrapped: The Department will contact the Maintenance Department at extension 8222 to arrange pick-up of the asset. Maintenance will dispose of the item as required.
 - c. Asset is held: If it is determined by the Purchasing Department that the asset has some utility or maybe sold at a later date, the asset will be held by the Maintenance Department. Upon receipt of the completed disposition form, the Purchasing Department will make arrangements with the Maintenance Department to pick-up the asset and have it stored for future use.
- 6) The Purchasing Department will retain the completed form on file for audit purposes.

Condition Definitions:

Excellent (New or used property in excellent condition that is slightly shopworn or soiled, but utility is not impaired.)

Good (Used property, maintained regularly, minor repairs made as required.)

Fair (Used property that is shopworn, deteriorated or damaged to the extent that utility may be impaired.)

Poor (Used property in poor condition, badly worn, broken, soiled, rusted, deteriorated and damaged. Utility seriously impaired.)

Scrap (Used property that has no present or future utility, cannibalized for parts, repairs not contemplated.)

Appendix A Daemen College Academic Grants Proposal Approval Form

This form is completed by the Director, Academic Grants and attached to the proposal routing email. The purpose of this form is to gather appropriate information necessary to obtain appropriate internal administrative and academic approvals. ***This form is to be used for internal purposes only and should not be sent to the sponsor.***

I. PROJECT OVERVIEW

PI/PD _____

Department _____

Co-PI/PD _____

Department _____

Sponsor _____

Project Duration Start: __/__/__ End: __/__/__

TYPE OF PROPOSAL:

- New Project
- Continuation
- Supplement
- Renewal
- Revised

TYPE OF PROJECT:

- Research
- Instruction
- Public Service
- Other

DATE DUE: __/__/__

TIME DUE: _____ (e.g. 4:00 p.m.)

TYPE:

- U.S. Postal Service Postmark
- Arrival date
- on-line submission
- other (explain) _____

PROJECT TITLE: _____

Brief Description of Project (please limit to 75 words or less):

II. BUDGET SUMMARY

A. Budget Summary

	Sponsor Funds	Daemen Cost Share		Total
		Cash Outlay	In Kind	
Total Direct Costs:				
Total Indirect Costs				
Total Costs				

B. Indirect Costs (Check one)

- The maximum allowable indirect costs have been requested.
- A portion of the indirect costs has been requested. Percent _____
- Indirect costs have been waived.
- The sponsor does not fund indirect costs.

C. Cost Sharing/Matching Commitments (check one)

- This project will not require allocation of College funds
- This project will require allocation of College funds. If checked, describe:

ADDITIONAL INFORMATION

Check **all** applicable statements and complete required information.

A. Time & Effort (Check all applicable)

- This project involves new hires.
- This project requires reassign time.
- This project requires supplemental contracts.
- Independent Contractors/Consultants will be hired.

B. Will grant/contract funds be used toward personnel costs? Yes No

If yes, attach itemized list with all personnel costs and time and effort, including in-kind.

C. Does the project involve student participation? Yes No

If yes, please provide estimate of students that will be directly involved in the project.

Per semester: _____ Academic Year: _____ Summer: _____

D. Does the project involve human subjects? Yes No

If yes,

- Approved. Date: _____
- Pending. Date Submitted: _____

E. Does the project involve participation from other institutions or agencies?

Yes No

If yes, list them and the nature of their participation: _____

F. Conflict of Interest: The proposed project or relationship with this sponsor requires the disclosure of significant financial interests that present an actual or potential conflict of interest for investigators involved in this project.

Yes (see below) No

If answered in the affirmative, then all investigators so involved have provided a complete disclosure in this matter as instructed by current institutional policy and/or Federal regulation.

Yes No

CERTIFICATION (by email): I certify that the information provided on this form is accurate and complete as of this date. I agree to accept responsibility for the scientific or technical conduct of the project and for provision of required technical reports if an award results from this application. My signature below certifies that 1) I have reviewed this proposal with my Department Chair and Divisional Dean (where applicable) 2) I agree to abide with applicable Daemen College policies; and 3) I agree to be bound by the terms and conditions of the outside grant or contract which supports this proposed activity.

Project Director/PI: _____ Date: _____

CERTIFICATION (by email): I agree that (1) I have read the proposal; (2) the proposed activities are appropriate to research, instruction, or mission of Daemen College; (3) the necessary resources for the project are committed or budgeted; (4) to the best of my knowledge, the information provided in the proposal and this form is accurate and complete.

Vice President for {appropriate Department}: _____ Date: _____

Vice President for Business Affairs: _____ Date: _____

Appendix B Daemen College Employee/Independent Contractor Determination Checklist

Before an individual is hired as an independent contractor, the following checklist must be completed to help determine whether an employer/employee relationship exists. The questions provided below will assist in determining whether the individual performing services will be classified as an employee of the college for federal, state and FICA tax purposes or as an independent contractor. Sections 1 and 2 are to be completed by the requesting department. Section 3 must be completed by the department and signed by the individual performing services. An authorized department representative accountable for payment of the independent contractor must sign this and attach it to the purchase requisition. Incomplete forms will be returned to the submitting department. Please mark each “” as it applies.

1. Current Relationship with Daemen College	YES	NO
A. Does this individual currently work for Daemen College as an employee?	<input type="checkbox"/>	<input type="checkbox"/>
B. Does Daemen College desire to hire this individual as an employee immediately following the termination of his or her services as an independent contractor?	<input type="checkbox"/>	<input type="checkbox"/>
C. During the 12 months prior to the date on which the services commenced, was the individual on the Daemen College payroll (regular or temporary appointment)?	<input type="checkbox"/>	<input type="checkbox"/>
D. Does this individual currently work as an independent contractor or consultant for Daemen College? and/or Has this individual [ever] worked as an independent contractor or consultant for Daemen College [within the past 12 months]?	<input type="checkbox"/>	<input type="checkbox"/>

If the answer is “NO” to all questions, proceed to questions in Section 2, Classification Guidelines.

If the answer is “YES” to any of the 4 questions, the individual may be classified as an employee and paid through Daemen College payroll.

2. Classification Guidelines (Complete only one section, A, B, or C, depending on the services to be performed by the individual.)

A. Lecturer/Instructor	YES	NO
1. Is the individual a “guest lecturer”, e.g., an individual who lectures at only one or two class sessions? <i>Note: If less than 2 weeks, no checklist is required.</i>	<input type="checkbox"/> Treat as Ind. Cont.	<input type="checkbox"/> Go to #2
2. Is the individual the primary instructor in a department course being offered for academic credit toward a college degree?	<input type="checkbox"/> Treat as an Employee	<input type="checkbox"/> Go to #3
3. Is the individual responsible for the content of the lecture/presentation versus presenting materials that have been prepared/dictated by the College?	<input type="checkbox"/> Treat as Ind. Cont.	<input type="checkbox"/> Treat as an Employee
<hr/>		
B. Researcher	YES	NO
Researchers hired to perform services for a college department are initially presumed to be employees of the college. Please complete the following questions:		
1. Will the individual perform research for a college faculty member or director under an arrangement whereby the college faculty member or director serves in a supervisory capacity (i.e., the individual will be working under the direction of the College faculty member or director)?	<input type="checkbox"/> Treat as Employee	<input type="checkbox"/> Go to #2
2. Will the individual serve in an advisory or consulting capacity with a College faculty member or director in a “collaboration between equals” type arrangement?	<input type="checkbox"/> Treat as Ind. Cont.	<input type="checkbox"/> See #1
<hr/>		
C. Individuals Not Covered Under Sections 2A or 2B	YES	NO
1. Does the individual routinely provide the same or similar services outside of Daemen College to the general public as part of a continuing trade or business?	<input type="checkbox"/> Treat as Ind. Cont.	<input type="checkbox"/> Go to #2
2. Will the department provide the individual with specific instructions regarding performance of the required work rather than rely on the individual’s expertise and/or provide significant supplies and equipment for the worker?	<input type="checkbox"/> Treat as an Employee	<input type="checkbox"/> Go to #3
3. Will the college set the number of hours and/or days of the week that the individual is required to work, as opposed to allowing the individual to set own work schedule and/or pay the individual an hourly rate similar to what other employees are paid on campus for similar work?	<input type="checkbox"/> Treat as an Employee.	<input type="checkbox"/> Treat as Ind. Cont.

SECTION C (Continued)

YES NO

- 4. Does the individual engage in entrepreneurial activities in an established business at risk for loss? **Treat as an Ind. Cont.** **Treat as Employee**
- 5. Does the individual have his/her own insurance for work-related injuries? **Treat as Ind. Cont.** **Go to #6**
- 6. Does the individual provide similar services to other clients? **Treat as Ind. Cont.** **Treat as Employee**

3. General Information

(Service Provider's Name) Please Print _____
(Social Security Number or Tax ID #)

(Service Provider's Mailing Address) _____
(City) _____
(State) _____
(Zip Code)

Specific service to be provided: _____

Location where services will be provided: _____

Start Date: _____ End Date: _____

Fee is based on: ___ Fixed Fee ___ Hourly Rate ___ Cost per unit ___ Other ___ Total Fee: \$ _____

I agree the above information is correct.

Signature of Individual Performing Services: **Date:** _____

Department Representative Signature: _____ **Date:** _____

Department: _____
(Please Print) (Department Code)

Form Prepared by: _____
(Name) (Extension)

Appendix D. Daemen College Fixed Asset Disposition Form

Use this form to report the disposal of your equipment.

If more than one piece of equipment is being reported, please use a separate form for each item.

Equipment Information: _____
(Manufacturer) (Identification Tag No. or Serial No.)

Originating Department: _____
(Dept. Name) (Dept. Account Number)

Reason for Disposal: _____

Disposal Date: _____

Acquisition Date: _____

Description of Item: _____
(include current condition- ie: excellent, good, fair, poor, scrap)

Method of Disposal: (a) Sale (b) Scrapped (c) Held

If Sale: Date of Sale: _____

Sold To: _____

Address: _____

Amount Received: _____ check / cash

Price Determined by: _____
(Method of determining price – ie: price quote, blue book value, etc)

APPROVALS:

Department Chair: _____
(Signature) (Print Name) (Date)

Purchasing: _____
(Signature) (Print Name) (Date)

THIS AREA FOR PURCHASING OFFICE ONLY

Original input date: _____ Permanent Disposition: _____

Comments: _____

Appendix E. Daemen College Conflict Of Interest Statement

{Print:}

NAME:

POSITION:

DEPARTMENT:

I have read the College's Conflict of Interest Policy and recognize that as an employee of Daemen College, I occupy a position of trust with respect to the institution, and have an obligation to discharge my duties with good faith, diligence, fidelity and loyalty, including the duty to disclose any actual or possible conflict of interest.

As required by the Trustees of Daemen College, I hereby aver that, to the best of my knowledge, there does not now exist any conflict between my own interests and those of Daemen College, that I shall report to the College any instance of a conflict or possible conflict that may arise between my own interests and those of the College, and that I will never knowingly harm the interests of Daemen College, given my good faith understanding of those interests.

Furthermore, should I observe or otherwise become aware of any questionable accounting or auditing practices, I will report such conduct to the Vice President for Business Affairs or to any member of the Trustee Audit Committee.

____ {Check if applicable.) I have attached a Disclosure Statement, in which I am providing information regarding an existing or potential conflict of interest not previously disclosed to my supervisor in a Disclosure Statement.

____ {Check if applicable.) I have engaged in consulting over the past twelve months for which I personally received compensation or other form of benefit or compensation.

Pursuant to the Policy, I will promptly notify my vice president, in writing, of any change either to this form or its attachment (if any).

Signature _____ Date _____

NOTE: This form must be completed, signed, and submitted to the Vice President for Business Affairs NO LATER THAN DECEMBER 31, _____.

Questions about the Policy should be directed to the Vice President for Business Affairs. Completed forms will be maintained in the employee's personnel file and in the Business Office.

Appendix F. Daemen College Conflict Of Interest Disclosure Form

{Print:}

NAME _____ POSITION _____

I have read the College's Conflict of Interest Policy and recognize that as an Officer or Employee of Daemen College, I occupy a position of trust with respect to the institution and have an obligation to discharge my duties with good faith, diligence, fidelity and loyalty.

In accordance with that Policy, I wish to disclose the following situation(s) which may (1) constitute an actual or potential conflict of interest not previously disclosed, or (2) involve a potential violation of the College's accounting, internal control, and/or auditing practices* :

I have attached any materials related to this situation that I think will assist in the evaluation of whether or not it does present a conflict of interest or commitment.

Signature _____ Date _____

Received by:

_____ Signed _____ Date _____

* This Form may be submitted anonymously with the Trustee Audit Committee.