



# University of Colorado Denver

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## Campus Guidelines

<b>Title:</b>	Transfer of Sponsored Project Financial Commitments Not Involving Assets to Other Organizations, 4-16
<b>Source:</b>	Office of Grants and Contracts
<b>Prepared by:</b>	Director of the Office of Grants and Contracts
<b>Approved by:</b>	Vice Chancellor for Research
<b>Effective Date:</b>	May 1, 2009
<b>Replaces:</b>	Transfer of Sponsored Project Financial Commitments Not Involving Assets to Other Organizations, 4-16, September 1, 2007
<b>Applies to:</b>	All Campuses

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### A. Introduction

The purpose of this policy is to manage the transfer of University of Colorado Denver (UC Denver) Sponsored Project (grant or contract) commitments to other organizations. This occurs when a faculty member transfers to another institution and wishes to take his or her grant award to the new institution, but does not involve transfer of actual assets.

The faculty member's department and school will review a faculty member's request to transfer UC Denver Sponsored Project award(s) to another organization and will make a recommendation to Grants and Contracts on approving the transfer. If the department and school concur, the Director of Grants and Contracts, or designee, shall provide the UC Denver approval of the transfer of the award(s) commitment to the other organization subject to transfer requirements outlined in E.2.

This policy applies to all UC Denver restricted fund grant and contract award commitments not involving assets that are requested for transfer to another organization.

The transfer of assets including money, inventory, non-capital equipment (less than \$5,000), and capital equipment (greater than \$5,000) is outlined in Fiscal Policy 3-13, *Transfer of Assets to and from Other Organization*.

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## C. References

1. NIH *Grants Policy Statement* and similar funding agency policy directives
2. University of Colorado Administrative Policy Statement, *Sponsored Project Revenues*

## D. Definitions

1. Sponsored Projects are research, instructional, or public service activities that are related to the mission of the UC Denver and sponsored by external agencies or entities. If an award meets at least one of the following criteria, it is likely a Sponsored Project. However, the existence of any one of the criteria may not be determinative.

- a. The award is a grant or contract from a governmental entity, unless exempted under OMB Circular A-21.
- b. The proposal responds to a Request for Application (RFA), Request for Proposal (RFP), or other formal solicitation, and the project is initiated by notice of award. Certain RFPs issued by private charitable foundations may not qualify as a Sponsored Project.
- c. The award includes terms that bind the university to a list of scholarly or scientific inquiry.
- d. The Statement of Work specifies programmatic objectives mutually agreed upon by the university and the sponsor, which are to be accomplished within a specific period of time or within a detailed budget framework.
- e. The sponsor is entitled to receive the following types of deliverables: a detailed technical report of research results, milestone reports, or a required report of allowable expenditures. Certain reporting requirements of private charitable foundations that are stewardship- or accountability-oriented may not qualify as Sponsored Projects.
- f. The award requires separate accounting procedures and detailed financial reports.
- g. The sponsor requires the return of unexpended funds or only reimburses for incurred costs (expenditure-driven).
- h. The award provides for compliance audits by or on behalf of the sponsor, which may or may not include a financial audit.
- i. The award is for a project requiring compliance oversight including, but not limited to: human subjects, animal use, biohazards, or bio-safety.
- j. The award terms include publication or data restrictions or monitoring.
- k. The sponsor requests intellectual property rights or controls the disposition of capital equipment.

- l. The award is by a sponsor who has licensing rights to inventions from the same lab/researcher benefiting from the award.
- m. The sponsor designates a sponsor employee (agent) as project technical monitor (as opposed to designating a contact person to improve communications).
- n. The award is for a sub-award project under a federal award.
- o. The award requires a matching or cost sharing commitment on the part of the university.
- p. The award generates program income to a federal award.
- q. The award from the sponsor is for membership fees to centers and affiliate programs. The university may receive membership fees for its centers and affiliate programs, as characterized by any one of the following examples:
  - i. The member agreement imparts "Center Member" status to the sponsor.
  - ii. The member receives the right to exert any type of control over the operation of the institute, center or program.
  - iii. The member receives special or discounted access to laboratories or other university facilities for its use.
  - iv. The member receives patent, licensing rights, or other intellectual property rights provisions benefiting the sponsor.

## E. Policy Statement

### 1. General

Prior approval of UC Denver and the awarding agency is required for the transfer of the legal and administrative responsibility for a grant or contract project from one legal entity to another before the expiration date of the approved project period.

A request for a change of institutional responsibility for a grant or contract award generally requires the submission of a relinquishing statement or other similar document and additional forms which may include such forms as a NIH Final Invention Statement and Certification from the UC Denver.

### 2. Transfer Requirements

The transfer of an awarded UC Denver sponsored project(s) to another organization/institution may be approved only under the following conditions:

- a. The principal investigator is leaving the UC Denver to go to an affiliated organization/institution, another institution of higher education, or another nonprofit or government training institution.

- b. The faculty member's department and school does not wish to request that the awarding agency appoint another faculty member who is qualified to direct the project and approves the "Request for Approval to Transfer Sponsored Project Award" form (see Exhibit A).
- c. The request is made in a timely manner prior to the project's expiration. Late requests will be considered, but are subject to sponsor restrictions and may need additional justification.
- d. The faculty member completes all documents necessary to facilitate the transfer and submits those documents to Grants and Contracts along with the "Request for Approval to Transfer Sponsored Project Award" form approved by both the faculty member's department and school.
- e. The financial obligations for non-cancelable obligations are covered out of awarded monies and/or are resolved at the departmental and school level prior to the transfer of any remaining award commitments. Expenses charged to a sponsored project must be allowable expenses that meet requirements of the award.
- f. The sponsor, either by policy or by specific approval, supports the transfer.

### 3. Additional Considerations

The transfer of grant or contract funds or equipment requires approval by the department, school and the Director of Grants and Contracts, or designee. Additional approvals may be required depending on the terms of the project under which the award was made. For additional information on the transfer of assets, see [Fiscal Policy 3-13, Transfer of Assets to or from Other Organizations](#).