

**Special Interest  
Articles:**

• **Happy New Year  
from the Staff of  
the Office of  
Research  
Services**

- What is a "Prudent Person"? --  
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- What F&A rate should be used on proposals?  
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- Important information about administrative and clerical salaries that are charged to grants --  
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## PennERA Phase I Update

### PennERA Phase I Update

The PennERA Proposal Tracking module, the Human Subjects and Lab Animal Protocol Tracking modules, as well as the new PennERA Proposal Tracking Data Universe have now been operational for several weeks or more. While we have been generally pleased with the response to and performance of the system, there have also been some obstacles. In an ongoing effort to overcome the obstacles and avoid them in the future, we will, in the weeks ahead, continue to work on fine-tuning the tracking modules and data universe, and continue to implement some fixes, enhancements and changes that were either identified before or after the rollout.

### Brief recap of activity since rollout

As we begin the year 2004 and the new semester, we thought a brief recap of activity since PennERA went live would be in order:

- Over 800 proposals, 260 Lab Animal and 700 Human Subject protocols have been created to date. Also, there were 526 awards created and 1,162 AIS's distributed.
- There were delays in some operational processes caused by either service interruptions (system outages), software/data problems, or newness of the system. These operational delays have occurred in:
  - Distribution and accuracy of AIS documents
  - Award/budget/sub-project setup
  - Student protocol setup
  - "Statuses" of proposals and protocols
- There were data discrepancy reports/questions from Data Warehouse users related to the new Proposal Tracking Universe. The number of reports and questions have decreased in the last couple of weeks. We will continue to work with the various users of the Data Warehouse to research/address any data discrepancy reported.
- ORS is currently up to date on producing AIS's, with the exception of 15-20 AIS's that are still being investigated by the PennERA team due to system or conversion problems. In the meantime, award information is being provided to departments to incur expenditures. Software updates are being scheduled to address the other items mentioned above.
- ORA is working on reducing the backlog created by the high volume of new protocols and slowdown in processing as staff become familiar with the new system.

## **PennERA - What's next**

Following is an overview of next steps:

- Implementation of changes that will address:
  - Award/budget/sub-project setup (which includes automation of special budget entry into BEN Financials)
  - Proposal period statuses and Protocol Status Report (organizing data records to eliminate ambiguous status information)
  - Student protocols (ability to capture necessary information regarding students as protocol investigators)
  - Sub-contracts (application software change that will enable accurate data regarding sub-contracts to be extracted to the Data Warehouse)
- Resolve end date problem for projects that require a new fund for each award period. Currently there is a system problem that can cause incorrect end dates to be sent to BEN Financials after the initial award year in cases where a project requires a new fund for each award period. These dates can be manually corrected in the General Ledger and corrections are being made to funds when the error becomes apparent. A vendor supplied software fix is currently being tested by the project team.
- Revisions and improvements to the Proposal Transmittal Form and AIS documents.
- Rollout of Spin PLUS (Funding opportunities search facility).
- Addition of text description that goes with ORG and Center values in the PennERA Proposals Universe.
- PennERA web site revisions to include Advisory section of known system issues, their status and work arounds, if applicable.
- Achieve "steady state" (any outstanding critical issues have been resolved).
- Recommendation for PennERA Reporting.
- Review/finalize target date and content for the next phase of PennERA:
  - Reevaluate schedule for future phase deliverables
  - Develop end user support model (PennERA Help)

If you are having problems with AIS's, please send a message to [pennera@pobox.upenn.edu](mailto:pennera@pobox.upenn.edu) as well as to contract administrator and to [AISprob@pobox.upenn.edu](mailto:AISprob@pobox.upenn.edu).

Finally, we thank you for your feedback, patience, and continued cooperation as PennERA Phase I activity settles into more routine operations.

## **More Information about PennERA**

Additional updates about PennERA will be provided throughout the project. For the most current information, please visit the PennERA project web site at <http://www.pennera.upenn.edu/project/>. If you have any questions, comments, or suggestions, please send an e-mail to [pennera@pobox.upenn.edu](mailto:pennera@pobox.upenn.edu).

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**Executive Director of Research Services and Associate Vice President of Finance**

**--Joseph R. Sherwin, Ph.D.**

**Director of the Office of Regulatory Affairs**

## Did you know that.....?

....If a post-doc is working on a research award they cannot receive payment in the form of a stipend but must be paid as a regular employee (NIH research awards are in the R, P, U, N, and S series of grants.)



...A revised final financial report wherein the University claims less in expenditures than were originally reported to the sponsor is required regardless of timeframe (see [Sponsored Projects Policy No. 2137.](#))

....According to the National Institutes of Health Grants Policy Statement, “The fact that a proposed cost is awarded as requested by an applicant does not indicate a determination of allowability.” This means that budgeted items must meet OMB Circular A-21’s requirements of allowability, allocability, and reasonableness. It should not be assumed that the costs budgeted have been approved by the NIH.

.....Dues or membership fees to a professional or technical organization/society are allowable as an F&A cost but *NOT* as a direct cost to a sponsored program.

.....Page charges for publications in professional journals are allowable as a direct charge to an award if the published paper reports work supported by the award and the charges are levied impartially on all papers published by the journal, whether or not written by government-sponsored authors.

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## Industrial Clinical Trial Agreements

ORS has for several years provided investigators with a mechanism to request an early review of clinical trial agreements. This would allow negotiations on contract terms and conditions to commence prior to submission of the research proposal transmittal form to ORS. The required submission form for early review of contracts is available at <http://www.upenn.edu/researchservices/> under forms and agreements.

Increasingly, clinical trial agreements are sent to ORS without any other accompanying information. These cannot be accepted for negotiation because there is insufficient information. For example, there may be no indication if the faculty researcher actually intends to participate in the study, if the budget has been negotiated and accepted or if any IRB submissions have been made. Clinical trial agreement negotiations cannot commence until clinical trial agreements are received in ORS with the early review form or the completed research proposal transmittal form.

It should be noted that the early review process does not replace the need to prepare and submit a Proposal Transmittal and Approval Form and all required documentation. The required documentation includes the contracts, study budget, IRB documentation, patient consent form, protocol, and any needed conflict of interest documentation.

Staff are urged to get the clinical trial agreements submitted to ORS as soon as a decision is made to participate in a clinical trial, particularly for multi-center trials with competitive enrollment.

The Office of Human Research has a University of Pennsylvania template Confidentiality Agreement for the purpose of allowing faculty researchers to receive information from pharmaceutical sponsors. <http://www.med.upenn.edu/ohr/agreements.htm>. OHR can provide guidance and review for confidentiality agreements provided to faculty for such purposes. Confidentiality agreements provided to faculty for other purposes are handled by the Center for Technology Transfer. <http://www.finance.upenn.edu/ctt/>.

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## Frequently Asked Questions...



### What is Expected of a Prudent Person?.....

#### What is a Prudent Person?

We are all familiar with OMB Circular A-21 and its requirements of allowability, allocability, and reasonableness as it relates to expenditures on a sponsored project. What is expected of a prudent person as represented in the following definition of Reasonable Costs:

“A cost may be considered reasonable if the nature of the goods or services acquired or applied, and the amount involved thereof, reflects the action that a **prudent** person would have taken under the circumstances prevailing at the time the decision to incur the cost was made.” ([OMB A-21](#) Sect. C.3)

There is an expectation of this person to do everything in moderation, following the ethical standards of the University and Codes of Conduct of the federal government, and always exercising due care.

The NIH states that: “What is **reasonable** depends upon a variety of considerations and circumstances involving both the nature and amount of the cost. In determining the reasonableness of a specific cost, it is considered reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person in the conduct of competitive business.”

In order to put these various statements into terms that we can all understand it is helpful to use the personal checkbook analysis. The sponsor has given us an award (checkbook). What expectations would you have of a person to whom you entrusted **your** checkbook? Would you want them to be sure that any expense was not frivolous, that was it necessary, that you received good value for what you paid, or that the person who wrote the check did not benefit inappropriately from the purchase? By keeping this analogy and questions in mind as you manage grants it will be easier to understand the sometimes confusing sponsor standards of allowability, allocability and reasonableness.

### What F&A Rate Should I Use in my Proposal?

There seems to be some confusion about the F&A rate for FY05, since ORS has received some proposals that included an F&A rate of 56%. We believe that this misunderstanding is related to the Budget Office instructions for estimating revenue related to F&A recovery in developing budgets for FY05.

The University’s negotiated approved F&A rate is 58.5% until amended. Please continue to use that rate in your proposals until the current agreement is amended. We are due to submit an F&A rate proposal March 31, 2004. Based on past experience, it will be several months after that date before DHHS completes their review and negotiation of that proposal.

## Important Notice Regarding Administrative and Clerical Salaries

The Office of the Inspector General of the Department of Health and Human Services audit plan for FY04 includes an unspecified number of audits of Universities to determine compliance with Section F.6.b. of OMB Circular A-21. This section of A-21 sets out the federal regulations for academic department costs that may be charged as direct costs to federal awards, and those that should normally be charged as F&A costs. **The salaries of administrative costs and clerical staff, office supplies, postage, local telephone costs, and memberships shall normally be treated as F&A costs.** Exhibit C to OMB Circular A-21 identifies the type of awards where these costs may be treated as direct costs.

It is very unlikely that many single investigator initiated NIH R01 awards, and similar awards from other federal sponsors would qualify to allow for the direct charging of these costs. The Policy (Federal Direct Cost Expenditure Policy, No 2110) has been communicated to the University community, in correspondence, in training programs, and in previous newsletter, since these regulations were incorporated into OMB Circular A-21 in 1994. In the process of preparing final financial reports the post award accounting staff of ORS has discovered numerous occasions where these expenses have been charged improperly to NIH R01 and similar awards.

Please see Exhibit C of OMB Circular A-21 below. Review carefully, and make adjustments as necessary to any federal awards you manage that do not meet the requirements specified.

### **Exhibit C -- Examples of "major project" where direct charging of administrative or clerical staff salaries may be appropriate.**

- Large, complex programs such as General Clinical Research Centers, Primate Centers, Program Projects, environmental research centers, engineering research centers, and other grants and contracts that entail assembling and managing teams of investigators from a number of institutions.
- Projects which involve extensive data accumulation, analysis and entry, surveying, tabulation, cataloging, searching literature, and reporting (such as epidemiological studies, clinical trials, and retrospective clinical records studies).
- Projects that require making travel and meeting arrangements for large numbers of participants, such as conferences and seminars.
- Projects whose principal focus is the preparation and production of manuals and large reports, books and monographs (excluding routine progress and technical reports).
- Projects that are geographically inaccessible to normal departmental administrative services, such as research vessels, radio astronomy projects, and other research field's sites that are remote from campus.
- Individual projects requiring project-specific database management; individualized graphics or manuscript preparation; human or animal protocols; and multiple project-related investigator coordination and communications.

## Training Opportunities:

### ORS Quizzes and FAQ's:

Take a moment to look at our quizzes or FAQ section for more guidance on administering 5-funds here at Penn. Both can be accessed by clicking Training on our home page (<http://www.upenn.edu/researchservices/>).

### Outside Upcoming Training:

**National Council for University Research Administrators (NCURA)  
Financial Research Administration Conference, FRAV**

San Diego, February 29 – March 2.

For further information or to register, please go to

<http://www.ncura.edu/conferences/frav/>.

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## Have Questions regarding Post PennERA Sponsored Project Queries?

Send email to [pennerahelp@pobox.upenn.edu](mailto:pennerahelp@pobox.upenn.edu).

Please send details and, if available, attach old and new queries  
for assistance in resolving these issues.

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### January's Contributing Authors, ORS Newsletter:

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## Pre-Award Administration Staff

The Pre-award staff is responsible for processing proposals, reviewing, negotiating, and accepting awards (except for corporate contracts), as well as, providing post-award non-financial administration for these accounts. Questions concerning issues such as no-cost extensions, carryover requests and other administrative matters should be directed to the appropriate pre-award contact.

Questions concerning **industrial clinical trial agreements and sponsored research agreements** should be addressed to the Corporate Contracts Group. Greg Curley is responsible for Account Information Sheets (AIS's) for all industrial clinical trials and sponsored research agreements.

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- Institute for Human Gene Therapy – SOM
- Institute for Neurological Sciences – SOM
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- Diabetes – SOM
- Endocrinology –SOM
- Gastrointestinal – SOM
- General Intestinal Medicine – SOM
- Infectious Disease – SOM
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- Obstetrics & Gynecology – SOM
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- Provost Interdisciplinary Program
- School of Art and Sciences
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- Genetics – SOM
- Hematology/Oncology
- Neurosurgery - SOM
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- Cell & Developmental Biology – SOM
- Center for Bioethics – SOM
- Dermatology
- Geriatrics – SOM
- Microbiology – SOM
- Ophthalmology – SOM
- Otorhinolaryngology – SOM
- School of Nursing
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## Post Award Administration Staff

The main functions handled by these ORS staff members are the preparation of financial invoices and reports, coordination of audits, collection of receivables, cash management functions, and close outs of funds. The Federal Compliance Group handles facilities and administrative costs, employee benefit rates, effort reporting, and compliance issues. Contact Information for all areas is provided below.

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Institute of Neurological Sciences	Neuroscience
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Molecular & Cellular Engineering	
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- School of Arts and Sciences:
 

Chemistry	Linguistics
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- School of Medicine Departments:
 

Center for Bioinformatics	Institute for Medicine & Engineering
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- General University
- School of Social Work
- Van Pelt Library
- Wharton School
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Institute for Research in the Cognitive Sciences	
Systems Engineering	
- School of Arts and Sciences:
 

Economics	Physics
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- School of Medicine Departments:
 

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### *About Our Organization...*

#### *Our Mission*

The Office of Research Services (ORS) oversees the administrative support of the University's externally funded research and is responsible for implementation of University policies established for this purpose. An important part of the ORS mission is service to the research faculty, through the provision of information and advice for the development of applications, and assistance in the administration of awarded grants and contracts.

In this role, ORS

- Supports the schools and centers in the development of proposals for grants and contracts;
- Reviews and approves all proposals before submission to the potential sponsor
- Coordinates negotiations of awards;
- Accepts awards for the University, including the signing of contracts;
- Provides oversight and guidance to faculty and staff concerning the proper management of sponsored projects;
- Prepares all financial reports to sponsors.

In addition to these functions, ORS is responsible for billing of contracts management of letters of credit for payment of grants, preparation of the facilities & administrative and employee benefit rate proposals and rate negotiations, management of the effort reporting system, and oversight of service center rate development. ORS reports jointly to the Senior Vice President for Finance & Treasurer and Vice Provost for Research.

## Office of Research Services Quick Contact List:

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215-898-7269 (Financial Reports & Invoices, Accounting)

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