

**To:** Policy Review and Approval Process

**From:** Brent Brown, Director, Office of Sponsored Projects

**Policy Owner(s):** Vice President for Research (VPR)

**Date:** December 8, 2023

**Re:** Proposed Regulation Policy 7-200: Research Administration Policy

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## Introduction and Background

- The proposed Policy 7-200: Research Administration Policy is a new regulation.
- Oversight of sponsored projects funded by federal agencies is subject to significant regulatory standards. The University must maintain these standards. Federal requirements for sponsored research often have a nexus with university policies. In some cases the University is required to have a policy about a certain issue (for example individual financial conflicts of interest), in other cases the University is permitted to engage in certain sponsored research activities provided the University documents its compliance framework (for example, tuition on grants), and in still other cases the University elects to create a procedure or other guidance document to help communicate the federal requirements and establish conduct specific to the University of Utah.
- Previously, the University has promulgated content about sponsored project oversight in a variety of formats, including formally through university regulations and the Research Handbook, and less formally as through informational webpages.
- After several cases in recent years involving various compliance questions, the Office of the Vice President for Research (VPR) can better service the university and sponsors by formalizing additional compliance standards that haven't otherwise been incorporated into the regulation's library. While these compliance standards may be initiated by the VPR (top-down), it's anticipated that most regulations will be proposed by the department heads and deans/chairs responsible for ensuring compliance (bottom-up). Additionally, the VPR plans to solicit faculty input on all rules impacting faculty conduct.
- While there are various research policies in Part 7 in the Regulations Library, there is not a general research policy under which to organize the regulatory standards for sponsored projects that should be University rules, procedures, or guidelines.
- This type of umbrella policy is unusual in that most University policies describe how the University will be accountable to itself, its faculty, its students, and the community. Additionally, many University policies do not go into a level of detail necessary (e.g. data ownership and sharing). This policy is intended to create accountability between the

University and its external sponsors while proactively mitigating conflict between faculty and leadership by reducing or eliminating subjective application of implicit regulations and arbitrary enforcement of standards.

- This new policy creates that organizational structure necessary for transparent standards and potential enforcement, should those standards not be met.
- Putting federal requirements in university regulations has the benefit of:
  - Creating official authority to apply uniformly across the University.
  - Greater ability for consistent enforcement.
  - More visibility to the University community.
- Challenges of putting research requirements in university regulations include:
  - More difficult to create/change, even when federal requirements change (i.e., full policy process creation and approval process, including shared governance role of the Academic Senate).
  - Uniform compliance standards may increase the administrative burden on researchers and supporting staff.
  - Greater risk of becoming outdated/conflicting with federal requirements and causing confusion.
- It was determined that this new university policy was the best mechanism to allow the VPR to respond to new and updated federal policies and establish research related regulations with agility, while following the university regulations process described in Policy 1-001.

## Regulation Development Process

- This policy proposal was initiated by the Office of the Associate Vice President for Research Integrity & Compliance (ORIC) and the Office of Sponsored Projects (OSP).
- The IPC recommended OSP review the University's *Research Handbook*, and other content to designate and distinguish between guidelines, procedures, rules, and policy.
- OSP gathered feedback from the various Directors under the Office of Research Integrity & Compliance for content that should be considered a policy, rule, procedure, guideline, etc. in their respective areas.
- Related University policies have been reviewed to ensure consistency.
- Similar policies from other academic peers have been reviewed.
- Key stakeholders who have reviewed and support the proposed regulation include:
  - Erin Rothwell, Vice President for Research
  - Jakob Jensen, Associate Vice President for Research
  - Caren Frost, Associate Vice President for Research Integrity & Compliance
  - Robert Payne, Deputy General Counsel
  - Allyson Hicks, Director, University Regulations