AWARD NEGOTIATION AND ACCEPTANCE

OSP Brief
September 22, 2015
TYPES AWARDS

- Grants
- Cooperative Agreements
- Contracts
- Sub-awards
- Gifts
Terms and Conditions

O What are Terms and Conditions?
  O They are the provisions under which BC accepts sponsored project funding.

O Who provides them?
  O They are issued to BC by the sponsor.

O What is the purpose of T’s & C’s?
  O They provide the foundation and the parameters under which the project is conducted.
Major Sections of an Award/Agreement

Statement of Parties
Type of Award
Period of Performance

Award Amount and Payment Terms
Publication
Copyright
Major Sections...

- Project Director
- Intellectual Property
- Compliance Language

- Indemnification
- Governing Law
- Termination
What is OSP Protecting?

Academic Freedom
What is Academic Freedom?

One of the definitions found in Inside Higher Ed:

“Academic freedom gives both students and faculty the right to study and do research on the topics they choose and to draw what conclusions they find consistent with their research, though it does not prevent others from judging whether their work is valuable and their conclusions sound. To protect academic freedom, universities should oppose efforts by corporate or government sponsors to block dissemination of any research findings.”
What Makes up Academic Freedom?

- The main things OSP reviews for:
  - Restrictions on publishing
  - Restrictions on copyright and patents
  - Unduly onerous reporting or technical requirements
Other Items Reviewed

- Unusual Payment and Financial Reporting terms
- Restrictions on rebudgeting
- Prior approvals
- Warranty, insurance, certifications...
Roles and Responsibilities

- Principal Investigator:
  - Review the agreement, particularly the dates and dollars
  - Review the Scope of Work and the Budget
  - Providing clarification on questions related to academic freedom
Roles and Responsibilities...

- OSP
  - Keep PI and Grant Admin apprised on the negotiation process and issues
  - Coordinate with various offices around BC when necessary
  - Work on getting the best terms possible for PI and BC
**Sub-awards**

- **Subawards:**
  - BC is recipient – we negotiate them just as we would any other award
  - BC is issuer – we have to pass down relevant terms from our prime award to the sub-awardee to ensure BC and prime sponsor interests are met
From Award to PAN

- The award has been accepted. What’s the next step?