

**ARTICLE III: RESEARCH AND GRANT
Section 1. Appropriate Use of Grant Funds**

**Policy 1.1: Use of Grant Funds for Faculty
and other Employee Compensation
Issued: March 1, 2001**

The Federal Cost Principles, as articulated in the revised Office of Management and Budget Circular A-21, Section J.8 restricts compensation to regular institutional salary and reads in part:

“Charges for work performed on sponsored agreements by faculty members during the academic year will be based on the individual faculty member's regular compensation for the continuous period which, under the policy of the institution concerned, constitutes the basis of his salary In no event will charges to sponsored agreements ... exceed the proportionate share of the base salary for that period.....”

In general, an individual's monthly salary should be unaffected by the source of funds; grants and contracts, whether governmental or private, should not be used to increase normal compensation.

However, grants and contracts can be used to supplement annual income in cases where appropriated support provides less than 12 months of employment. Thus, for grants funded on a yearly basis, a faculty member under a 10-month contract can receive up to 1 /1 0 of the amount of the 10-month contract for each additional month worked. To the extent that effort is provided, grant funds can also be used to offset appropriated funds for salary support. In general, university employees who are compensated for a full 12 months from appropriated funds cannot receive additional compensation. However, where effort is provided, grant funds can be used to offset appropriated support.

In rare cases, where there is clear documentation that the employee's (faculty or A & P) workload has increased significantly as the result of involvement with the grant or contract, some salary supplementation can occur. However, such increments shall be proportional to the added workload and will require the approval of the contracting/granting agency and the Provost.

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Policy 1.2: Scientific Misconduct
Issued: June 1, 2001

1. Preamble:

Chicago State University recognizes that integrity in research is an uncompromising component of academic life. Toward the end of assuring the continuance of this goal at Chicago State University, we adopt the following procedures for dealing with and reporting possible misconduct in science.

The University recognizes that cases of scientific misconduct are rare. Nevertheless, it is the intent of this policy to provide a basis for dealing with any alleged occurrence of scientific misconduct (as defined in our definitions section) at the University on a research, research-training or research-related grant, or cooperative agreement funded by the Public Health Service (PHS). It is recognized that non-scientific issues are covered by other policies and are not intended to be part of these considerations.

2. Definitions:

- a. "Misconduct" or "misconduct in science" means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data.
- b. "Funded by" means the provision of monetary or other direct support through grants, cooperative agreements, or fellowships, and includes sub-grantees, contractors under grants, and individuals who work on the funded research project even though they do not receive compensation from the Federal funds.
- c. "Investigator" (called the "accused" in this document) means a principal investigator, any co-investigator, the program director or trainee on a training grant, a recipient of a career award or fellowship, or other individual who conducts or is responsible for research or research training funded by PHS or proposed for funding in an application to PHS.
- d. An "Inquiry" means information-gathering and initial fact-finding to determine whether an allegation or apparent instance of misconduct warrants an investigation.

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- e. An "Investigation" means an in-depth examination and evaluation of all relevant facts to determine if an instance of misconduct has taken place.

Definitions for this policy were obtained from the NIH- Guide for Grants and Contracts, Vol. 18, No. 30, September 1, 1988 (as contained in Policy, Memorandum No. 49) and the August 8, 1989 Federal Register, 'Vol. 54, No. 151, page 32449. This Federal Register gives the final rule on 42 CFR Part 50, "Responsibilities of Awardee and Applicant Institutions for Dealing with and Reporting Possible Misconduct in Science."

3. Guiding Principles:

- a. To help insure the protection of academic integrity in research at the University.
- b. To insure appropriate confidentiality for both the complainant and the respondent during the process.
- c. To secure a fair and just hearing for the respondent.

4. Procedures for Dealing with Misconduct:

- a. Scientific Misconduct: Allegations and the Committee Process
 - 1. Assertions or charges of misconduct are to be in writing and signed by the accuser. They are to be submitted to the Provost.
 - 2. The process for dealing with possible misconduct will include the initiation of at least one and possibly two committees. In the case of an accusation, the first committee, the Inquiry Committee, will be appointed by the Provost on an ad hoc basis. The chairperson of this committee will be the Dean of the Graduate School. The committee will consist of the Director of Sponsored Programs plus three (3) additional members -- all of whom have significant University administrative and/or research and teaching experience.

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3. If, and only if, this committee finds reason to pursue the allegations, a second committee, the Investigative Committee, will be convened. The Investigative Committee will be a standing committee appointed by the Provost and shall include the Director of Sponsored Programs as a member. The Dean of the Graduate School shall serve as the Chair of this group. Additional members shall be appointed, on a staggered basis, for three (3) year terms.

b. Accusations and Confidentiality:

Upon receipt in writing of alleged misconduct, the Provost will, if necessary and after appropriate consultations, appoint an ad hoc Inquiry Committee and refer the matter to the Chair of the Inquiry Committee. The Committee will then proceed to initiate an inquiry into the charges. During this process all involved will endeavor to keep confidential the names of both the accused and accuser. Confidentiality will be breached only on a "need to know" basis.

c. The Inquiry and the Investigation:

1. The definitions above emphasize that the inquiry stage of the misconduct process is only to determine whether there is sufficient evidence to initiate an investigation.
2. In many cases, action on the recommendations at this stage of review will complete the case appropriately and justly. For example the allegation of misconduct may be sustained, but its magnitude may be deemed to require only minor sanctions or changes in practice.
3. The investigation stage of the process will occur when, and only if, the inquiry has provided sufficient reason for a formal examination to determine whether misconduct has occurred.
4. Where evidence of serious misconduct is found to be clear and present, and where sanctions may include termination of employment, financial restitution, debarment by a sponsor, or other

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heavy penalties, a full investigation is warranted to establish the scope of the problem and to insure full due process.

5. Inquiry:

- (i) The Chair of the Inquiry Committee will, prior to contacting the committee, discuss with the Provost the possible involvement of legal counsel in the matter. After a determination has been made relative as to whether to involve the legal counsel, the chair will initiate an inquiry as to the merits of the accusation. The inquiry will be completed within 60 calendar days from receipt of the allegation (unless circumstances clearly warrant a longer period). In the process of the inquiry, the appropriate Dean and Department Chair shall be consulted. A written report shall be sent to the Provost.
- (ii) During the inquiry, the accused will be provided with an opportunity to respond to the charges. This response will be duly recorded in the record for these proceedings. Records of this process shall be maintained by the University for 3 years.

6. Investigation:

- (i) If after review of the results of the inquiry, the Provost determines that there is sufficient grounds to warrant an investigation, such an investigation shall be initiated within 30 days of the completion of the inquiry. The investigative body shall consist of the University's Misconduct Investigative Committee plus additional members deemed vital by the Provost for a fair and impartial resolution.
- (ii) The following procedures shall be utilized as part of the investigation:

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- (a) The accused shall be informed in writing of the charges against her/him prior to the initiation of the investigation.
- (b) "The investigation normally will include examination of all documentation, including, but not necessarily limited to, relevant research data and proposals, publications, correspondence, and memoranda of telephone calls."
- (c) "Whenever possible interviews should be conducted of all individuals involved either in making the allegation or against whom the allegation is made, as well as other individuals who might have information regarding key aspects of the allegations: complete summaries of these interviews should be prepared, provided to the interviewed party for comment or revision, and included as part of the investigatory file."
- (d) The committee shall secure the necessary and appropriate expertise to carry out a thorough and authoritative evaluation of the relevant evidence.
- (e) Precaution will be taken against conflicts of interest between the accused and members of the investigating committee.
- (f) Interim administrative action may be taken, as appropriate, to protect federal funds and insure that the purposes of the federal financial assistance are carried out.
- (g) The committee and the University will keep the Office of Scientific Integrity apprised of any developments during the course of the investigation which discloses facts that may affect current or

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potential Department of Health and Human Services funding for the individuals under investigation or that the PHS needs to know to ensure appropriate use of federal funds and otherwise protect the public interest.

7. Actions After the Investigation
 - (i) The University will make a diligent effort, where appropriate, to restore the reputations of persons alleged to have engaged in misconduct when allegations are not confirmed.
 - (ii) Similarly, the University will undertake diligent efforts to protect the position and reputations of those people, who in good faith, made the allegations.
 - (iii) The University will, in accordance with appropriate system and institutional regulation, impose appropriate sanctions on individuals when the allegation of misconduct has been substantiated.
 - (iv) Appropriate federal agencies will be notified of the final result of the investigation.

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Policy 1.3: Policy on Replacement and Release
Time on Grants
Issued: June 1, 2001

In a memo dated August 18, 1998, information on OMB Circular A-21 was distributed to the campus community. The memo stated that project personnel working on federal grants would not be allowed to receive more than one hundred percent of their university salary through grant monies. Because considerable confusion has resulted from differing interpretations. The intent of this memo is to clarify the university policy.

The above referenced regulation does not preclude the university from assigning extra duties to faculty for additional compensation beyond their base salary (i.e. overrides), as long as such assignments are “reasonable” and would not compromise the quality of the faculty member’s primary responsibilities including work on the federal grant. Consequently, the policy that I am putting in place effective immediately is as follows:

- Faculty members who are working as project personnel on federal grants may receive six CUEs as overrides for additional assigned work. The provost may increase this limit up to nine CUEs in exceptional cases if adequate justification exists.
- Grant monies cannot under any circumstances be used to pay for the overrides. Any charges for work performed on sponsored federal agreements must be in strict adherence to the policy as stated in OMB Circular A-21. All override compensation must be paid through appropriate funds or other non-grant related sources.
- Faculty on ten-month contracts who do not plan to teach in summer can receive summer salary (two tenths of regular contracted base salary) for two months full-time summer work if funded by a federal grant.

I am once again requesting your compliance with the federal OMB guidelines in an effort to avoid jeopardizing federal funding and consequently the very survival of the University. Your cooperation in this matter is greatly appreciated.