

FLORIDA STATE UNIVERSITY

POLICY 7A-9

EFFORT COMMITMENT POLICY

Responsible Executive: Gary K. Ostrander, Vice President for Research

Approving Official: Gary K. Ostrander, Vice President for Research

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I. Introduction

This policy sets forth requirements for proposing and managing effort on sponsored project awards administered by Florida State University and the FSU Research Foundation. In requesting sponsored projects funding, the University must ensure that the proposed effort commitments are reasonable and conform to the University's expectations of the Principal Investigator (PI) and key personnel. If the proposed sponsored project is awarded, the University is required to effectively manage key personnel effort within the parameters of the sponsor's requirements and University policy. As a recipient of sponsored awards, the University must assure sponsors that the effort expended on sponsored projects is at least commensurate with the salary charged to those projects, and that any cost-shared effort committed to a project is provided.

II. Policy

In preparing applications for sponsored projects funding, PIs are expected to provide reasonable estimates of the percent of effort necessary to carry out the proposed project. PIs must meet any proposed voluntary or mandatory commitments of effort to sponsors. Key personnel such as PIs and Co-PIs must obtain University and sponsor prior approval for reductions in effort when such approval is required by sponsors.

Key Personnel Definition

FSU will follow the sponsoring agency's definition of Key Personnel if one exists. If no agency definition exists, FSU will define Key Personnel as the Principal Investigators (PIs) and all Co-Principal Investigators (Co-PIs) identified as such in the proposal and/or award.

The National Institutes of Health (NIH) defines key personnel as follows:

Senior/key personnel are defined as individuals who contribute to the scientific development or execution of a project in a substantive measurable way. The program director/principal investigator (PD/PI) is always considered senior/key personnel. The PD/PI may designate other senior/key personnel if they fit the definition.

The National Science Foundation defines key personnel as follows:

A. Senior Personnel

1. (co) Principal Investigator(s) -- the individual(s) designated by the grantee and approved by NSF who will be responsible for the scientific or technical direction of the project. If more than one, the first one listed will have primary responsibility for the project and the submission of reports.

2. Faculty Associate (faculty member) -- an individual other than the Principal Investigator(s) considered by the performing institution to be a member of its faculty or who holds an appointment as a faculty member at another institution, and who will participate in the project being supported.

FSU defines Faculty Associate (as referenced above in the NSF definition of key personnel) as those faculty members appointed with the job codes listed in Appendix A.

For other agencies, refer to their specific policies.

Proposing Effort and Requesting Salary Support

Sponsors generally consider estimates of effort in proposals (budget, budget justification, current and pending support page, etc.) to be binding commitments if such proposals are subsequently awarded. The basis for estimating proposed effort is the same as after-the-fact effort reporting – that is, the proposed or estimated effort must be expressed in relation to each individual’s total compensated effort.

Institutional Policy on Voluntary Cost Sharing of Effort

The University should not typically cost share effort on a voluntary basis, consistent with its objectives of receiving fair compensation from sponsors for research and scholarly activity conducted at the University. A voluntary commitment of cost-shared effort should be made only where the competitive circumstances or perceived institutional benefit of receiving the award are deemed to be sufficiently strong to warrant the commitment. The signature of the department chair and dean on a proposal transmittal form indicates that he or she has approved the effort committed in the proposal. Final approval from the Vice President for Research (or his/her designee) is required.

Volunteer Effort by Retired FSU Personnel

Retired FSU employees may be allowed to donate their personal time under the following conditions:

- The volunteer effort complies with the requirements of FSU's Human Resources department and regulations of the State of Florida. Sponsored Research Administration will not provide any advice about, nor accept any responsibility for, the effects of volunteering or working at FSU during retirement. The volunteer is solely responsible for making the decision to volunteer and understanding the impacts of that decision on his/her retirement status.
- The volunteer can have **no paid University appointment of any type** during the volunteer period.
- At present, the Collective Bargaining Agreement does not address voluntary uncompensated effort. By signing the *Commitment of Volunteer Effort by Retired FSU Personnel* (DSR Form 18), the faculty member agrees that he or she is voluntarily committing personal time, and it cannot be construed as work required by the University.
- Prior approval is obtained from the chair, dean, Vice President for Research, and the sponsoring agency.
- The volunteer must have an active Courtesy appointment in the department where the project is managed.
- If a retired faculty member volunteers uncompensated effort in a proposal to meet a mandatory cost sharing commitment, by signing the Proposal Transmittal Form the chair agrees to cover the cost if the faculty member does not fulfill the promised effort. If a Key Person retires during the period of an existing project, the chair shall submit a written acknowledgement of his/her acceptance of the cost sharing burden in the event the volunteer does not contribute the planned effort. This contribution will be considered Third Party Cost Sharing and requires the submission *Third Party Cost Sharing Commitment Form* (DSR Form 4) Sponsored Research Administration and of a *Certified Statement of Sponsored Project Support: In-Kind/Third Party Contributions* (DSR Form 9) to Sponsored Research Administration Post-Award on a semesterly basis to document the effort contributed.
- If a retired faculty member volunteers uncompensated effort as a Key Person in a proposal (or on an existing award) where cost sharing is not required, the volunteer shall submit a *Commitment of Volunteer Effort by Retired FSU Personnel* (DSR Form 18) to Sponsored Research Administration. The volunteer shall also submit an after-the-fact *Certification of Volunteer Effort by Retired FSU Personnel* (DSR Form 18) to Sponsored Research Administration Post-Award on a semesterly basis to document the effort contributed.
- If the volunteer is the sole investigator on a project:
 - One or more responsible persons must be on the OMNI Project Team with the role of Sponsored Project Manager with ePRO authority, and

- One responsible person must be on the OMNI Project Team with the role of Project Manager (Travel Approver).

Minimum Effort Requirements

Key Personnel are expected to meet minimum mandatory effort requirements on sponsored projects. Acceptance of an award with specified minimum mandatory effort requirements, such as certain program project awards and center or career development awards, carries with it responsibility for meeting those requirements.

Most Federally-funded projects should have some level of faculty or key personnel effort, paid or unpaid by the Federal Government. However, some types of programs, such as programs for equipment and instrumentation, doctoral dissertations, and student augmentation, do not require faculty effort. If a proposal is awarded, the faculty member and key personnel are committed to providing the level of effort proposed unless sponsor policies permit otherwise.

Maximum Allowed Sponsored Project Effort

Most faculty members generally have responsibilities for teaching, administration or other duties that would preclude them from devoting 100% of their time to sponsored activities. Department chairs, faculty, and department research administrators should regularly review proposed sponsored activity to ensure that, if other activities required of the faculty member reduce the available effort to devote to sponsored activities, adjustments are made consistent with sponsor terms and conditions.

Salary support for teaching, departmental administration, service, clinical activity, new or competing proposal preparation and institutional governance must come from University funds unless they are specifically approved activities of a sponsored project. It may be appropriate for certain research faculty and staff to be charged at 100% effort to a sponsored project in cases where such other responsibilities do not exist.

National Science Foundation (NSF) Salary Limitation

The NSF Grant Proposal Guide (January 2009) states:

*As a general policy, NSF limits salary compensation for senior project personnel to no more than two months of their regular salary in any one year. This limit includes salary compensation received **from all NSF-funded grants**.*

This effort must be documented in accordance with the applicable cost principles [i.e., effort certification]. If anticipated, any compensation for such personnel in excess of two months must be disclosed in the proposal budget, justified in the budget justification, and must be specifically approved by NSF in the award notice.

The University will use the period of Summer Semester through Spring Semester as the benchmark for this “any one year” rule.

Sponsor-Imposed Salary Caps

Certain sponsors, particularly NIH, impose a limit or cap on the annual rate of salary reimbursement for a given amount of effort. The difference between the reimbursed salary (capped amount) and the un-reimbursed salary (amount above the cap) is considered committed cost sharing and shall be funded by a non-sponsored source of funds. The PI and other key personnel must still devote the amount of effort agreed upon irrespective of a sponsor-imposed salary cap. Please refer to FSU’s Campus Cost Sharing Procedures to the proper method of accounting for over-the-cap salaries. The current salary cap for NIH can be found on the Sponsored Research Facts sheet at: <http://www.research.fsu.edu/media/2301/factsheet.pdf>.

Reduction of Effort Commitments

During the life of the award, when required by sponsor policies, it is the PI’s responsibility to obtain University (chair, dean and Sponsored Research Administration) and sponsor prior approval for absences (generally 3 months or more) or significant reductions (generally 25% or more) of the PI’s and/or other key personnel effort. If a reduction in effort commitment is made, the salary must be reduced commensurate with the effort.

It is each key person’s responsibility to be aware of his/her effort commitments and to communicate any inability to meet those commitments to Sponsored Research Administration to ensure that any necessary sponsor approvals of their reduced effort are obtained. Whenever a significant change in effort is anticipated, faculty, department administrators, and department chairs should review activity to assure there is sufficient time available to meet all obligations.

Establishment of Cost Sharing Accounts for Salary

Please refer to FSU’s Cost Sharing Policy and Campus Cost Sharing Procedures.

Roles and Responsibilities

Key Personnel

- Provide reasonable estimates of effort in order to carry out the aims of the proposals and fulfill other University obligations.
- Meet effort commitments whether paid for by the sponsor or cost shared.
- Comply with sponsor requirements regarding reduction in effort and absences.
- Nine-month faculty must receive the prior approval of the chair and dean in order to earn up to three full summer months of salary on sponsored projects for effort expended on sponsored projects during the summer.

Department Head/Chair

- Approve mandatory and voluntary cost sharing.
- Review any effort committed in a proposal to ensure that it does not conflict with any other effort commitments a faculty member has.

Sponsored Research Administration and FSU Research Foundation

- Ensure that proposals submitted to sponsors are reviewed in accordance with the requirements of this policy and the sponsor.
- Review and approve University requests for reductions of effort and absences as required by sponsor terms and conditions.

Sponsored Research Administration Post-Award and FSU Research Foundation

- Ensure that sponsor imposed salary caps are calculated correctly and salaries are recorded properly in the University’s accounting system.
- Review awards to ensure that appropriate cost sharing accounts are created for committed cost sharing.
- **APPENDIX A**

FSU defines Faculty Associate (as referenced above in the NSF definition of key personnel) as those faculty members appointed with the job codes listed below.

Job Code	Descr	Job Code	Descr
90014O	Adjunct Professor	9006AO	Grad Research Prof 12 Mo OPS
90014V	Overload Adjunct Professor	9006AS	Grad Research Prof 12 Mo SAL
90019O	Professor 9 Mo OPS	90079O	Distinguished Prof 9 Mo OPS
90019S	Professor 9 Mo SAL	90079S	Distinguished Prof 9 Mo SAL
90019V	Overload Visiting Professor	9007AO	Distinguished Prof 12 Mo OPS
9001AO	Professor 12 Mo OPS	9007AS	Distinguished Prof 12 Mo SAL
9001AS	Professor 12 Mo SAL	90089O	Regents Professor 9 Mo OPS
9001PR	Professor Phased Retirement	90089S	Regents Professor 9 Mo SAL
90024O	Adjunct Asoc Professor	9008AO	Regents Professor 12 Mo OPS

90024V	Overload Adjunct Assoc Prof	9008AS	Regents Professor	12 Mo SAL
90029O	Asoc Professor 9 Mo OPS	90099O	Eminent Scholar	9 Mo OPS
90029S	Asoc Professor 9 Mo SAL	90099S	Eminent Scholar	9 Mo SAL
90029V	Overload Visiting Assoc Prof	9009AO	Eminent Scholar	12 Mo OPS
9002AO	Asoc Professor 12 Mo OPS	9009AS	Eminent Scholar	12 Mo SAL
9002AS	Asoc Professor 12 Mo SAL	9016AS	Univ Sch Professor	12 Mo SAL
9002PR	Asoc Professor Phased Ret	9016BO	Univ Sch Professor	10 Mo OPS
90034O	Adjunct Asst Professor	9016BS	Univ Sch Professor	10 Mo SAL
90034V	Overload Adjunct Asst Prof	9017AS	Univ Sch Asoc Prof	12 Mo SAL
90039O	Asst Professor 9 Mo OPS	9017BO	Univ Sch Asoc Prof	10 Mo OPS
90039S	Asst Professor 9 Mo SAL	9017BS	Univ Sch Asoc Prof	10 Mo SAL
90039V	Overload Visiting Asst Prof	90184O	Adjunct Univ Schl Asst Prof	
9003AO	Asst Professor 12 Mo OPS	9018AS	Univ Sch Asst Prof	12 Mo SAL
9003AS	Asst Professor 12 Mo SAL	9018BO	Univ Sch Asst Prof	10 Mo OPS
9003PR	Asst Professor Phased Ret	9018BS	Univ Sch Asst Prof	10 Mo SAL
90044O	Adjunct Instructor	90194O	Adjunct Univ Schl Instr	
90044V	Overload Adjunct Instructor	9019AS	Univ Sch Instructor	12 Mo SAL
90049O	Instructor 9 Mo OPS	9019BO	Univ Sch Instructor	10 Mo OPS
90049S	Instructor 9 Mo SAL	9019BS	Univ Sch Instructor	10 Mo SAL
90049V	Overload Visiting Instructor	90539S	Univ Librarian	9 Mo SAL
9004AO	Instructor 12 Mo OPS	9053AO	Univ Librarian	12 Mo OPS
9004AS	Instructor 12 Mo SAL	9053AS	University Librarian	12 Mo SAL
9004PR	Instructor Phased Retirement	9053PR	Univ Librarian Phased Ret	
9004RS	Instructor (NRA) 12 Mo SAL	90549O	Assoc Univ Librarian	9 Mo OPS
90054O	Adjunct Lecturer	9054AO	Assoc Univ Librarian	12 Mo OPS

90054V	Overload Adjunct Lecturer		9054AS	Assoc Univ Librarian	12 Mo SAL
90059O	Lecturer	9 Mo OPS	9054PR	Assoc Univ Librarian	Phasd Ret
90059S	Lecturer	9 Mo SAL	9055AO	Asst Univ Librarian	12 Mo OPS
90059V	Overload Visiting Lecturer		9055AS	Asst Univ Librarian	12 Mo SAL
9005AO	Lecturer	12 Mo OPS	9056AO	Instructor Librarian	12 Mo OPS
9005AS	Lecturer	12 Mo SAL	9056AS	Instructor Librarian	12 Mo SAL
90069O	Grad Research Prof	9 Mo OPS	91269S	Program Director	9 Mo SAL
90069S	Grad Research Prof	9 Mo SAL	9126AS	Program Director	12 Mo SAL

III. Legal Support, Justification, and Review of this Policy

Sponsoring Federal agency policy and Fla. Stat. 1004.22.

These policies will be reviewed when changes are necessary.

Gary K. Ostrander, Vice President for Research

August 1, 2014