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The administration of sponsored projects is a partnership between principal investigators (PIs), the administrators and staff of San José State University (SJSU), and the San José State University Research Foundation (“SJSU Research Foundation” or “Research Foundation”). The Research Foundation has developed this Project Administration Guide to provide the information necessary to assist principal investigators (PIs), project directors, and administrators in successfully meeting programmatic goals and fulfilling important administrative requirements.

The **Project Administration Guide** presents an overview of Research Foundation services, describes the partnership and collaboration between the principal investigator, the Research Foundation and other SJSU staff, and outlines general roles and responsibilities. This guide is intended to provide PIs and their staff with tools and information on the project life cycle including identifying funding, developing and submitting proposals, managing funded projects, and successfully closing the project at the end of the research grant period. Guidelines covering the full range of project activities, including recruitment, hiring, time reporting, procurement, travel, consulting services, and other project needs are also provided.

To preserve the ability to meet its needs under changing conditions, the San José State University Research Foundation may modify, augment, delete, or revoke any and all policies at any time. Such changes shall be in writing and effective immediately upon approval by the executive director.

Please feel free to contact members of the Research Foundation staff with any questions. A complete staff directory can be found on the [SJSU Research Foundation website](https://www.sjsu.edu/research/foundation/). We welcome feedback and any comments you may have for improvements on this guide or for the distribution of this information.
The SJSU Research Foundation is an auxiliary of San José State University that operates as a separate legal entity under the Division of Research and Innovation, and is one of the oldest of the non-profit corporations in the California State University system. Incorporated in 1932 as “the San José State College Corporation,” the Research Foundation’s name changed in 1961 to “The San José State College Foundation” and in 1975, to “The San José State University Foundation.”

In February 2007 “Research” was added to the foundation’s name to underscore the important dimension of faculty scholarship, productivity, and contribution to the university’s teaching mission, and to distinguish the Research Foundation from the university’s Tower Foundation, which focuses on philanthropic aspects, including corporate gift funding, private donations, and bequests.

As an integral member of the San José State University community, the Research Foundation provides an entrepreneurial framework through which local, state and federal agencies, businesses, and private foundations engage SJSU faculty and students in sponsored research, public service and community projects, consulting and other specialized educational activities in support of the university’s mission.

Organized into four major functions—Office of Sponsored Programs, Human Resources, Finance and Accounting, and Information Technology Support Services—the Research Foundation is governed by a board of directors, and operates under the leadership of the Research Foundation executive director. The team provides support throughout the life cycle of the sponsored project including: identifying sources of funding, coordinating proposal plans and budgets, providing assistance during proposal development, submitting the proposal to the sponsoring agency, and managing business operations once the project is funded. In partnership with the Office of Research, the Research Foundation also provides compliance review throughout the entire life cycle of the project.
The Research Foundation is dedicated to assisting SJSU faculty and staff in obtaining support for research, scholarly, and creative activity from federal, state, and local funding agencies, and delivering specialized business services to support a diverse range of externally-funded activities. The Research Foundation does the following:

- Serves as the campus sponsored programs administrator (SPA),
- Partners with San José State University faculty, students, research affiliates, and staff to enable success in research, scholarship, and creative activities (RSCA),
- Fosters the university’s quest for excellence by:
  - Ensuring the appropriate infrastructure to support faculty’s RSCA endeavors and expand student horizons
  - Delivering specialized business services
  - Developing partnerships with the community
Successful research program administration requires collaboration and consistent communication between SJSU principal investigators (PIs) and administrative staff and Research Foundation functional teams. The SJSU Research Foundation manages all sponsored program accounts and self-support program accounts. Endowment accounts, scholarships, gifts and donations are managed by University Advancement and the Tower Foundation.

The following sections describe the distinction between sponsored programs and self-support programs, as well as the roles and responsibilities of principal investigators and the Research Foundation teams.

**Sponsored Programs**

Sponsored programs are projects or activities that are funded by an external organization such as a federal, state, county, or city organization. The following elements determine whether external funding falls within the definition of a sponsored program.

**Commitment from an External Sponsor**

Sponsored programs require a written commitment from the sponsor that follows receipt and acceptance of a proposal. The commitment may take various forms, such as a grant agreement, contract, purchase order, or a letter of award. All federal funds, including funds passing through other sponsors, must be administered as sponsored programs. Funds may also come from state or local government, business and industry, or not-for-profit organizations, including associations, foundations, and other universities.

Under no circumstances may project work proceed without a formal commitment in writing from an external sponsor. Under certain circumstances the project may proceed when a pre-award spending agreement between the SJSU Research Foundation and the SJSU academic unit (department and college) have been established.

**Project-Specific Activities and Use of Funds**

A sponsored program consists of funded projects covering a range of project-specific activities as defined by the sponsoring agency. The overall indicator that an activity is a sponsored project is that the sponsor provides support for a specific activity, and the activity delivers something back to the sponsor. This indicator along with restrictions on the use of funds awarded by the sponsor will trigger the creation of a sponsored programs account.
Faculty or Staff Leadership
Each program involves a faculty or staff member qualified to serve as a principal investigator or co-principal investigator who provides leadership in determining, proposing, and completing the activities of the project.

Audits
The terms and conditions of any award documents must be reviewed before acceptance and must comply with the university and sponsor’s policies and regulations, and applicable laws. Sponsors have the authority to conduct reviews and audits of programs for fiscal and programmatic compliance. The Research Foundation is also required to undergo the Single Audit (formerly the A-133 Audit) annually, and the CSU Chancellor’s Office Audit at regular intervals.

Period of Performance
Each program or contract has its own longevity, with specific starting and ending dates. It is critically important to note that work may not proceed prior to the designated start date or go beyond the designated end date without the specific authority established via a pre-award spending agreement or a no-cost extension. Such authority rests entirely between the SJSU Research Foundation, external sponsor, and SJSU academic unit (department chair and college dean).

Work Products – Final Reports, Products, or Other Deliverables
At the conclusion of a sponsored program work products usually include one or more deliverables. Deliverables may include anything to which both parties have agreed in advance. Some deliverables may be specific, while others may be more general. Deliverables may take the form of tangible products, written progress reports, or financial reports. Please note that required progress reports must be submitted to the sponsor in a timely manner by the deadline established by the sponsor. The following are examples of required deliverables:

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Deliverables such as these and other forms of intellectual property may be subject to patent, copyright, or other statutory protection, and are subject to the guidelines defined in the SJSU Academic Senate Policy F98-3 Intellectual and Creative Property Policy. To read full policy details visit the Research, Scholarship, and Creative Activities web page on the SJSU Academic Senate website.
Self-Support Programs

Self-Support programs, formerly referred to as “campus programs,” include a broad range of education-related activities that are non-state-funded, not for academic credit, and are directed by SJSU faculty, administrators or Research Foundation management.

Self-Support programs enhance SJSU’s educational mission, and enrich the university’s learning environment, and are typically underwritten by user and services fees or by the SJSU Research Foundation. Funding for self-support programs comes from the activities, services, or products provided by the project.

Examples of Self-Support Activities include:

- Seminars, conferences, and workshops delivered by faculty or administrators
- Faculty development and specialized training (non-academic credit)
- Special events

The Research Foundation Self-Support Programs team provides financial oversight and management of non-state funded activities underwritten by user or service fees or by the SJSU Research Foundation, which includes the following:

- Setting up the appropriate 30 and 50 series accounts.
- Monitoring funds and transactions to ensure that the project is in compliance with required policies.
- Advising principal investigators, staff and administrators on policies and procedures.
- Serving as liaison between principal investigator and other departments (such as HR, Payroll, and Accounting) on transactions.
- Closing out the accounts when the project concludes.

Principal Investigator—Definition and Responsibilities

NOTE: Various agencies and organizations often use the term principal investigator (“PI”) and project director (“PD”) interchangeably. The Research Foundation generally uses the term principal investigator.

The principal investigator is the lead scientist or researcher on a project and is directly responsible for the day-to-day management of research activities, for meeting established timelines, completing the project, and for providing reports and other deliverables to the sponsor as required. Ultimately the PI is responsible for ensuring compliance with all academic, scientific, financial, technical, and administrative aspects of the program.

SJSU Academic Senate policy S18-5—University Policy, Research, Scholarship, and Creative Activity, specifically states that while there may be any number of co-PIs, there must be one individual who is recognized as lead PI has responsibilities during all phases of the research project life cycle and is ultimately responsible for the following:
• Initiating contact with the SJSU Research Foundation in a timely manner,

• Complying with SJSU and Research Foundation policies and procedures regarding timelines, development, review, and approval of proposal submissions,

• Ensuring that all the information in the proposal is presented in a manner that is complete, accurate, and developed according to the practices commonly accepted within the scientific community,

• Conducting the sponsored project and completing the required reports,

• Ensuring that deliverables are in accordance with applicable university, Research Foundation, and sponsor or funder policies and guidelines,

• Ensuring that all required university and Research Foundation forms and certifications are completed in a timely manner,

• Conducting the work on the project according to the research protocol or statement of work that was submitted with the original proposal or as subsequently modified by the sponsor or funder in agreement with the PI, the university, and the Research Foundation,

• Managing the project budget so that funds are spent in accordance with financial and administrative policies and ensure timely submission of expenses for reimbursement;

• Managing project personnel in compliance with federal and state laws, as well as university and SPA policy;

• Managing the retention and storage of all programmatic technical materials and reports in accordance with sponsor or funder guidelines and requirements.

Principal Investigator Eligibility
As set forth in Academic Senate policy S18-5, faculty members at SJSU on the tenure-line having the rank of assistant, associate or full professor as described in their letter of appointment are eligible to be a PI on sponsored projects.

Additionally, individuals in the following groups may serve as PI upon approval:

- Faculty Early Retirement Program (FERP),
- Emeriti, temporary (lecturers),
- Adjunct, visiting, and volunteer faculty,
- University or auxiliary employees

For academic personnel in these groups, the relevant department and college will make a recommendation regarding their expertise. The dean or designee will make a recommendation regarding the stated willingness of the potential PI to comply with
administrative and fiduciary requirements. Non-academic personnel will use a parallel recommendation process. The recommendations are forwarded along with a curriculum vitae or resume to the associate vice president for the Office of Research for final decision. This approval may provide limited eligibility for a specific proposal or provide status for submissions for a specified period.

If the associate vice president for the Office of Research does not approve the request, the dean or unit head will be notified and alternative PI solutions will be discussed.

Co-Principal Investigators
Although one individual must be named as principal investigator on every proposal, several co-principal investigators may be included on the project. A co-principal investigator (Co-PI) may be a faculty member, student, or other university personnel. However, certain sponsors or funders may require additional specific PI or Co-PI eligibility criteria. Individuals from outside SJSU may serve as Co-PI upon approval from the associate vice president for the Office of Research.

Research Foundation Responsibilities and Support
The Research Foundation acts as fiscal sponsor for awards and has responsibility for pre-award and post-award financial administration, including determinations regarding overhead and administrative costs within university policy and practice. In its role as the administrator and fiscal liaison for all externally funded grants, contracts, and special projects, the Research Foundation administers grants and contracts in accordance with sponsor requirements and CSU Executive Order 890 - Administration of Grants and Contracts.

Services and support provided by the Research Foundation make it possible for faculty who are engaged in research to focus more on conducting research and the project deliverables required for funding agencies, and less on administrative and regulatory requirements, or on marketing their work for continued future funding. The following four functional teams deliver services and support:

Office of Sponsored Programs (OSP)
Within the Research Foundation, the Office of Sponsored Programs provides Pre-Award services, Post-Award services, and Self-Support Program management services for San José State University’s sponsored projects.

Pre-Award services include sponsored programs information services, proposal development and submission services, and proposal processing services. Post-Award management services include grant and contract management and project administration services. Self-Support Program management services include oversight of education-related activities that are non-state-funded and are directed by SJSU faculty, administrators, or senior foundation managers. OSP services and support include the following:

- Sponsored programs communication and publications; funding alerts, and custom searches
• Grant-search consultations; guidance on use of grant-search tools
• Grant-related workshops and webinars
• Review of sponsor guidelines
• Coordination and assistance with proposal plans, project budgets, and submission timelines
• Review and verification of compliance
• Proposal routing for authorized signers’ approvals
• Award negotiation and acceptance on behalf of the PI
• New account setup, including creation of timelines for deliverables
• Project management orientation for PIs
• Oversight of day to day fiscal management and compliance regulations
• Monitoring of budgets and cash flow
• Administering and monitoring of subcontracts
• Oversight of required technical and financial progress reports to ensure timely submissions as required by sponsors
• Assistance with annual financial audits, CSU audits, and sponsoring agency audits
• Project closeout in collaboration with Finance and Accounting and with Human Resources

Human Resources
The Human Resources team is responsible for the Research Foundation recruitment, hiring of employees, and classification of all positions. The team also ensures compliance with labor law, manages employee relations, employee training, provides guidelines for immigrant visa matters, and administers employee benefits and workers’ compensation. Support provided by the Human Resources team includes the following:

• Guidance on applicable employment and labor law compliance
• Assistance with workforce planning; recruitment and staffing
• Payroll services
• Assistance with immigration guidelines (F-1, J-1, H-1B Visa)
• Employee relations
• Onboarding of staff; benefits administration
• Compensation analysis and review

• Project closeout assistance in collaboration with the OSP and Finance and Accounting teams

Finance and Accounting
The Finance and Accounting team provides oversight of sponsored funds and helps to ensure operational efficiencies. The department includes: accounting, financial systems and reporting, investments, business services and risk management. Support provided by Finance and Accounting includes the following:

• Oversight of facilities and administrative (F&A) rates and fringe benefit rates

• Assistance with sponsoring agency compliance requirements

• Accounts Payable services

• Accounts Receivable services

• Oversight of insurance requirements in contract services

• Procurement services (including P-Cards, independent contractor agreements)

• Property/Fixed Assets services

• Project closeout in collaboration with the OSP and Human Resources teams

Information Technology Support Services
The Information Technology Support Services (ITSS) team oversees the enterprise resource planning (ERP) system that supports all functional areas of the Research Foundation and the OSP Funding Alert system. In collaboration with the SJSU campus Information Technology (IT) team, ITSS provides oversight and maintenance for all Research Foundation IT systems and operations, which includes tools for Central Office to access their timecards and other records as well as online reporting tools for principal investigators.

• **Employee Online Portal** - provides Central Office and project employees easy access to their records such as timecards, check stubs, vacation and sick leave tracking.

• **Principal Investigator (P.I.) Online Portal** - provides principal investigators access to online reporting tools.
Efficient and effective proposal development and award management require collaborative effort between the principal investigator, the Research Foundation, and other staff—each with specific roles and responsibilities.

So where do we start? As soon as principal investigators have a research idea or concept, best practices suggest the following:

- Contact the dean of the college and the department chair to share plans to seek external funding for research
- Look for opportunities for collaboration with peers
- Contact the Research Foundation as early as possible to become familiar with the research project life cycle (shown below) and the services and resources that are available to faculty researchers. A [staff directory](#) is accessible from the Research Foundation website.

The following sections describe resources, actions, as well as the roles and responsibilities involved in the various phases of the research project life cycle.

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**Six Phases of the Research Project Life Cycle**

- **Finding Funding**
- **Developing and Submitting Proposals**
- **Award Negotiation**
- **Award Setup**
- **Managing the Project**
- **Project Closeout**
Finding Funding

A successful funding search is multifaceted, and requires individual effort on the part of the principal investigator, as well as collaborative effort, which involves partnering with others who can assist with the search for funding. The Office of Sponsored Programs Information Services team—responsible for the overall communication and dissemination of research-related information—partners with principal investigators during the Finding Funding phase of the research project life cycle to offer an array of services and support.

During the search for funding, it is recommended that the PI do the following:

- Review proposals that the sponsor of interest has funded in the past as well as their current funding trends
- Discuss areas of interest with colleagues in the same field who may have similar interests
- Contact OSP Information Services to find out about available funding search databases, grant-related information and grant search tools
- Subscribe to Research Foundation funding alerts
- Subscribe to related listservs

Funding Search Support and Services

The OSP Information Services team’s support and services include the following:

- **Funding Alerts** — Email notifications of grant-related information and funding opportunities sent to registered SJSU faculty subscribers. Alerts include program descriptions, sponsor’s submission deadlines and internal deadlines (if applicable). To learn more about funding alerts and how to begin receiving email alerts, visit the Research Foundation Funding Alerts web page.

- **General Funding Opportunities Postings** — Opportunities are posted on the Research Foundation website and are organized by discipline and due date. To view the postings, visit the Research Foundation General Funding Opportunities web page.

- **Limited Submission Program Opportunities Postings** — Programs that limit the number of applications the sponsor will accept from an institution. Links to these opportunities are posted on the Limited Submission web page and are organized by Research Foundation internal deadlines.
Responses to limited submission opportunities require internal review and approval before a full proposal can be submitted on behalf of the university. Faculty interested in such opportunities must submit an internal SJSU Letter of Intent (LOI) to their department chair and dean and to the deans and chairs of all Co-PIs listed on the LOI, with a copy to brenda.swann@sjsu.edu. For complete process details including responsibilities of PIs, deans and chairs, as well as the review and approval criteria, visit the Limited Submission Process web page on the Research Foundation website.

- **One on One Consultations** — Meetings arranged by appointment to discuss individual interest and to learn about the available search tools and resources and how the team can assist with the search for funding.

- **Custom Searches** — Searches based on specific criteria provided by the faculty researcher. To request a custom search, download and complete the Funding Alert System Keyword Selection and Subscription Form. Return the form along with your request to research-foundation-osp-infoservices@sjsu.edu. The form is accessible from the Funding Alerts web page.

- **Listings of Government Agency Funding Sources such as the National Science Foundation, National Institutes of Health, National Endowment for the Arts, National Endowment for Humanities, and National Oceanic and Atmospheric Administration**

- **Access to Research Databases**
  - **Grants.gov** — includes federal grant opportunities and a comprehensive Grants Learning Center.
  - **Grants Resource Center (GRC)** — includes the GrantSearch feature and other resources such as a Funded Proposal Library. Send a request to Brenda Swann (brenda.swann@sjsu.edu) for login credentials.
  - **Sponsored Programs Information Network (SPIN)** — The world’s largest database of sponsored funding opportunities. Full access to search features requires registration that must be validated by the SPIN administrator at the Research Foundation. Basic searches can be conducted without creating a profile as long as you are logged into the SJSU network. To create a profile, visit the SPIN log in page.

For additional information on funding resources, visit the SJSU Research Foundation Finding Funding web page.
Proposal Development and Submission

Sponsored programs managers and faculty researchers collaborate consistently and on an ongoing basis during the developing and submitting phase of the research project life cycle. Early planning is critical. Principal investigators are encouraged to contact the designated Sponsored Programs manager as soon as they know that they plan to develop a proposal in response to an agency’s solicitation.

Sponsored programs managers assist principal investigators with interpreting solicitation guidelines, budget preparation, and compliance. Sponsored programs managers also perform final quality assurance checks, and upon final approval from the AVP for Research, submit the proposal on behalf of the Authorized Organizational Representative (AOR). The Proposal Submission Timeline Chart has been provided to assist with planning and facilitation. The downloadable chart is accessible from the Research Foundation Forms web page.

The roles and specific responsibilities of principal investigators and sponsored programs managers are detailed below.

Development and Submission Roles and Tasks

The roles and specific responsibilities of principal investigators and sponsored programs managers during the proposal development and submission phase are detailed below.

Principal Investigator’s Role

- Contact the Office of Sponsored Programs manager early and inform the manager of the plan to submit a proposal,

- In accordance with the Research Foundation Proposal Submission Timeline Chart, provide a copy of the sponsor’s solicitation, the project title, budget details, budget justification, scope of work, and other relevant information. The Research Foundation Proposal Submission Timeline Chart, is accessible from the Research Foundation Forms web page.

- Read and understand the funding opportunity guidelines,

- Work collaboratively with the manager and adhere to the Research Foundation Proposal Submission Timeline Chart,

- Comply with SJSU and Research Foundation policies and procedures regarding the review and approval of proposal submissions,
• Ensure that all information in the proposal is presented in a manner that is complete, accurate, and developed according to the practices commonly accepted within the scientific community.

• Ensure that all required university forms and certifications are completed in a timely manner.

• Disclose any real or potential conflicts of interest according to the Research Foundation’s Financial Conflict of Interest Policy.

• If subawards are included, provide names of subaward PIs as well as contact information for their institutional officials.

• Ensure that all the information in the proposal is presented in a manner that is complete, accurate, and developed according to the practices commonly accepted within the scientific community.

NOTE - Early planning is critical. PI’s are encouraged to refer to the Proposal Submission Timeline Chart, available on the Research Foundation website.

Sponsored Programs Manager’s Role

• Interpret sponsors guidelines,

• In collaboration with the PI, develop and ensure that the project budget is accurate and is in accordance with the sponsor’s guidelines,

• Discuss needs and strategies that require support from the Human Resources and the Finance and Accounting teams,

• Inform the PI of compliance requirements,

• Provide a quality review of required proposal documents and verifies compliance of the proposal,

• Initiate and facilitate on-campus routing for review and approval,

• Ensure that all applicable forms are completed such as:
  ▪ Proposal Routing and Approval Form (PRAF)
  ▪ IRB Commitment Form – for projects that involve human subjects
  ▪ IACUC Commitment Form – for projects that involve animal subjects. You are committing to obtaining required approvals prior to beginning work on project.
  ▪ Financial Conflict of Interest per Policy and in compliance with the Uniform Guidance
  ▪ California Form 700-U – for use with Non-Governmental Entities
Cost Share Commitment Form - for projects that require SJSU cost share or matching funds

- Perform final quality assurance checks,
- Submit the proposal on behalf of the Authorized Organizational Representative (AOR) upon final approval.

Assistance may also be needed from Research Foundation Human Resources during this phase for the following:

- Guidance on applicable employment,
- Labor law compliance,
- Assistance with workforce planning decisions.

Finance and Accounting teams can be consulted during this phase for the following:

- Confirmation of current fringe benefit rates and applicable facilities and administrative (F&A) rates as set by Department of Health and Human Services (DHHS),
- Assistance with risk management services (including event planning, travel, field trips involving students and minors, and all project-related activity),
- Guidance on risk mitigation strategies (waivers, certificates of insurance and indemnification).

Budget Preparation

An essential part of proposal development is preparing a budget that aligns with the project narrative and includes appropriate costs for the project. In compliance with CSU policy and sponsor’s requirements, all costs must also be reasonable, allowable and allocable. Depending on its nature, size, or complexity, a sponsored project may include subrecipients, or vendors. The PI should determine at the proposal stage, whether he or she will collaborate with another institution or entity to complete a portion of the proposed scope of work. When the scope of work and budget include an award by SJSU to other institutions or business entities, an agreement must be drawn up to document the collaboration. The agreement must include transaction details, terms, and conditions, and must always clearly define the responsibilities of each entity.

As defined in 2 CFR § 200.92 Uniform Guidance, Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program.

When the Research Foundation grants a subaward, the Research Foundation is responsible for monitoring the programmatic and financial activities of its subrecipients to ensure compliance with federal laws and regulations, the monitoring requirements
of the Office of Management and Budget (OMB) Uniform Guidance 2 CFR Part 200, and with the provisions of any agreements that govern the subaward agreement. The Uniform Guidance is effective for federally sponsored agreements and new funding increments awarded on or after December 26, 2014. Federal awards received before December 26, 2014 must continue to follow the requirements in OMB A-21 and the Research Foundation policy on subawards.

**Subrecipient** refers to a non-federal entity that expends federal funds received from a pass-through entity to carry out a federal program, but does not include an individual that is a beneficiary of such a program (participant). A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency. Guidance on distinguishing between a subrecipient and a vendor is provided in 99.210 of the 2 CFR 200. Vendors may be either service contractors or independent contractors.

**Subrecipient Assessment**
Before a subaward agreement is created, the Research Foundation Office of Sponsored Programs manager will work with the PI to gather and review all the required subrecipient materials, and complete a subrecipient assessment to determine the collaboration poses a level of risk. If the subrecipient is assessed as a medium or high risk institution, the designated sponsored programs manager will provide subrecipient training (via webinar) before entering the subaward agreement.

Additionally, the Sponsored Programs manager will ensure that the subrecipient institution has: approved the collaboration, reviewed and approved its portion of the proposal, and submitted a budget and scope of work along with any required institutional commitments to be included in the proposal.

**Service Contractor** refers to a dealer, distributor, merchant, or other seller providing goods or services that are required for the conduct of a federal program. These goods or services may be for an organization’s own use or for the use of beneficiaries of the federal program.

**Independent Contractor (IC)** refers to an individual, sole proprietor, or one person limited liability company (LLC)—using his or her own social security number—not the LLC’s tax ID—who is contracted to perform or deliver specific tasks or services that are not normally engaged in by the Research Foundation or SJSU in its usual business. IC’s are not considered employees of the Research Foundation.

During the review process, proposal reviewers and approvers will determine whether the proposed budget is in compliance and properly aligns with the project narrative. Sponsored Programs managers assist with developing a realistic budget that aligns with the project narrative and help to ensure that the budget adequately and accurately covers all applicable project costs.

The Research Foundation internal **Proposal Budget Template** should be used to create a detailed list of items for the project budget. The template is available on the Research Foundation Forms web page. Budgets typically include direct costs and facilities and administrative (F&A) costs (also referred to as indirect costs).
Direct Costs
Direct costs are costs that can be identified with a specific sponsored project or that can be directly assigned to project activities relatively easily with a high degree of accuracy such as:

Salaries of Project Staff - SJSU employees or are direct hires through the Research Foundation. Faculty salaries must be confirmed with university payroll rates, and in accordance with SJSU polices. Salaries are calculated based on workload by time, hours, or effort, and may include release time, summer/intersession, overload.

Project Staff may include:

- Research assistants and associates (full or part time),
- Graduate and undergraduate students (20 hrs./wk. during the academic year, full or part time during the summer/intersession),
- Administrative Assistants (full or part time, specific to the project only),
- Evaluators, programmers, technical experts (typically considered consultants, but in some cases—such as when employed by SJSU or the Research Foundation—would be considered benefited personnel).

Fringe Benefit Rates
A fringe benefit rate is a percentage of salary that represents the employer's additional costs of employee benefits such as paid vacation days, paid sick days, insurance, retirement plans, federal and state employer payroll taxes, etc. Each year the U.S. Department of Health and Human Services (DHHS) reviews proposed fringe benefit rates for the San José State University Research Foundation and determines the rates for the various employee classifications.

The approved fringe benefit rates become effective on July 1 of each year. For the current rates, please refer to the Application of Fringe Benefit Rates Chart available on the Project Costs web page on the Research Foundation website.

Travel

- Conference travel and professional meetings: Airfare, lodging and meal costs, as well as conference registration,
- Fieldwork: Vehicle rental, mileage, living expenses,
- Mileage: Rate for mileage is determined each year by the federal government.

For detailed guidelines, required authorizations, and procedures, refer to the Research Foundation Travel Policy, Travel Bulletin, and other travel-related documents accessible from the Research Foundation Travel web page.
**Participant Support Costs**

In proposal budgets, stipends and salary are two different items.

- Stipends, travel, tuition and other costs are paid to participants of workshops, conferences, or other educational activities.

- Stipends for CSU employees are subject to fringe benefits and in some cases are considered salary.

- Participant costs are for non-service participation only. Those attending workshop training may receive stipends. Those delivering the training are doing “for service” work and would be paid a salary.

- These costs are not subject to facilities and administrative (F&A), but may be subject to fringe benefits for Research Foundation employees.

**Equipment**

**Capital Equipment** – Non-expendable tangible property with an acquisition cost of $5,000 or more per unit and the estimated useful life of one year. When calculating equipment, descriptions should be as specific as possible, and should include model numbers, types, size, etc. Major pieces of equipment should also include a quote. Equipment is not subject to F&A.

**Other Direct Costs include:**

**Materials and Supplies**

- Sensitive Materials and Supplies: Item(s) with an acquisition cost of less than $5,000, but that is closely monitored, such as electronic or other ‘sensitive’ items such as laptops, digital cameras, computers, printers, etc.,

- Itemized expendable materials and supplies that are needed for the project, such as lab supplies (i.e. chemicals, glassware, and disposables),

- Questionnaires and test materials,

- Instructional materials.

**Publication Costs** – May include page rates for journals, manuscripts in which project results will be published, photocopying, etc.

**Consultants**

- Paid consultants may be justified when a project calls for expertise of a well-defined nature for a fixed period of time.

- When possible, the proposal should include the consultant’s name and CV as well as the anticipated number of work days.
Consultants are typically identified with an individual social security number, not a tax ID number.

**Service or Vendor Agreements** - Bilateral agreements executed after the award from the prime sponsor has been executed and accepted by the Research Foundation

- This will be one line item in the budget; a separate detailed budget and scope of work will be required
- Used for goods and services that are ancillary to the operation of the project
- Subject to F&A

**Subcontracts or Subrecipients**

- This will be one line item in the budget, and a separate detailed budget from the subrecipient must follow.
- A signed contract committing the subcontractor to the proposed work will eventually be needed. This contract is between Research Foundation and the subcontracting institution (for example, CSU LA or UC Davis).
- Subcontracts should include fringe benefits and indirect cost calculated at the subcontractor’s negotiated rates (not the Research Foundation). Project colleagues must work directly with their respective Office of Sponsored Programs to ensure their budget is correctly prepared and authorized.

**Facilities and Administrative (F&A) Costs**

Facilities and Administrative (“F&A”) costs—also referred to as “indirect costs” or “overhead”—constitute reimbursements paid by sponsors to the institution to support general operating expenses and costs incurred by both San José State University and the Research Foundation in support of sponsored programs that are not readily associated with a single project, account, or transaction. F&A costs are an integral part of every proposal budget.

F&A rates for educational institutions are reviewed and approved by the U.S. Department of Health and Human Services (DHHS) every four to five years. San José State University and the Research Foundation recommend and submit a proposed facilities and administrative cost rate to the DHHS for review and audit. SJSU and DHHS agree to the approved F&A cost rates to cover research, instruction, training, and other sponsored account activities, both on-campus and off-campus. The approved rates are then set forth in the **Colleges and Universities Rate Agreement**. A copy of the current Colleges and Universities Rate Agreement is available on the **Forms web page**.

The cost rate agreement includes several different rates depending on the type of project, and whether the research project will be conducted on or off campus. Consult the assigned sponsored programs manager for the appropriate rate to apply.
**F&A costs include:**

- Expenses related to campus research and other facilities,
- Equipment depreciation,
- Utilities, or libraries that are reimbursed annually to the university,
- General administrative services such as campus and department administration,
- Proposal and contract management,
- Financial accounting,
- Payroll and procurement services,
- Human resource administration,
- Legal, and other operating expenses associated with the management of externally-funded sponsored research,
- Training, and education-related projects managed by SJSU faculty or academic units.

For more information about facilities and administrative costs refer to the [Facilities and Administrative Costs FAQs](#) and the Project Budgets section later in this guide.

**Compliance & Regulations**

Compliance with federal assurances is extremely important for PIs, especially regulations relating to the following:

- Protection of Human Subjects
- Care and Use of Animals
- Environmental Health & Safety
- Conflict Of Interest
- Research Misconduct and Standards of Integrity
- Export Control
- Drones
- Intellectual Property
- Nepotism
- Additional Employment
• Time and Effort Reporting
• General Provisions under Uniform Guidance
• Responsible Conduct of Research Requirements
• Cost Share
• Insurance

Please also refer to Sponsored Programs General Policy Standards and Requirements section 1002.01 in the Integrated CSU Administrative Manual (ICSUAM) for detailed compliance regulations. Research Foundation policies related to compliance are available on the Research Foundation Policies web page.

Protection of Human Subjects and Care of Laboratory Animals
Research conducted by SJSU faculty, staff, or students that involves the use of human subjects or laboratory animals requires additional review and approvals by specialized institutional review boards established by the university president.

Institutional Review Board (IRB)
The Institutional Review Board (IRB) reviews research proposals that are submitted by SJSU faculty, staff, and students that involve the use of human subjects. The committee ensures that the proposed research is in compliance with university and federal policies and regulations regarding the safety of human participants and the ethical and responsible conduct of investigators. For requirements and detailed information about research involving the participation of human subjects, please visit the Research and Innovation Human Subjects Institutional Review Board web page.

Institutional Animal Care and Use Committee
The university complies with federal, state, university, and other regulatory requirements related to the acquisition, care, use, and treatment of animals in the performance of instruction and research. The Institutional Animal Care and Use Committee (IACUC), is responsible for the oversight and review of all issues related to animal care, facilities, and procedures. Visit the Research and Innovation Institutional Animal Care and Use Committee web page for standard protocol and other detailed information about research involving the use of laboratory animals. Please also refer to the list of related policies in the Academic Senate and SJSU Policies Related to Research section in this guide.

Environmental Health & Safety
San José State University is dedicated to providing a safe, healthy, accessible, and sustainable environment for its faculty, staff, students, and visitors.

Environmental Health and Safety collaborates with the campus community to provide consultation and training on occupational health and safety standards and the management of hazardous materials. Periodic inspections are conducted to ensure compliance with environmental health and safety standards. All faculty and staff will
ensure that safe and healthful work practices and conditions are provided and followed within the areas under their control. All members of the campus community are to cooperate fully with all aspects of the health and safety program.

Financial Conflict of Interest
Principal investigators seeking private or non-governmental contracts or grants, or funding from state or federal agencies, must make every effort to avoid financial conflicts of interests—actual or perceived—and make appropriate disclosures. When a conflict does exist, the investigator must annually disclose any significant financial interests (SFI) related to their university responsibilities during the life of a sponsored research project, and within 30 calendar days of discovering or acquiring a new SFI.

Significant financial interests will be reviewed by designated campus administrators to determine whether a financial conflict of interest (FCOI) exists. The Research Foundation and San José State University will follow all federal, state, and California State University (CSU) regulations for reviewing SFIs and for identifying, managing, reducing, eliminating, and reporting FCOIs. For more details, refer to the Financial Conflict of Interest Policy on the Research Foundation Policies web page.

Research Misconduct and Standards of Integrity
In partnership with San José State University, SJSU Research Foundation seeks excellence in the discovery and dissemination of knowledge. We believe that principal investigators and all researchers anticipate that they and others will adhere to the highest standards of integrity in research, instruction and evaluation.

Research misconduct is defined as fabrication, falsification, or plagiarism, in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest error or differences of opinion, or disputes over authorship or credit. Plagiarism is the unattributed copying or appropriation of another person’s ideas, unique processes, results, or words without giving appropriate credit.

San José State University is responsible for the inquiry, investigation, and adjudication of alleged research misconduct—and in appropriate cases—taking corrective action. As a recipient of federal research funds, San José State University must comply with federal policies and regulations on responding to allegations of research misconduct including, without limitation as stipulated in the following federal policies:

- Public Health Service Policies on Research Misconduct, 42 CFR Part 93, Subpart A, Public Health Service regulations


- Research Misconduct, 45 CFR Part. 689, National Science Foundation regulations

San José State University Academic Senate Policy F12-5 addresses allegations of research misconduct. The policy states that, “all members (faculty, staff, and students)
are expected to perform their scholarly and scientific activities with the highest ethical standards, honesty, and integrity.

Export Control

Federal and international regulations control the export of certain commodities, software, technical data and certain other information to foreign countries. These regulations can restrict the furnishing of information, technical data and software to foreign persons, whether the activity takes place abroad or in the United States. In the university context, these regulations can prohibit foreign persons from participating in research projects or having access to information resulting from research under some circumstances unless an export license has been obtained in advance.

While these regulations may not apply to most university activities, there may be exceptions. When export control laws do apply, the rules must be followed. Every award must be reviewed to ensure that SJSU and the Research Foundation are in compliance with current export control regulations. Consequences for non-compliance can result in civil and criminal penalties for the individual and for the institution.

To determine how export control regulations may apply to specific programs or awards and for answers to related questions, contact the Research Foundation Office of Sponsored Programs (research-foundation-osp@sjsu.edu).

Drones

As stated in the Certificate of Authorization (COA) application guidelines, all navigable United States airspace falls under the authority and jurisdiction of the Federal Aviation Administration (FAA), whose “primary mission is to ensure the safe and efficient oversight and management of the national airspace system (NAS).” All manned or unmanned aircraft are subject to FAA rules and regulations. FAA approval is required for any use of an unmanned aircraft system (UAS). Violations are subject to severe federal penalties.

Use of drones in SJSU research projects require prior approval from the Office of Research. As stated in the CSU guidelines, “the FAA allows public universities, such as the CSU, to operate UASs for governmental research functions.” Universities intending to operate a UAS for governmental research are required to apply for an FAA Certificate of Authorization (COA). Only universities with plans to use the unmanned aircraft for non-commercial purposes are eligible for consideration. The FAA does not grant authorization to individuals.

The use of an unmanned aircraft used for educational or training purposes is currently considered commercial in nature. “The FAA has indicated that it will not grant public use COAs for educational or training uses.”

For detailed information, refer to the Campus Guidelines for Applying for a Certificate of Authorization (COA) from the FAA provided by the CSU Chancellor’s Office available on the Research Foundation Policies web page.
**Intellectual Property**
Under the Division of Research and Innovation, the SJSU Research Foundation serves as the campus agency to assist in bringing inventions to the public marketplace and to promote their greatest public benefit. In collaboration with the SJSU AVP for Research, the Research Foundation strives to develop and execute agreements that may result in the division and distribution of licensing fees, royalties, and other forms of income from the commercialization of inventions.

For additional information on intellectual property, including patents, copyright, trademarks, or trade secrets visit the Intellectual Property web page on the Research Foundation website.

**Nepotism**
The Research Foundation Nepotism Policy provides guidance and directives regarding nepotism in the workplace. As defined in the policy, “nepotism in the workplace occurs when an employee in a supervisory or managerial position with an employer favors their relatives working for the same employer in making employment decisions on the basis of kinship, because they are a family member or a close friend of the person in position or power, without giving due consideration to their qualifications or merit.” The Research Foundation reserves the right to determine that other relationships not specifically covered by this policy represent potential conflicts of interest as well.

The Research Foundation’s Nepotism Policy has been established to reduce the potential for such favoritism and to avoid an actual or perceived conflict of interest. The policy also helps to ensure that no Research Foundation employee will be permitted to directly supervise, evaluate, appraise, assess, promote or discipline his or her relative(s).

For further details, refer to the Research Foundation Nepotism Policy on the Research Foundation Policies web page.

**Additional Employment for Faculty**
San José State University faculty may receive compensation for their services on sponsored research projects. Additional employment refers to any CSU or auxiliary employment that exceeds the employee’s primary appointment. Such employment is subject to CSU, Research Foundation, and sponsoring agency’s guidelines.

Release time, also referred to as reimburse time, is the portion of time an SJSU employee is released from his or her university appointment to work on a research project. The university is reimbursed for a portion of the employee’s regular position. Release time must be approved by the department chair and college dean; salary and fringe benefits must be in the approved budget. A maximum of 25% release time (overload) is allowed during the academic year for all campus activities, including work performed on research grants and contracts. A maximum of 100% time is allowed on federal awards and 125% time (not salary) is allowed on non-federal awards during winter, spring, and summer session breaks. Release time must be approved by the department chair and college dean; salary and fringe benefits must be in the approved
budget. See also the CSU Additional Employment Policy available from the CSU Employees Policies and Programs website.

Time and Effort Reporting
Educational institutions conducting research, instruction, and other sponsored work under grants, contracts, and other agreements with the Federal government are required to comply with the costing principles described in Code of Federal Regulations (2 CFR 200.430), which includes the principles, criteria, and examples of how employee compensation for personal services rendered under sponsored agreements should be charged and subsequently documented.

Effort reporting is required to verify that the effort distribution in the HR Payroll system is a reasonable reflection of each individual’s performance on the federally funded project. The report reflects activity applicable to the sponsored agreement, general operations, and other indirect activities (including academic units).

See also “Effort Reporting” under Managing the Project. Also refer to the Research Foundation Time and Effort Reporting Policy on the Research Foundation Policies web page.

Responsible Conduct of Research
The responsible and ethical conduct of research is critical for excellence, and for maintaining the public trust in research for individual investigators and for San José State University, and the Research Foundation.

Responsible Conduct of Research training is now required for all principal investigators, co-principal investigators, undergraduate and graduate students as well as postdoctoral researchers supported by funding from the National Science Foundation (NSF National Institutes of Health (NIH) and United States Department of Agriculture - National Institute of Food and Agriculture (USDA-NIFA).

San José State University has contracted with the Collaborative Institutional Training Initiative (CITI) Program to fulfill a number of mandatory training requirements. Additional RSCA training information is available on the Research and Innovation Training web page.

Cost Share
Cost share is the use of institutional or third party funds to supplement project costs not borne by the sponsoring agency. Cost share is typically only allowed when it is required by a sponsor. If cost share is required, it should be shown as a specific cost in the budget, subject to the approval of the chair and/or dean.

If not required by the sponsor, cost share should not be included in the budget detail or mentioned in the proposal narrative; otherwise the PI will be responsible for obtaining cost share support documentation even though it is not required by sponsor. Cost share may be in the form of in-kind (non-cash such as donated supplies and services), or cash (a specific dollar amount provided to the Research Foundation and accounted for separately), or a combination of both. Depending on the sponsor’s requirement, cost share can be mandatory or voluntary.
**In-Kind**
Contributions wherein a value of the contribution can be readily determined, verified, and justified but where no actual cash is transacted in securing the good or service comprising the contribution.

**Cash**
Cash contributions differ from in-kind contributions in that an actual cash transaction occurs, and can be documented in the accounting system. Cash contribution must come from the eligible sources. This includes allocation of compensated faculty and staff time to projects. Another example of a cash contribution is the purchasing of equipment by the institution or other eligible sponsor within the project period for the benefit of the project requiring cost sharing.

**Mandatory Committed**
Occurs when the sponsoring agency indicates that cost share is required as part of the proposed budget. The sponsor typically provides this in the guidelines or solicitation and indicates the allowable types of cost share.

**Voluntary Committed**
Occurs when cost share is not mandated by the sponsoring agency, but rather is offered by the institution or a third party source. For the Research Foundation, voluntary cost share is used only when sponsors place a merit value for award on the inclusion of cost share.

When cost share is included the principal investigator is responsible for the following:

- Disclosing all the internal and external sources of cost share to the Research Foundation and San José State University authorized officials for the project and disclosing all cost share commitments written in the project narrative before proposal submission;
- Obtaining approval from authorized signers (i.e. chair and dean) for the purpose of cost share;
- Securing all necessary cost share and matching fund commitments from academic units or external sponsors in accordance with specific agency program requirements;
- Completing and signing the **Cost Share Commitment Acknowledgment of Responsibilities Form** along with confirmation of cost share commitment on a source by source basis;
- Ensuring that the cost share commitments will be met as stated on the proposal;
- Fully assisting the Research Foundation in obtaining accurate and detailed records and receipts to explain and certify fulfillment of cost share commitments;
- Providing the required documentation for all cost share certifications.

**OMB Uniform Guidance Cost Share Criteria**

When offered in a proposal and approved by the sponsor, all matching contributions, both cash and in-kind, must adhere to the criteria required by [OMB Uniform Guidance, Subpart D (2 CFR 200.306)](https://www.govdelivery.com/guidance/200/). All matching contributions must:

- Be verifiable from the recipient’s records,
- Not be included as contributions for any other federal award,
- Be necessary and reasonable for accomplishment of the project or program objectives,
- Be allowable under the applicable cost principles in [Uniform Guidance: 2 CFR 200, Subpart E](https://www.govdelivery.com/guidance/200/) or other sponsor regulations if the sponsor is non-federal,
- Not be paid by the federal government under another award, except where the federal statute authorizing a program specifically authorizes the use of those funds for cost sharing under other federal programs.
- Be provided for in the approved budget when required by the sponsoring agency,
- Conform to other provisions of the Uniform Guidance: 2CFR 200.306, Subpart D as applicable.

**Insurance**

Insurance is needed to ensure sufficient protection against losses or claims arising out of the activities or business ventures with contractors, sub-recipients, and business entities. Refer to the [Risk Management chapter](#) in this guide for further details regarding insurance categories and coverage.

**Proposal Routing and Approval**

Funding opportunities generally come with specific requirements for information and documents to provide in the submission application. Office of Sponsored Programs managers can assist with completing the necessary forms and ensuring that all required information is included with the proposal. The OSP team will perform a multi-level compliance review, as time permits, on all applications prior to submission. Investigators are strongly encouraged to allot ample time for a full detailed proposal review and required routing prior to submission.
The Proposal Routing and Approval Form (PRAF) summarizes important proposal information such as the project abstract, budget, the authorization to use animal or human subjects from the appropriate review boards—Institutional Animal Care & Use Committee (IACUC) or the Institutional Review Board (IRB)—and the use of hazardous materials or recombinant DNA. The PRAF is available in Adobe Acrobat portable document format and can be accessed from the Research Foundation's Forms web page.

The Routing Process
To facilitate effective and efficient proposal development and on-time submission, in addition to the funding agency’s deadline, which is absolute, adherence to the established proposal routing and submission timeline is required. All funding applications must go through a number of on-campus institutional reviews before receiving final authorization for submission to the targeted funding agency. The Proposal Submission Timeline Chart has been provided to assist with planning and facilitation. The downloadable chart is accessible from the Research Foundation Proposal Submission Timeline web page.

In order for the proposal routing process to begin, final budget and budget justification, as well as a completed draft of the proposal abstract or a scope of work, that addresses all elements of the proposed scope including details of any cost share or use of facilities required must be submitted to OSP at least seven working days prior to the sponsor mandated proposal submission deadline. Any changes to the scope of work, personnel, facility usage, final budget/budget justification or cost share elements after the routing has initiated will require the routing process to begin again, and can potentially delay the submission.

In most cases, routing will be initiated in Cayuse424, a cloud-based system which automates the routing process and allows for submission of proposals via grants.gov. Cayuse provides each reviewer a full view of the entire proposal package and internal documents in real time. It also provides a history of all activity and stores information for later reference.

Routing may also happen via DocuSign or via email. Please note that the Research Foundation recognizes electronic signatures delivered via DocuSign as official authorizations and considers such signatures legally binding. In these cases, the Sponsored Programs manager will route up to the chair and then convert the routing to Cayuse before routing to the dean and the final reviewers. All proposals will be approved by the authorized official representatives in Cayuse.

Required Approvals
Each proposal for funding must be reviewed and signed by all of the signatories, as listed below, by using either the Cayuse Routing System (required from dean through the associate vice president for the Office of Research) or DocuSign. For proposals that involve more than one department or college, appropriate signatures from all academic units must be obtained before the proposal is submitted.
- Principal Investigator
- Department Chair
- College Dean
- Sponsored Programs Manager, SJSU Research Foundation
- Sr. Sponsored Programs Manager (Lead), SJSU Research Foundation
- Sponsored Programs Senior Director, SJSU Research Foundation
- Campus Chief Financial Officer/Vice President of Administration and Finance
- Associate Vice President for Research (SJSU President’s designee)

There are certain circumstances which require additional routing approvals, which conform to the Institutional Compliance Requirements. In these cases, the Sponsored Programs manager will inform the PI of the routing timeline needed to accommodate these individuals. As an example, in cases when a proposal identifies a college dean as the PI, the provost will approve in lieu of the dean, who signs as the PI. **Allow 2-3 additional days when provost approval is needed.**

The university and its authorized signers reserve the right to stop the proposal routing and withdraw any submitted proposal that does not comply with CSU and university policies, state, and federal regulations.

**The Routing Timeline**

Proposals are due on specific dates as determined by the sponsoring agency. **Sponsors will not consider late proposals.** It is essential that investigators plan well in advance to allow ample time for a detailed proposal review (full review) and the required routing process, as well as time to meet the sponsoring agency’s deadlines.

The on-campus institutional review (routing) of the proposal should begin no later than **seven (7) days** prior to the sponsor’s mandated proposal submission deadline. PIs should check with their colleges for internal routing requirements. Depending on the nature and complexity of the proposal, colleges may require additional time for review.

To allow routing to begin on schedule, PIs should plan to work with the sponsored programs manager at least **eight to ten (7-10) working days** prior to the sponsor’s submission deadline, to finalize project budget and submit a completed narrative that addresses all elements of the proposed scope including all attachments and specific details such as cost share or use of required facilities.

The final completed proposal package must be submitted to the Office of Sponsored Programs at least **three (3) working days** before the sponsor’s mandated proposal submission deadline. The completed proposal package will be submitted to the sponsor **two (2) working days** before the sponsor’s mandated proposal submission deadline.
During the award and contract negotiation phase, the designated Sponsored Programs manager, in consultation with the Office of Sponsored Programs director, is responsible for ensuring that all final fully executed contracts and awards are in the best interest of San José State University and the San José State University Research Foundation.

Before an award or contract can be processed, the Research Foundation Sponsored Programs manager reviews the document using a standard checklist to ensure that all terms and conditions are acceptable to the university and the Research Foundation. Should any terms in a given award or contract deviate from those that are acceptable, the manager begins the negotiation process with the sponsoring agency. The contract can be fully executed only when both parties (the Research Foundation and the sponsoring agency) agree on all terms and conditions. A typical review includes some of the following:

- Project specifics (such as title, sponsor, award amount, and Catalog of Federal Domestic Assistance (CFDA) number)
- Terms, Budget, and Statement of Work
- Project Period
- Dollar Amount and Carryover (if multi-year project)
- Invoicing and Reporting Requirements
- Restrictions on Academic Freedom and Right to Publish
- Intellectual Property
- Terms of Confidentiality
- Commercialization of Research Products
- Mutual Indemnity
- Mutual Termination
- Insurance Requirements
- Governing Laws
- Survival Language
- Assessment of Risk
- Subrecipient vs. Vendor Determination
During the Award Setup phase of the research project life cycle, the Sponsored Programs manager sets up the project accounts, enters applicable award information into grant management system, provides project management orientation, partners with HR and with Finance and Accounting to support staffing and procurement needs.

Principal Investigator Orientation

The Research Foundation provides principal investigator orientation sessions, to give PIs an opportunity to meet the Sponsored Programs manager and other staff who will assist them through the remaining phases of the project life cycle. The managers will review roles and responsibilities, compliance and reporting requirements, and additional avenues of support provided by the Research Foundation Human Resources and Finance and Accounting teams.

Principal investigators leading self-support projects will have an opportunity to provide further details regarding project purpose, goals, and the proposed revenue sources and uses. All Self-Support projects must comply with the applicable guidelines, policies and procedures of the SJSU Research Foundation, CSU Policy 13680 in the Integrated CSU Administrative Manual (ICSUAM), and CSU Executive Order 1059. The PI is required to complete and submit a Request/Agreement for Self-Support Project Account, available on the Research Foundation Forms web page. The completed form will be reviewed and approved for compliance with CSU, SJSU, and SJSU Research Foundation policies regarding self-support activities by the Office of Sponsored Programs director and the SJSU AVP of Finance.

Upon receipt of the fully signed Request/Agreement Self-Support Project Account form the Self-Support manager will initiate opening the account including assignment of an account number and contact the PI with the information. The Self-Support manager will be the point of contact to administer the activities of the account.

Project Account Structure

All Research Foundation project accounts contain ten digits (Example: 21-1501-4677). The first two digits represent a specific accounting fund. 21= Federal Source or Federal Agency

The second set of digits identifies the academic department with which the account is associated. 1501 = Biology

The third set of digits is randomly assigned to distinguish one account from another. 4677 = System Generated Number
Sponsored Project Accounts or external funds (21-26 accounts) are managed by Sponsored Programs managers. Self-Support Accounts or campus funds (34, 35, 37, 51, 53, 55 accounts) are managed by the Self-Support Services manager.

The table below shows account prefixes and types. All project account numbers will begin with one of the following fund numbers assigned by the Research Foundation.

<table>
<thead>
<tr>
<th>Account Prefix</th>
<th>Grantor Type</th>
</tr>
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<tbody>
<tr>
<td>21</td>
<td>Federal Funds</td>
</tr>
<tr>
<td>22</td>
<td>State of California Funds</td>
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<tr>
<td>23</td>
<td>Non-Profit Foundation Funds</td>
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<tr>
<td>24</td>
<td>Private Industry Funds</td>
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<tr>
<td>25</td>
<td>Other Government Funds</td>
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<td>26</td>
<td>Cost-Share Funds</td>
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<tr>
<td>34</td>
<td>Self-Support Funds – General</td>
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<tr>
<td>35</td>
<td>Self-Support Funds – Sponsored Programs-Related</td>
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<tr>
<td>37</td>
<td>Self-Support Funds – Agency-Related</td>
</tr>
<tr>
<td>51</td>
<td>Board-Designated Funds – F&amp;A Deans and Chairs</td>
</tr>
<tr>
<td>53</td>
<td>Board-Designated Funds – F&amp;A Principal Investigators</td>
</tr>
<tr>
<td>55</td>
<td>Board-Designated Funds – Other Programs</td>
</tr>
</tbody>
</table>

Information Sharing and Agreements
Whenever an exchange of information or data is involved on a sponsored project, appropriate agreements must be in place prior to sharing or receiving information. Principal investigators must contact their Sponsored Programs manager to ensure that appropriate confidentiality agreements are properly established and have been approved by all parties involved.
Managing the Project

When research project accounts have been established, the PI and the Sponsored Programs manager work together to manage the project and related activities. While the PI has overall responsibility for project performance and operations, the sponsored programs manager provides critical administrative services and support until the project is closed. Support during the project management phase includes assistance with hiring of research project staff, budget monitoring and oversight of project expenditures oversight, and guidance on preparation of required reports and forms.

Principal Investigator as Project Director

Each principal investigator assumes the role of director for his or her project, and must adhere to Research Foundation policies at all times. As project lead, the principal investigator is responsible for ensuring:

- Compliance with laws, guidelines and regulations regarding employee hiring,
- Compliance with Research Foundation policies, federal, state, and sponsoring agency guidelines, and good business practices
- That all work meets the highest ethical standards and is conducted without real or apparent conflicts of interest,
- That work on the project is conducted according to research protocol or the statement of work that was submitted with the original proposal or as subsequently modified by the sponsor in agreement with the principal investigator, the university, and the Research Foundation,
- Appropriate wage compensation and timely submission of pay data and other required forms
- Management of project staff is in compliance with federal and state laws, as well as university and Research Foundation policies,
- That the project budget is managed so funds are spent in accordance with financial and administrative policies and expenses for reimbursement are submitted on time,
- A proper and safe work environment for their project staff,
- Reports on the research are submitted in a timely manner and according to the sponsor’s requirements,
• The retention and storage of all programmatic technical materials and reports are managed in accordance with sponsor or funder guidelines and requirements.

• Adherence to other administrative requirements as applicable

The SJSU Research Foundation Appointment Form is used to communicate HR administrative actions (e.g. staff hiring, status changes, extensions, and salaries). The appointment form is available on the Research Foundation Forms web page.

Project Staffing

Research Foundation HR procedures ensure that all legal and government hiring regulations are met and maintained. Please note that employees are not authorized to begin work until all required steps have been approved and completed.

To begin the recruitment process for benefited positions, a Request to Recruit Form must be completed and submitted to Human Resources. The hiring manager (principal investigator, manager, supervisor, or director) is responsible for completing and submitting the form along with a job description to the Human Resources department. A Request to Recruit Form is not required when hiring non-benefited positions; however, the designated hiring manager must submit a job description for the position to Human Resources.

Students who are attending classes at SJSU or another institution of higher education may be hired as student assistants. As stipulated in both the CSU policy and the Research Foundation policy, student assistants may work no more than 20 hours per week while school is in session. A student assistant may work up to 40 hours during winter and summer intersessions.

When an employment offer is accepted, the hiring manager must complete an appointment form for the newly hired employee. If the employee is a faculty member involved in the research project and is working overload, use the Academic Appointment Form. The Academic Appointment Form is used for San José State University faculty who are working overload (up to 25% during academic year and/or 125% during summer/intermission on non-federal award; 100% on federal award) on the sponsored programs project.

Use the Non-Academic Appointment Form to document employment for all non-academic appointment, non-faculty (such as project staff and student assistants) who are working on a sponsored programs project. If there is a change in rate, duration of appointment period or percentage of work, a new form is required. Prior to beginning work all newly hired employees must contact Human Resources to complete the required new hire documentation. The Request to Recruit Form and Appointment Forms are available on the Research Foundation Forms web page.

Hiring managers are responsible for ensuring that the required documentation for all new or rehired employees is completed before the employee begins working. Prior to beginning work, newly hired employees must complete the following processes:
E-Verify

Glacier (non-residents)

Background Checks (for all new or re-hired benefited and employees hired for sensitive category positions)

Live Scan (all employees hired for sensitive category positions)

Executive Order 1083 Acknowledgement

For additional details on hiring and staffing support as well as the full range of HR services, refer to the Human Resources section later in this guide and to the Human Resources web page.

Project Expenditures

All project expenditures must adhere to the principles of allowability, allocability, reasonableness, consistency, and availability as prescribed in the Federal Uniform Guidance 2 CFR-200.

Allowability
An allowable cost is one that complies with the requirements of the funding agency based on a determination of whether or not costs can be charged to a sponsored project as direct or F&A costs. For example, the federal government will not reimburse a sponsored project for entertainment costs or alcohol; therefore, such costs are unallowable.

Allocability
A cost is allocable to a particular sponsored project, if the goods or services involved are chargeable or assignable in accordance with relative benefits received or other equitable relationship. An allocable cost means the cost has been incurred to support that project and is consistent with the scope of work contained in the proposal and resulting award.

For example, you have a research grant from the National Science Foundation to study changing climate patterns. The project includes participating in a conference in Seattle. A graduate student in your lab has been invited to present a paper at this conference.

The allocability cost principle stipulates that any expense paid by a project must benefit that project. This particular conference focuses on the El Nino effect on global climate. Your student will present his or her paper and interact with colleagues from other academic institutions. The trip will benefit the project, and the travel costs are therefore allocable to the project.

Reasonableness
All costs must be evaluated for reasonableness. A cost is reasonable if the nature of the goods or services acquired or applied, and the amount involved therefore, reflect
the action that a prudent person would have taken under the circumstances prevailing at the time the decision to incur the cost was made. In addition to considering whether or not the cost is necessary for the performance of the project, the nature and level of costs of the goods or services purchased should be consistent with criteria that establish common business sense.

**Consistency**
A cost is considered to be treated consistently when the expense is treated as either a direct or F&A cost under like circumstances to funding or actual expenditures.

**Availability**
Availability means that funds are available prior to incurrence and expenditure. When uncertainty exists regarding specific expenses, principal investigators are encouraged to contact their assigned sponsored programs manager before making any commitment to funding or actual expenditures.


**Approvals for Project Expenditures**
The principal investigator is responsible for complying with the financial and administrative policies and procedures of each award. Purchase requisitions or other instruments of project spending such as travel, materials and supplies, effort reports, and personnel time certifications must be signed by the individual who has signature authority for the project account. Signature authority may not be assigned to project staff unless the staff member occupies a managerial position within the administration of the project.

In such cases, the PI must complete the **Request for Additional Authorized Signers** and submit the completed form to the assigned sponsored programs manager. The request to assign alternative signature authority will be considered by the Research Foundation on a case-by-case basis.

**Travel Authorization**
Pre-authorization for travel is required for domestic travel and international travel. Levels of approvals vary by sponsor and by travel destination. Principal investigators and their teams must be aware of the specific approvals required. International travel requires the purchase of insurance and additional review and approval. It is recommended the research project teams prepare budgets and allow ample time to route requests for all required approvals as early as possible. Additional details on travel requirements and processes are covered in the [Travel Policy](https://www.resfoundation.org), [Travel Bulletin](https://www.resfoundation.org), and other travel-related documents on the [Research Foundation Travel web page](https://www.resfoundation.org).
Procurement of Equipment and Supplies
All purchases of equipment and supplies must align with the approved budget, must meet sponsor requirements, and must comply with university and Research Foundation policies. Certain supplies may require special training or certifications, such as ones that may contain radioactive materials or could potentially pose a risk. If specialized training is required or certifications must be obtained additional time will be required for the necessary arrangements and scheduling. For specific purchasing guidelines and processes, refer to the Purchasing section later in this guide and to the Procurement Policy on the Research Foundation Policies web page.

PI Direct Reimbursements
In cases where the requisition is for payment of funds to the authorized account signer who is the PI and payment of funds is being made from a sponsored program account, the PI’s department chair, dean or their designee shall have the authority to approve expenses. This is commonly referred to as a “one-up” signature and is applicable to any kind of transaction that would result in payments made directly to the PI such as transactions that involve purchase requisitions, travel reimbursements, appointment forms, or timesheets.

Account Status Reports
After the close of each month, the Research Foundation prepares and provides a financial report to principal investigators for their account(s). The report reflects transaction details of the previous month and is available online during the second week of the current month. The Research Foundation has implemented online reporting using its enterprise grant management system. In addition to account status reports, PIs and administrators can log in to the system to check available balances, requisitions, pending payments, monthly statements, and other reports.

The account status report is organized into three sections: cumulative summary of the account, transaction details for the month, and outstanding encumbrances.

- The cumulative summary of the account provides the budget, current month’s expenses, cumulative expenses, outstanding commitments, and available balance.
- The transaction detail page provides the transaction dates, references, descriptions, and amounts of all transactions that occurred during the previous month.
- The outstanding encumbrance page provides detailed information about encumbered purchase orders.

If a principal investigator finds an error, has a question about any transaction, or notices that something is missing, he or she can contact the designated sponsored programs manager at the Research Foundation. If the Research Foundation team member is made aware of the needed corrections before the last week in the month, the correction will be made in the current month’s report.
Contact information for the Office of Sponsored Programs team is available on the Research Foundation [OSP Contacts web page](#).

**Compliance Reports**

Sponsoring agencies require the submission of periodic reports to document progress during the performance period of the project.

**Time and Effort Reporting**

Educational institutions conducting research, instruction, and/or other sponsored work under grants, contracts, and other agreements with the Federal government are required to comply with the costing principles described in Code of Federal Regulations (2 CFR 200.430) describes the principles, criteria, and examples of how employee compensation for personal services rendered under sponsored agreements should be charged and subsequently documented.

To charge efforts to projects, timecards must be prepared and must accurately reflect time spent on the project. Effort reporting is required to verify, via certification by the individual performing the work, that the effort distribution in the HR Payroll system is a reasonable reflection of how the individual’s effort was actually performed on the federally funded project.

If there is any discrepancy between the charge and the actual effort, charges previously made to the project must be corrected. The report reflects activity applicable to each sponsored agreement, general operations, and other indirect activities including academic units. The total equals to 100%. The effort reporting process includes the following components:

**Time and Effort Certification**

Faculty and university employees certify time and effort following each period on the San José State University academic calendar as follows:

- Fall semester (September – December)
- Winter and Spring semester (January – May)
- Summer Intersession (June – August).

Salaried and hourly employees and staff certify their effort each pay period via timesheets prior to receiving payment for the work performed.

Costs share labor compensation should be included in the Time and Effort report.

**Preparation**

The Time and Effort Report includes the percentage of direct pay, reimbursed time, university assigned time, and cost share if applicable. The Time and Effort Report is prepared manually by analyzing and compiling data from the following sources:

- **Direct Pay** – Foundation payroll salary report and timesheets are used.
**Reimburse Time** – General Ledger (GL) expense report and reimburse time logs that record and track all faculty release time by semester are used.

**University Faculty Salary Schedule** – lists the percentage of assignment for the faculty that is used.

**Cost Share Report** – if applicable and at intervals as specified and required by the sponsor.

**Distribution**
At the end of each academic calendar period, the sponsored programs manager prepares Time and Effort Reports for all individuals who are required to certify time and effort at the Research Foundation. The employee certifies that the distribution of effort indicated is a reasonable reflection of how the individual actually performed on the federally funded project. The following table provides the estimated distribution schedule for each certification period.

<table>
<thead>
<tr>
<th>Time &amp; Effort Period</th>
<th>Period Ending Date</th>
<th>Distribution Time*</th>
<th>Collection Time**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall Semester</td>
<td>End of December</td>
<td>Early – Mid February</td>
<td>End March</td>
</tr>
<tr>
<td>Spring Semester (including Winter Session)</td>
<td>End of May</td>
<td>Mid – End of July</td>
<td>End of August</td>
</tr>
<tr>
<td>Summer Session</td>
<td>Late August (based on academic calendar)</td>
<td>Mid – End of Sept</td>
<td>End of October</td>
</tr>
</tbody>
</table>

* Time and Effort Reports should be distributed approximately 45 days following each period.
** Time and Effort Reports should be collected within 30-45 days following distribution.

**Other Project Reports**
If applicable the sponsor may also require the following reports at different intervals (monthly, quarterly, or annually) during the project performance period:

- **Technical Progress Report** – at intervals specified and required by the sponsor
- **Fiscal Report** – at intervals specified and required by the sponsor
- **Invention Report** – at intervals specified and required by the sponsor
- **Inventory Equipment** – usually included at the end of the project
Subrecipient Monitoring

The San José State University Research Foundation has overall responsibility for monitoring the programmatic and financial activities of its subrecipients to ensure compliance with federal laws and regulations, requirements of the Office of Management and Budget (OMB) Uniform Guidance 2 CFR Part 200, and with the provisions of any agreements that govern the subaward agreement.

Principal investigators are responsible for acting as the technical monitor of subrecipient activities, and must oversee performance to ensure satisfactory completion of the agreed scope of work. This includes:

- Monitoring the subrecipient’s technical and programmatic activities as they relate to the subagreement.
- Reviewing subrecipient’s technical/performance reports as required.
- Verifying subrecipient has completed the scope of work in both a timely and satisfactory manner.
- Reviewing and approving invoices submitted by the subrecipient. This includes reviewing expenditures to ensure appropriate for the work being performed and in accordance with the terms and conditions of the subagreement.
- Maintaining regular contact with the subrecipient.
- Notifying the sponsored programs manager of any concerns with the subrecipient’s performance or spending in order to resolve any issues identified.

Project Changes

During the project period situations may occur that require PIs to implement changes made to the project after the proposal stage. Many of these changes require approval from the sponsor and the Research Foundation before any revisions can be implemented.

Re-Budgeting

Most sponsor agencies make provisions for reasonable budget revisions that are not subject to prior approval from the sponsoring agency. Many budget changes, however, do require prior approval. It is critical that the PI work closely with the sponsor to determine budget flexibility before incurring expenses that differ from the proposed and sponsor approved budget.

All changes to a sponsor approved budget must be approved by the Research Foundation and also by the sponsoring agency when required. Budget revisions and no cost extensions may also require approval from the academic unit.
Other project changes may include the following:

- **Changes in the scope of work** – Requires sponsor and SJSU academic unit approval
- **Changes in key personnel** – Requires sponsor and SJSU academic unit approval
- **Changes in PI effort** – Requires sponsor and SJSU academic unit approval
- **Participant support costs** – Requires sponsor approval
- **New subagreements** – Requires sponsor approval
- **Carry over of unobligated balance** – Requires sponsor approval
- **No-cost extension** – Requires sponsor approval
- **Purchase of equipment** – If not included in original budget, requires sponsor approval
- **International travel** – If not included in original budget, requires sponsor approval

**Cost Transfers or Reclassification of Charges**

Cost transfers (also referred to as journal vouchers) are transactions that move previously recorded expenditures from one Research Foundation account to another or between line items within an account and within 90 days of the stated transaction date. In order to eliminate the need for cost transfers and avoid audit concerns, PIs are encouraged to work collaboratively with sponsored programs managers to accurately forecast expenditures and allocation of funds. However, cost transfers or reclassification of charges may be needed for:

- Correction of data entry
- Occasional allocations of shared services

**Required Documentation**

In compliance with the cost allowability and allocability requirements of 2 CFR-200, it is important to obtain a full explanation and justification that addresses why the cost transfer is necessary. The explanation should address the following:

- Why the expense was charged to the original fund (from which it is now being transferred)
- Why the expense should be transferred to the proposed fund
- The reason for a delay of more than 90 after the expense was initially charged (in cases where a cost transfer is being requested)

Typically, cost transfer requests made more than 90 days after the end date of the federal funding will be considered unallowable, particularly when the final
invoice or final fiscal report was already submitted to the sponsor. Extenuating circumstances will be reviewed on a case-by-case basis by the Research Foundation and must be clearly and substantially documented.

**Journal Entries (JE)**
The journal entry submitted to the Research Foundation must include the following:

- A request and justification for the cost transfer from the PI
- Back-up documentation, such as expenditure transaction reports showing the original charge to the fund and the later transfer to the other fund.

**Preparation and Approvals**
The journal entry will be prepared by the Office of Sponsored Programs manager, reviewed by the OSP associate director, and then forwarded to Research Foundation Finance and Accounting for approval and posting.
Sponsoring agencies require final reports and deliverables when the research project is completed. Failure to submit required reports in a timely manner could result in the sponsor denying payment of Research Foundation invoices and could potentially jeopardize future funding from the sponsor.

Tasks, Milestones, and Specific Deliverables

Certain projects, usually those governed by a contract rather than a grant, require the completion of tasks, milestones or specific deliverables, such as a report or product. The completion of tasks, milestones, and specific deliverables must be evidenced by a report or a copy of the deliverable itself (if appropriate), to the Research Foundation to establish an official record of compliance.

PIs must work with their designated Sponsored Programs manager to ensure the following for all projects including projects that involve subawards:

- Any expense, budget, or management related issues are communicated to the designated Sponsored Programs manager before the end date of the award.
- The final invoice and financial report reflect all expenses to the project.
- Cost-shared resources have been allocated to the project.
- The final invoice and financial report are submitted to the sponsor by the due date.
- Completion of all sponsor requirements (technical, programmatic and financial).
- Cash receipts for the final expenses have been reconciled in the accounting financial system and to the amount reported on the final report (Cash Receipts = Expenses = Final Report).

Account Balances

The Research Foundation does not allow overrun on the funded projects. The principal investigator is responsible for ensuring that the project does not incur a deficit. If there is a deficit at the end of the project, the PIs must work with their college dean and department chair to identify other funding sources to cover the deficit.

Occasionally, fixed price agreements are entered into with sponsoring agencies by the Research Foundation. The agreements permit the Research Foundation to retain the unexpended (cash) balance at project expiration. The remaining balance should be minimal (less than 5-10% of the total award in general). Agreements should include a statement to indicate that if a cash balance exists after the project is completed and all...
costs have been fully paid, all deliverables have been met as required by the grant or contract.

If the F&A rate on the project is less than the federally negotiated rate, before any remaining balance of the fixed price contract is transferred to the PI’s discretionary account, the Research Foundation will charge the difference between the F&A rate assessed on the sponsored award and the Research Foundation’s federally negotiated rate.

Progress and Technical Reports
The PI is responsible for the preparation of all progress and technical reports required by the sponsoring agency. Reports must be submitted by the sponsor’s established deadlines. Failure to submit reports in a timely manner may jeopardize future funding or payment of invoices by the sponsoring agency for future SJSU sponsored projects, including the projects of other PIs. A copy of the report may be sent to the Research Foundation for submission to the sponsor. The PI may submit the report directly; however, a copy of the report along with proof of submission must be provided to the Research Foundation to establish an official record of compliance.

Financial Reports
The Research Foundation sponsored programs managers prepare all interim and final financial reports required by the sponsors. Most sponsors require a final financial report 60-90 days after the project termination date. Therefore, it is critical that PIs submit all final expenditures to the Office of Sponsored Programs manager within 30 days of the project end date to ensure that all costs are reimbursed and that financial reports are accurate.

Failure to submit a financial report within the specified timeframe puts the Research Foundation at risk of having remedial actions imposed. Such actions can include an awarding agency withholding an award(s) to an investigator or to the Research Foundation, withholding payments on invoices, or revocation of the Expanded Authorities Agreement. The Expanded Authorities Agreement affords the Research Foundation latitude in the budgeting and management of federally awarded grant funds.

Notification of Project Completion
Federal agencies generally require that project accounts be closed within 90 days of the scheduled project award end date. In an effort to ensure that accounts are closed within the required timeframe the Research Foundation sends an email notification to principal investigators 60 days prior to the end date of the budget. The Research Foundation teams also do the following:

- Ensure that all cash is collected on the final invoice,
- Ensure that final compensation is processed in a timely manner,
• Ensure that legally mandated documentation and actions for termination are processed,
• Deactivate the project in the financial management system,
• Provide fixed asset/property accounting services,
• Provide risk management closeout services,
• Provide procurement closeout services.

Contact your designated Sponsored Programs manager with any questions regarding the Project Closeout phase.
The Research Foundation Risk Management department is responsible for the management of organizational risk and reporting, general liability and property loss claims as well as organizational insurance programs including the purchasing of high hazard travel insurance.

Risk Management oversees the third party administrator relationship as it pertains to claims management and directs, oversees, and manages all general liability and property insurance issues that may expose the Research Foundation to litigation or insurance claims. This includes but is not limited to identifying, evaluating, controlling and minimizing the Research Foundation’s exposure to loss or damage to physical assets, fidelity losses, and losses arising out of liability claims. In addition, Risk Management is responsible for managing all automobile liability, fire, and property damage claims, communications with attorneys, claim reviews, investigations, and negotiations of settlements.

The Risk Management team is available to review project ideas or proposals during development and inform principal investigators of insurance matters that may impact project budgets, such as on-campus special events or activities that involve the participation of minors. Activities such as these require the purchase of additional insurance.

To protect its assets against losses or damages that may result during the course of conducting business, the Research Foundation purchases property and casual liability insurance to cover cost that the organization would be legally obligated to pay. General liability insurance should be secured during the pre-award phase of grant administration.

Please note that the insurance may not cover activities that are considered outside the scope of Research Foundation business.

Risk Prevention Analysis

Research Foundation Risk Management attempts to identify areas of concern regarding potential risk while also providing preventative measures to minimize potential risk. Research Foundation Risk Management works with SJSU Campus Risk Management and Research Foundation Human Resources to provide education, training, and assessment of risk areas.
Insurance

Insurance is needed to ensure sufficient protection against losses or claims arising out of the activities or business ventures with contractors, sub-recipients, and business entities. The cost for insurance premiums is the responsibility of the research project and/or department. The minimum deductible is $5,000 for incidents involving theft, loss, or damage to property.

Coverages

Liability

- **Commercial General Liability** – covers damages that may occur due to negligence, which results in personal injury and/or property damage to others, subject to policy exclusions. In the event of an accident, an investigation will be conducted by Research Foundation Risk Management. No admission of responsibility or commitment to pay for damages should be made by any other person.

- **Contractual Liability** – covers damages that may occur as a result of an insured contract.

- **Product Liability** – covers damages that may occur as a result of loss involving a product designed, manufactured, or distributed by the Research Foundation. Exclusions do apply.

Automobile and Vessel Insurance

- **Comprehensive** – covers damages to the vehicle caused by events that are generally out of the driver’s control, and includes the cost of the repair or replacement with “like kind and quality” for physical damage other than collision. This coverage does not include personal effects or other property carried in or on the vehicle.

- **Collision** – covers the vehicle repair or replacement with “like kind and quality” when accidents are caused by collisions with another vehicle, a stationary object (such as a fence or a tree) or in single vehicle accidents that involve rollovers.

- **Liability** – covers damages that the Research Foundation would be legally obligated to pay to third parties in accidents involving vehicles or vessels owned by the Research Foundation or rented vehicles used to conduct Research Foundation business. Please note that to obtain insurance from AORMA, Research Foundation Risk Management must be notified when vehicles or vessels are acquired. The following vehicle or vessel purchase information is required to secure insurance:
  - Purchase Invoice (Purchase Order or Bill of Sale)
  - Certificate of Title
- DMV Registration (if received when purchased from dealership)
- Transfer of Liability (if the vehicle or vessel was pre-owned)

**Coverage for Personal Vehicle Usage** – should an accident occur when a personal vehicle is being used to conduct Research Foundation or research project business, the vehicle owner’s personal automobile insurance will be primary. If a claim is made against the Research Foundation as a result of the accident, SJSU Research Foundation’s insurance coverage will only apply if the claim exceeds the vehicle owner’s personal liability insurance coverage. **Please note** that if a private vehicle is to be used on a regular basis as a means of transportation to conduct Research Foundation business, the employee should notify her or his insurance carrier.

- **Rented Vehicles** – the Research Foundation provides insurance coverage for vehicles rented by Research Foundation employees, PIs, and project staff who are employed by the Research Foundation and are participating in Research Foundation-related business activities. All rented vehicles for business purposes should be rented through Enterprise Rental Car using the CSU Business Account. General vehicle liability coverages are covered under the CSU Enterprise Business account. All uninsured losses will be charged to the department or project.

**Vendor and Subcontractor Insurance**
Subrecipient or subcontractor must procure and maintain for the duration of the agreement contract insurance against claims for injuries to persons or damage to property that may arise from or in connection with the performance of the work under the agreement and the results of that work by the subrecipient or contractor, its agents, representatives, employees or subcontractors.

Non-CSU subrecipient or subcontractors certifies that they have met or will meet the insurance requirements below:

**Workers Compensation and Employer Liability**
- Workers compensation insurance as required by the State of California
- Employers’ liability insurance for injury or death of $1,000,000 each accident

**Commercial General Liability**
- General Liability: Including operations, products and completed operations as applicable, $2,000,000 per occurrence/$4,000,000 policy aggregate for bodily injury, personal injury and property damage
- Automobile Insurance: $1,000,000 per accident for bodily injury and property damage
- Pollution/Asbestos Liability and/or Errors and Omissions: $2,000,000 each occurrence/$2,000,000 policy aggregate, if applicable.

For assistance with additional insurance requirements for the items listed below, contact Research Foundation Risk Management at fdn-risk-management-group@sjsu.edu:

- Unmanned Aerial Vehicles (UAV/Drone) and/or Aircraft
- Watercraft
- Pyrotechnics

As defined by the California State University Risk Management Authority (CSURMA), “Coverage shall by additional insured endorsement, add as insured the State of California, the California State University, the Trustees of the California State University, San José State University, the San José State University Research Foundation, and the officers, employees, volunteers, and agents of each of them (all of which are hereinafter referred to as “State”) with respect to liability arising out of or connected with the work performed by or for the subrecipient or contractor.”

Certificate of Insurance - Additional Insured
To ensure sufficient protection against losses or claims arising out of the activities or business ventures with contractors, subrecipients, and business entities, the Research Foundation may determine that an activity warrants additional protection against certain risks. In such cases, the Research Foundation may request that the organization with which it is conducting business, provide a certificate of insurance.

This certificate should include an attached “additional insured endorsement” clearly indicating that the CSU, San José State University, and the SJSU Research Foundation are additional insured under the contractor, subrecipient, or vendor insurance policy. The certificate should be sent to Research Foundation Risk Management by the contractor, subrecipient, or vendor. Research Foundation Risk Management will send a copy of the certificate to the designated Research Foundation sponsored programs manager who is overseeing the project account.

Certificate of Insurance Requests
Requests for a certificate of insurance from the Research Foundation should be directed to Research Foundation Risk Management. Principal investigators should provide the information that is required to complete the certificate of insurance request form to the designated sponsored programs manager. The sponsored programs manager will complete and submit the form to Research Foundation Risk Management. The form should include the following information:

- Requestor’s name, department, telephone number, and email address,
- Name and address of the company that is to receive the certificate,
- Contact person’s name, address, and phone number and email address,
- Description of the activity for which the certificate is needed (include purpose, activity location, and timeframe),
- Items to be insured (if property coverage is requested),
- List and value of property to be insured,
- Type of insurance and limits as stated in the contract,
- Agreement terms,
- Copy of the finalized contract or agreement between the organization and the Research Foundation.

Property Insurance
Research Foundation insurance requirements for property insurance are as follows:

- **Leased/Rented Equipment and Vehicles:**
  Leasing and rental agencies may require that the Research Foundation provide them with a certificate of insurance. In such cases, the PI is responsible for submitting the request for the certificate of insurance to Research Foundation Risk Management. The following information must be provided at the time of the request:
  - a detailed description of equipment (to include manufacturer, model, color etc.),
  - equipment value,
  - the insurance requirements as defined in the leasing/rental agencies terms and conditions.

- **Loaned or Borrowed Equipment and Vehicles:**
  A company or individual may require that the Research Foundation provide them with a certificate of insurance. In such cases, the department/project will request a certificate of insurance from Research Foundation Risk Management. The following information must be provided at the time of the request:
  - a detailed description of equipment (to include manufacturer, model, color etc.),
  - proof of ownership,
  - age/year originally purchased,
  - purchase price,
  - current value,
  - a photo and condition report if at all possible.)
Participant Accident Insurance
Participant Accident Insurance (PAI) is additional medical insurance that covers minors in the event of an accident. In compliance with California State University policy, participant accident insurance must be secured when working with participants who are minors.

If the contract is awarded, the cost of PAI insurance is based on the number of minor participants, scope of work, and the duration (days) of the project (price of PAI varies when hosting camps and/or overnight trips). Research Foundation Risk Management processes and secures PAI insurance for all SJSU programs. Participant Accident Insurance should be secured in post award grant administration.

NOTE: Damage to Research Foundation property, third party persons, or property during any phase of the research project should be reported immediately to the Risk Management team at: fdn-risk-management-group@sjsu.edu:

Domestic Travel Insurance
Travel insurance is secured for all participants who travel within the continental United States and U.S. possessions or territories. Travel must be approved by the account signer, college dean and department chair.

International Travel Insurance
When planning travel to international destinations that are not considered high hazard countries, employees and project participants of the Research Foundation, must complete the Request for Approval of Travel Form. The form must be signed by the traveler, the supervisor, and by the authorized account signer, and must be submitted to the Research Foundation at least 45 days in advance of the departure date in order for Research Foundation Risk Management to arrange travel insurance.

Approvals
International travel requires the same approvals as domestic travel and the additional approval from the SJSU Office of the Provost and from the Office of the President. SJSU faculty and staff must submit their requests for the required travel approval online through SJSU Financial Transaction System (FTS). SJSU students who cannot log into FTS must use the Request for Approval of Travel Form.

Travel to High Hazard Countries
In addition to all other required approvals, when travel plans include countries that are deemed war risks or high hazard areas, written approval is also required from the CSU Office of the Chancellor and CSURMA. To ensure that all required approvals are obtained in time and in order for Research Foundation to arrange travel insurance, Research Foundation employees, project participants, SJSU faculty, students, and staff must submit authorization forms at least 60 days in advance of the intended departure date.

To determine if a destination has been deemed a high hazard area, travelers should refer to the US Department of State current travel warnings on the U.S.
Department of State Travel website and the High Hazardous Country List on the CSU Systemwide Risk Management website. For complete details on Research Foundation travel requirements, please refer to the Travel section in this guide and to the Research Foundation Travel web page.

NOTE: Per the University Travel Guide and Academic Affairs Division Travel Guide, ALL university-related international travel must use the Foreign Travel Insurance Program. It is the responsibility of the traveler/funding source to cover mandatory insurance cost.

Incident Reports (Claims)

If insurance was obtained through Research Foundation Risk Management, all incidents involving personal injury, potential injury or property damage must be reported to Research Foundation Risk Management immediately at Research-Foundation-Risk-Management@sjsu.edu. If insurance was obtained through SJSU Campus Risk Management, incidents should be reported to their designated contact.
JSU Research Foundation Purchasing works with projects and departments on procuring goods and services in accordance with Research Foundation regulations, state, federal, and sponsoring agencies’ guidelines, and good business practices.

The Research Foundation Procurement Policy, provides guidelines and describes a process for procuring supplies, equipment, and services in a manner that is expeditious and in accordance with the policies of the State Administrative Manual, the Education Code (Title 5) and all other applicable federal, state, and independent contract rules and regulations.

The Research Foundation’s function as a purchasing agent is delegated to individual projects. Any individual acting as a purchasing agent must at all times adhere to the Research Foundation’s Purchasing Policy and Code of Ethics, and ensure integrity in the purchasing practices of the organization.

The purchasing agent assists in the selection and purchasing of goods and services by gathering and screening information about products, prices, and supplies, and then solicits bids from vendors. Each principal investigator acts as the purchasing agent for his or her project, and works with Research Foundation Central Office Purchasing to obtain a purchase order when necessary.

**Purchasing Guidelines**

All purchases made with Research Foundation funds must have a legitimate business purpose. To ensure quality service, maintain satisfactory relations with external suppliers, SJSU faculty, administrators, and principal investigators, the following ethical purchasing guidelines have been developed by the Research Foundation:

- Give first consideration to the objectives and policies of the SJSU Research Foundation and SJSU.

- Obtain the maximum value for each dollar expended.

- Demand honesty in sales representation whether offered through oral or written statements, advertising, or product samples.

- Grant all competitive bidders equal consideration; regard each transaction on its own merit.

- Decline all personal gifts or gratuities.
• The **Title Of Ownership** should list San Jose State University Research Foundation as the property owners for all major property purchases such as vessels, vehicles, etc. For tax purposes and school exemption, PIs and employees are not to purchase major property in their own names.

• Accord a prompt and courteous reception to all who call on legitimate business missions.

• Use only by consent, original ideas and designs devised by one vendor for competitive purchasing purposes.

• The purchasing power of the Research Foundation shall not be used for personal acquisitions for faculty, staff or students.

**Vendor Selection**

It is the policy of the Research Foundation to treat all vendors and contractors fairly and impartially. To maintain integrity in all purchasing transactions and make every effort to avoid financial (actual or perceived) conflicts of interests. Vendor selection should be made from companies that do not provide economic benefit to Research Foundation employees or project staff.

Additionally, no contract should be established with parties listed on the U.S. Government Debarment list. The General Services Administration’s System for Award Management (SAM) list contains the names of parties that have been debarred, suspended, or otherwise excluded by federal agencies, as well as contractors who are ineligible under statutory or regulatory authority. Contractors with awards that exceed the small purchase threshold of the Research Foundation must provide the required certification regarding their exclusion status.

**Purchase Orders**

Purchase orders are generated by the Research Foundation Purchasing department who officially authorize the transactions. The document identifies a specific seller and provides: descriptions, quantities, prices, discounts, payment terms, date of performance or shipment, other applicable terms and conditions. **Research Foundation Accounts Payable has sole authority to issue purchase orders.**

When accepted by the vendor (seller), the purchase order becomes a contract binding on both the vendor and the Research Foundation. Although the principal investigator functions as the purchasing agent for his or her project, the principal investigator must not under any circumstances issue his or her own purchase orders.

**NOTE:** Anyone entering into a purchase of goods or services without proper authority is unnecessarily exposing the Research Foundation to risk, assumes the risk of being held personally responsible for any and all charges.
Purchase orders (POs) are required whenever the vendor requires it or when the purchase meets the requirements. The steps for requesting a Research Foundation purchase order are below.

1. Complete and sign a **Purchase Requisition Form**. Requisition forms are available in portable document format on the Research Foundation [Forms web page](#) listed under Accounts Payable.
2. Attach the quote from the vendor and any other supporting documentation to the form.
3. Forward the approved and completed form to the Research Foundation at ext. zip 0139.

The sponsored programs or self-support services manager will review and forward to Research Foundation Purchasing. The Purchasing team will review and issue a purchase order, and then place the order by sending the purchase order to the vendor. Following shipment of the product, the vendor will send a payment invoice to Research Foundation Accounts Payable ([research-foundation-ap@sjsu.edu](mailto:research-foundation-ap@sjsu.edu)). The requestor (PI or project staff) must confirm that the product has been received before Accounts Payable will issue payment.

**Purchasing Classifications and Requirements**

Purchases for research projects and activities may be classified as any of the following:

**Tangible Goods (Including Equipment)**
All purchases for goods that have a total transaction cost of $10,000 or more require a purchase order. For further information on Research Foundation equipment or property, see the Property Accounting Policy on the [Research Foundation Policies web page](#).

**Services**
All purchases for services of $10,000 or more require a purchase order. Certain types of services (facility rental agreements, survey services, evaluation services, etc.) may also require an Office of Sponsored Programs Service Agreement signed by the Office of Sponsored Programs senior director.

**Internal Purchase Orders**
Internal purchase orders are for the use of encumbering amounts on an account for tracking purchases and are commonly used for student awards and subcontracts.

**Independent Contractor Agreements**
All independent contractor agreements require a purchase order regardless of the amount. The purchase order is automatically generated by Research Foundation Purchasing after the fully executed independent contractor agreement is received. For further information on Research Foundation independent contractor requirements, see the Independent Contractor Policy on the [Research Foundation Policies web page](#).
Online Software Tools
All purchases for online software tools that will be used for the electronic storage, processing, or transmission of sensitive data or information—regardless of the amount—requires a purchase order and will be forwarded to the SJSU Information Security Office for approval. The SJSU Information Technology Division has also implemented use of the Technology Requisition Impact Assessment (TRIA) process to assess potential information security risk and accessibility impact when purchasing hardware, software, electronic content and services on SJSU environments.

Please note that TRIA is NOT required for purchasing the standard workstations, monitors (displays) and other workstation accessories; disks, SD cards, electronic and data storage devices; cables, USB hubs, UPS battery backup for desktops; digital cameras, camera lenses and other camera accessories; televisions, smartphones and projectors. Questions about the TRIA process should be sent to to vpat-review@sjsu.edu. For specific information regarding sensitive data, please refer to the CSU Information Security Data Classification Standards.

Animals
The SJSU Animal Care department is responsible for placing all animal orders on behalf of SJSU and the Research Foundation with approved vendors. The placing of animal orders shall not be done by the Research Foundation or the PI. The requisition for purchase order must indicate that the shipment delivery address is SJSU Animal Care department. Animal orders cannot be shipped directly to central receiving.

Hazardous Substances
In accordance with Title 8 of the California Code of Regulations, §5194 Hazard Communication Standard, PIs must adhere to SJSU Environmental Health & Occupation Safety guidelines on all shipments of hazardous materials. The PIs research laboratory must maintain a Material Safety Data Sheet (MSDS) of the material and make it accessible to all users of the material.

Hazardous and toxic substances, as defined by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), are chemicals present in the workplace that are capable of causing harm. Those chemicals include dusts, mixtures, and common materials such as paints, fuels, and solvents. OSHA currently regulates exposure to approximately 400 substances.

The OSHA Chemical Sampling Information file contains listings for approximately 1,500 substances. To view the list, visit the Department of Industrial Relations web page. The Research Foundation will provide a copy of requisitions and the purchase orders for the purchase of hazardous substances included in the above-mentioned list to the San José State University Environmental Health & Occupation Safety department.

Research Foundation Purchasing maintains a Material Safety Data Sheets (MSDS) log and copies of all such logs. The Research Foundation will provide a copy of the MSDS to the department that purchased the materials and to the university’s Environmental Health & Occupation Safety department.
Radioactive Materials

All requisitions for the purchase of radioactive materials and radiation devices must be approved by the SJSU radiation safety officer before submitting the purchase requisition to the Research Foundation. Purchases of items listed below will be screened and handled as radioactive material if they contain mass numbers or radiation measurement units:

<table>
<thead>
<tr>
<th>Isotope</th>
<th>X-Ray</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nuclide</td>
<td>Active/labeled</td>
</tr>
<tr>
<td>Radiation</td>
<td>Tritium</td>
</tr>
<tr>
<td>Activation</td>
<td>Irradiator</td>
</tr>
<tr>
<td>Radioisotope</td>
<td>Irradiated</td>
</tr>
<tr>
<td>Radionuclide</td>
<td>Generator</td>
</tr>
</tbody>
</table>

Radiation Measurement Unit Table

<table>
<thead>
<tr>
<th>Term</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kilobecquerel</td>
<td>kBq</td>
</tr>
<tr>
<td>Megabecquerel</td>
<td>MBq</td>
</tr>
<tr>
<td>Microcurie</td>
<td>µCi</td>
</tr>
<tr>
<td>Millicurie</td>
<td>mCi</td>
</tr>
<tr>
<td>Millirem</td>
<td>mrem</td>
</tr>
<tr>
<td>Roentgen</td>
<td>R</td>
</tr>
</tbody>
</table>

Emergency Transactions

In the case of a financial or life or death threatening emergency there may not be time to follow the standard process for obtaining a purchase order. In lieu of obtaining a purchase order, the PI may obtain written approval from the executive director of the Research Foundation (or designee) to make the purchase. The written approval must be submitted along with the request for payment.

Low Dollar Purchases

The use of Procurement Cards (P-Cards) is encouraged when the amount of the purchase for goods and services is $9,999 or less. Refer to the Research Foundation Procurement Card Procedure Manual for additional information.

Requests for direct payments and reimbursements requests can be made when the amount of the purchase for goods and services is $9,999 or less. A requisition for payment with an invoice from the vendor along with all appropriate supporting documentation should be submitted to the Sponsored Programs manager.
Bidding

Competitive Bidding
Effective July 1, 2018 the procurement thresholds and guidelines below apply to all purchases including services, supplies, and properties as defined in Uniform Guidance 2 CFR 200.320 and in the June, 2018 Memorandum from the Office of Budget and Management (M-18-18).

Price per Unit: Include installation but exclude taxes, shipping, and maintenance.

1. Micro-purchases (<$10,000)
   - Price must be reasonable;
   - No cost analysis is required;
   - Basic allowability review is needed.

2. Small-purchase ($10,000 - <$250,000)
   - Price or rate quotation must be obtained from two (2) or more qualified sources;
   - Documented phone calls or web search results are required

3. Simplified Acquisition (>=$250,000)
   - Procurement by sealed bids
   - Provide complete descriptions and realistic specifications to three (3) or more sources that are willing and able to provide goods or services.
   - A fixed-price contract will be awarded.
   - Vendor can be selected on price or other factors.

4. Procurement by competitive proposals (RFP)
   - A request for proposal (RFP) must be issued.
   - Evaluation factors and importance must be identified.
   - Issue RFPs to three (3) or more entities.
   - A written method of evaluation must be prepared in advance.

NOTE: The project or department is responsible for acquiring the required three bids, which are to be submitted for processing with the requisition form. Required bidding may be circumvented with a justifiable sole source or unique statement, as described in the Sole Source Procurement section.
5. **Procurement by noncompetitive proposals (Sole Source)**

- The item is available only from a single source;

- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;

- The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the nonfederal entity; or

- After solicitation of a number of sources, competition is determined inadequate.

Requests for the purchase of sole source equipment shall be justified in writing. The **Sole Source Brand Name Justification form** is available on the Research Foundation website on the [Forms web page](#) listed under Accounts Payable. The justification must discuss features that are essential for the item’s intended use and explain why the item cannot be obtained from other manufacturers that produce like-products. Exterior size will only be used as criteria if there is a limitation on available space.

A preference for one vendor product or service does not render it a sole source. For equipment purchases of $5,000.00 or more for use in sponsored programs, or for purchases of $10,000 or more for use in non-sponsored programs, a sole source justification must be attached to the requisition form when three bids are not applicable.
The SJSU Research Foundation maintains and implements accounts payable policies and procedures. The Accounts Payable department provides the accurate and timely disbursement of project funds. All expenditures must conform to CSU control procedures set forth in the CSU Auxiliary Organizations Compliance Guide under “Expenditure of Auxiliary Organization Funds.” The Research Foundation’s Accounts Payable department is responsible for reviewing and verifying all incoming invoices and reimbursements to ensure that receipts and account codes are reflected. Before disbursement, the Accounts Payable department ensures that expenses adhere to the guidelines set forth in the Accounts Payable Policy regardless of the source of funding.

**Invoice Submissions and Requisitions**

Invoices should be submitted to the Accounts Payable department via DocuSign. The document should be routed for approval and signatures by the account signer and the Sponsored Programs manager, and a carbon copy to the Accounts Payable department at research-foundation-ap@sjsu. Each invoice submitted via DocuSign should include the following:

- an account number
- object code,
- printed name, and a legible (DocuSign) signature.

If all required information cannot be included on the invoice, a completed requisition form should be submitted along with the invoice.

In instances where the requested payment is for reimbursement is to the PI for costs (such as supplies, travel, etc.), the requisition must be routed for approval to the chair, dean, or their designee. This is commonly referred to as a “one-up” signature and is applicable to any such payments made directly to the PI. Each invoice must be submitted separately. By approving a payment, the signer certifies that:

- The expenditure is appropriate to the account
- The expenditure is in compliance with the university’s educational mission and the Research Foundation’s policies and procedures, d
- The expenditure is within the restrictions imposed by the source of funding,
- No other source or reimbursement will be claimed.
Disbursement of Funds
Prior to disbursing funds, the Accounts Payable department ensures that expenses adhere to the guidelines set forth in Accounts Payable policies regardless of the source of funding.

Signature Authority
Although Research Foundation Sponsored Programs managers assist with various tasks during the managing phase of the research project, principal investigators are ultimately responsible for ensuring compliance with all administrative and financial policies related to their grants. Principal investigators have the authority to approve purchases, personnel related actions, and various other expenditures and reimbursements.

Electronic Signatures
San José State University has officially designated DocuSign as the only approved method for electronic signatures. In keeping with the university directive, the Research Foundation can only accept DocuSign electronic signatures.

Payment Methods

Electronic Payments
SJSU Research Foundation has implemented electronic payments using the Automated Clearing House (ACH) network. The ACH system enables funds to be deposited directly into the specified vendor’s bank account. Disbursements (payments) are processed based on the due date indicated on the invoice; vendors are notified of the remittance via email.

ACH forms are available on the [Forms web page](#).

Wire Transfers
Invoices and requests from vendors located outside the US (Internationally) are paid by wire transfer. Please note that a fee is charged for each wire transfer. The following information are required for wire transfers:

- Beneficiary Bank ID
- Beneficiary Name
- Beneficiary Address IBAN (if applicable)
- Swift
- Account Number
- Type of Currency

Contact the Accounts Payable department with any questions at: research-foundation-ap@sjsu.edu.
Participant Support Payments
Participant costs are for non-service participation only. Participants who are attending a workshop training may receive a stipend. A stipend is a payment made to an individual for their attendance or participation only, NOT for services rendered. The payments cannot be tied to “any obligation for past, present, or future services.”

There can be no employer-employee relationship associated with the stipend payment. No fringe benefits are associated with stipend payments as they are NOT for services rendered. Those delivering the training are doing “for service” work and would be paid a salary.

Student Stipends
Payments to SJSU students are disbursed by the Financial Aid and Scholarship Office, and paid through the Bursar’s Office to student accounts.

Payments to students who are not enrolled at SJSU are sent directly to the student.

To facilitate a student stipend payment, the PI must:
1. Complete a purchase requisition.
2. Complete the appropriate Non-Service Stipend Award and Acceptance Letter (for either SJSU student or for non-SJSU student).
3. Have the student complete the ACH enrollment form.
4. Submit all forms to the designated Sponsored Programs manager for processing.

The Non-Service Stipend Award and Acceptance Letter templates for SJSU students and non-SJSU students are available on the Research Foundation Forms web page.

Independent Contractor Payments
An independent contractor (“IC”) is an individual, sole proprietor, or a sole person limited liability company (LLC) (using their personal social security number as their tax identification number) contracted to perform specific tasks or deliver services for the Research Foundation over a specified period of time, not to exceed twelve months.

Payments to independent contractors require that the PI complete and submit the forms listed below to their designated Sponsored Programs manager for review and Research Foundation approval. The forms are available on the Research Foundation Forms web page:

- Determination of Independent Contractor Status Checklist & Agreement - CA Only
  
  OR

- Determination of Independent Contractor Status Checklist & Agreement - All Except CA Only

- General Provisions for Independent Contractor Services - Non-Disclosure Agreement
• Independent Contractor Proprietary Rights Assignment

• W-9 Form for U.S. citizens or the W-8BEN Form for non-U.S. citizens (first time submission only)

• ACH Form (first time submission only)

Per IRS guidelines, all independent contractors whose reimbursements exceed $600, will receive a Misc. 1099 form for the current tax year.

All invoices should include account number, object code, printed name and a legible DocuSign signature. If all information cannot be included on the invoice, a completed requisition form must be submitted along with the invoice.

**California State Tax Withholding**

Wages paid to contractors who perform work in California but reside out of state are subject to withholding for California state income tax. In accordance with Franchise Tax Board guidelines, the Research Foundation is required to withhold seven percent (7%) of gross payments made to domestic nonresidents. The current withholding rate for foreign entities is 9.3% of gross payments for non-corporate partners and 8.84% percent for corporate partners.

**Procurement Cards**

The SJSU Research Foundation Procurement Card (P-Card) program is designed to provide a convenient way of making routine purchases. Research Foundation P-Cards are widely accepted Visa cards issued by US Bank. These are corporate liability cards, and are intended to be a method of payment for business purchases made within the cardholder’s approved credit limit.

**P-Cards are intended to do the following:**

• Provide the ability to obtain goods and services faster and more easily

• Eliminate the need to use personal funds for purchases

• Decrease the need for cash advances (e.g. for meetings or travel)

• Automate the recording of all purchases made by cardholder

• Simplify the expense reporting process

The P-Card program is not intended as an overall replacement or as a means to circumvent purchasing guidelines, requirements, or policies and procedures established by the Research Foundation. If use of the P-Card is not practical, the use of the Research Foundation’s existing mechanisms such as purchase orders or direct pay may be utilized.
P-Card Administration
The P-Card program is administered by the Research Foundation Accounts Payable (AP) Department. The Accounts Payable manager is the designated primary P-Card administrator. The principal investigator has administrative and fiscal responsibility over the account(s) associated with the P-Card.

In collaboration with the Research Foundation Accounting and the Office of Sponsored Programs the PI determines which individuals have a reasonable need for a P-Card and whether those individuals meet the qualifications for becoming cardholders.

Under the direction of the P-Card administrator, all cardholders must:

- Complete the New Card Application (available on the Research Foundation Forms web page),
- Submit all forms to the designated Sponsored Programs manager for review,
- Complete required training and sign the Cardholder User Agreement

The Sponsored Programs manager will forward the forms to the P-Card administrator for review and approval. When approved, the P-Card administrator will coordinate the required training for all cardholders and approvers, and then coordinate P-Card distribution.

P-Card Reconciliation and Remittance
P-Cardholders must:

- Complete the P-Card Remittance Form and attach the required supporting documentation when submitting their P-Card transaction original receipts to their Sponsored Programs manager.
- Submit the Remittance Packets to their Sponsored Programs manager no later than the 27th of each month inclusive of all activity that occurred between the 23rd of the previous month to the 22nd of the current month.
- On the 25th day of each month, the Accounts Payable manager will send a courtesy email reminding PIs who have P-Card transactions for the current month to submit their P-Card Remittance Packet by the submission deadline (the 27th day of the month).

For complete P-Card details, refer to the Procurement Card Program Policy and Procedure Manual accessible from the Procurement Card web page.

Sales and Use Tax
Sales tax is imposed on the retailer by the State Board of Equalization for the privilege of selling tangible personal property at retail. This tax applies to purchases made in the State of California. Use tax applies to sales made by an out-of-state vendor to a California consumer by the State Board of Equalization.
If a vendor does not charge sales tax or charges incorrect sales tax on the invoice, the Research Foundation will adjust the amount on the invoice and pay the sales tax either to the vendor if located in California or to the appropriate state for out-of-state vendors. The additional sales tax will appear on the project’s monthly Account Status Report detail. Questions regarding sales tax should be directed to the Accounts Payable department at: research-foundation-ap@sjsu.edu.

Exemptions from Sales and Use Tax
The U.S. Government and U.S. Government agencies are exempt from sales and use tax. Purchases made by federal government projects where the title of such purchases is held by the U.S. Government are exempt from sales tax.
Travel

Travel on behalf of the Research Foundation must be conducted in a manner that is necessary, ordinary, reasonable, and not extravagant. The Research Foundation will reimburse individuals for travel expenses incurred for properly authorized, official Research Foundation business in accordance with the established Research Foundation Travel Policy. Individuals are responsible for excess costs and any additional expense incurred for personal preference or convenience.

Travel Authorization

Travelers must obtain advanced approval for travel and travel-related expenditures prior to embarking on a trip and prior to making non-cancellable travel arrangements. Programs using U.S. Federal Government funds (including pass-through funds from non-federal entities) require travelers to use U.S flag carriers in order to comply with the public law commonly referred to as the Fly America Act.

Domestic Travel

Research Foundation Staff and Project Participants
When planning to travel to destinations within the continental U.S., U.S. possessions or territories, the Request for Approval of Travel Form must be completed. The form is accessible from the Research Foundation Forms web page. The form must be signed by the traveler, the supervisor, and by the authorized account signer, and then submitted to the Research Foundation Sponsored Programs manager.

NOTE: This requirement also applies to off-duty SJSU faculty and staff.

SJSU Faculty, Students, and Staff
Requests for travel approvals must be submitted online through Financial Transaction Services (FTS). Hard copy Request for Approval of Travel forms are only accepted from individuals who are unable to log in to FTS. Travel must be approved by the authorized account signer, college dean, and department chair.

Insurance
Travel insurance coverage is secured for all participants who travel within the continental U.S. and U.S. possessions or territories.

International Travel

Research Foundation Staff and Project Participants
When planning to travel to international destinations outside the continental United States, the traveler must complete the Request for Approval of Travel Form.
The form must be signed by the traveler, the supervisor, and by the authorized account signer. Additional approval from the Office of Research is also required.

NOTE: This requirement also applies to off-duty SJSU faculty and staff.

**SJSU Faculty and Staff**

Requests for international travel approvals must be submitted online through Financial Transaction Services (FTS). Hard copy Request for Approval of Travel forms are only accepted from individuals who are unable to log in to FTS.

To ensure that all required approvals are obtained in time, and in order for Research Foundation Risk Management to arrange appropriate insurance for international travel, it is highly recommended that requests be submitted at least **45 days in advance** of the intended departure date.

Completed forms will be submitted to California State University Risk Management Authority (CSURMA) for the purchase of appropriate insurance coverage. **Travel insurance costs are charged to the researcher's department or to the specific Research Foundation project account.**

**Travel to High Hazard Countries**

When traveling to countries that are deemed war risks or high hazard areas, additional approvals are required. In addition to the approvals that are required for domestic and international travel, individuals traveling to countries that are considered war risks or high hazard areas must obtain approvals from the SJSU president’s office, the provost’s office, the CSU chancellor’s office, and the California State University Risk Management Authority (CSURMA) insurance company.

To ensure that approvals are obtained in time and in order for appropriate travel insurance to be arranged, **all travelers** (Research Foundation employees, project participants, SJSU faculty, students, and staff) must submit authorization forms **60 days in advance** of the intended departure date.

To determine if a destination has been deemed a high hazard area, travelers should refer to the [U.S. Department of State Travel website](https://travel.state.gov) for the current list of travel warnings and information on the [CSU Systemwide Risk Management website](https://riskmanagement.calstate.edu).

For additional details on travel policies, procedures, and requirements, please refer to the Research Foundation Travel web page.

**Travel Expense Guidelines**

Generally travel expenses paid by the Research Foundation must adhere to Research Foundation guidelines regardless of the source of funding. However, depending on the terms specified in the grant or contract, variations may sometimes exist in rules for reimbursement of travel expenses. In such instances, the travel rules of the issuing agency and those in the award itself, should be carefully reviewed. If at variance with Research Foundation policy, the terms of the applicable program contract or grant will take precedence.
The Research Foundation will reimburse travelers for allowable expenses using one of the three methods listed below.

**Per Diem Only**
Receipts are not required when this method is selected. Travelers will be reimbursed based on the established daily allowance for expenses. Visit the websites below for the current rates.

<table>
<thead>
<tr>
<th>Type of Travel</th>
<th>Agency Setting Per Diem Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Within Continental United States Travel (CONUS)</td>
<td><strong>U.S. General Services Administration</strong></td>
</tr>
<tr>
<td>Outside the Continental United States (OCONUS) i.e. Alaska, Hawaii, US Possessions and Territories</td>
<td>Department of Defense</td>
</tr>
<tr>
<td>Foreign Travel</td>
<td><strong>U.S. Department of State</strong></td>
</tr>
</tbody>
</table>

**Actual Lodging Expenses and Per Diem for Meals and Incidentals**
When this method is selected, travelers must submit original receipts for actual lodging expenses with the request for reimbursement.

**Actual Expenses Only**
This method requires that travelers include original receipts for all expenses with their request for reimbursement.

**Meals and Incidentals**
To receive an allowance for all three meals and incidentals, a traveler must be on travel status for a full 24-hour period. The 24-hour period is calculated from the time of departure on day one to the same time on day two, and to the same time on each succeeding day.

**Transportation**
To be fully reimbursed by the Research Foundation for transportation expenses, the traveler must use the most economical mode of transportation available, consistent with the authorized purpose of the trip. This includes charging no more than the rate for the most direct or frequently traveled route. Airfare can only be reimbursed at coach rates or less. Where mileage reimbursement between two points of travel is claimed when airfare would be most economical (i.e. San Jose to Los Angeles), the traveler will be reimbursed the amount of airfare only.

- **Airfare**: Airfare can only be reimbursed at coach rates or other discounted rates (whichever is most economical). The traveler’s expense claim portion of the Travel Expense Claim Form must be accompanied by the flight itinerary when airfare is being claimed.
**Commercial Automobile Rental:** The Research Foundation provides insurance coverage for vehicles rented by Research Foundation employees, PIs, and project staff who are employed by the Research Foundation and are participating in Research Foundation-related business activities. All rented vehicles for business purposes should be rented through Enterprise Rental Car using the CSU Business Account. General vehicle liability coverages are covered under the CSU Enterprise Business account. All uninsured losses will be charged to the department or project.

**Use of Private Vehicles:** Reimbursement for the use of a private automobile will be allowed for the owner of the vehicle only, provided that the travel was necessary for business purposes. Toll fees and reasonable parking fees are also reimbursable. Mileage may be claimed at the current IRS standard mileage rate.

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**Travel Expense Reimbursements**

Requests for travel expense reimbursements must be submitted on the Travel Expense Claim Form. The form is accessible from the Forms web page. Reimbursements are typically issued to an individual requestor. If the travel party includes multiple travelers, a Travel Expense Claim Form for each traveler is required.

Each form must include the name of traveler, amount of travel funds expended for the traveler, and the signature of the traveler acknowledging funds expensed on his or her behalf. Expenses must be itemized and must be accompanied by appropriate receipts as required based on the selected method of reimbursement.

As specified in the Research Foundation Travel Policy, the Travel Expense Claim Form must also contain the following travel details:

- **Purpose:** The purpose section should show the direct relationship of the travel to an official Research Foundation function, and if applicable, it will include the performance of a contract or grant for which the Research Foundation has responsibility.

- **Dates:** All days from the date of departure to the date of return must be included on the claim form. Days for personal use must also be referenced as such.

- **Expenses:** Costs of transportation, meals, lodging, and miscellaneous expenses must be listed by date and location. Expenses that are prepaid or invoiced should be shown. Unpaid invoices must be described under the Notes section so they will not be overlooked.

- **Balance Due:** Any advanced funds that are not used for travel expenses must be returned together with the Travel Expense Claim Form. Any balance due to the traveler will be paid as soon as the Travel Expense Claim Form is processed, usually seven to ten working days if a properly completed claim is submitted.
• **Signatures:** Upon completion of travel, the Travel Expense Claim Form must be signed by the person who incurred expenses and the authorized account signer.

• **Original Receipts:** Receipts must be taped to an 8½ x 11 blank sheet of paper. Due to the process used for scanning, receipts must be securely taped to the 8½ x 11 sheet on all sides.

**Expense Claim Approvals and Submission**
The Travel Expense Claim must be appropriately signed by the following:

- The Traveler
- Account Signer
- Direct Supervisor (if not the authorized account signer)

A properly completed and approved Travel Expense Claim Form must be sent to the Research Foundation Accounts Payable team (<research-foundation-ap@sjsu.edu>) **within 30 working days** of the completion of each trip. Failure to submit claims as specified can delay processing and issuance of expense reimbursements.

For additional details on travel, refer to the following documents:

- Research Foundation Travel Policy
- Current Travel Bulletin
- SJSU Faculty and Staff Travel Authorization and Expense Reimbursement Guide
- Research Foundation Employee, Project Participant, and SJSU Student Travel Authorization and Expense Reimbursement Guide

All documents are accessible from the Research Foundation Travel web page.
Research Foundation Human Resources partners with principal investigators and project administrators to ensure compliance with all pertinent employment and labor laws, Research Foundation policies, federal, state, and sponsoring agency guidelines, and good business practices. The Human Resources department provides a full range of services and support that enable SJSU faculty researchers to accomplish their research and public service objectives, while supporting a work environment where diversity and both individual and team contributions are respected and valued.

The department provides and oversees the following services:

- Employment and Labor Regulation Compliance
- Recruitment and Staffing (now includes Background Checks and Live Scan)
- Compensation and Benefits Administration
- Performance Management, Training, Skills Development
- Employee Relations
- Workers Compensation & Injury and Illness Prevention Program (IIPP)
- Policies and Procedures
- Immigration Services
- Community Outreach

**Employment Classifications**

Central Office and project employees who receive a payroll check from the Research Foundation are considered Research Foundation employees. Central Office employees are not directly funded from a specific grant, contract, cooperative agreement or from a campus program activity. Assigned duties are carried out on site at the Research Foundation.

Project employees are funded through specific project funds (such as a specific grant, contract, cooperative agreement or from a campus program activity). Assigned duties are carried out at various research project locations. The section below provides a brief description of the Research Foundation employment classifications. Refer to the Research Foundation HR Handbook for complete descriptions.
Exempt Employees
Exempt employees can be either full-time or part-time employees. Individuals in this classification only record time that deviates from their regular work schedule (such as vacation, sick leave, holidays, etc.). Exempt employees are not eligible for overtime pay and are not required to take meal and rest breaks at a designated time. Exempt employees must submit their timesheets to their supervisor for approval by the required due date. Failure to do so will delay scheduled issuance.

Non-Exempt Employees
Non-exempt employees can be either full-time or part-time employees, and may be benefited or non-benefited. Individuals in this classification are paid at an hourly rate, must be provided designated meal and rest periods, and are eligible for overtime pay when appropriate.

Timesheet entries must show actual time worked on an hourly and fractional hourly basis. Non-exempt employees must submit timesheets to their supervisor for approval by the required due date. Failure to do so will delay scheduled issuance.

PLEASE NOTE: Supervisory approval is required before working overtime; however, in all instances, hourly employees will receive pay for all hours worked, whether or not authorized.

Full-Time Employees
Employees with a schedule of 40 hours per week or those who have a 100% appointment are considered full-time employees. Full-time employees may or may not be benefited employees.

Part-Time Employees
Employees who are scheduled to work fewer than 40 hours per week or less than 100% appointment are considered part-time employees. Part-time employees may or may not be benefited employees.

Out of State Employment
Assignment of any and all proposed out of state employment, including student assistant positions, specifically requires discussion with Human Resources and appropriate approval before the assignment is initiated.

Additional Employment
This classification pertains to Research Foundation staff only; it does not include faculty employment. Research Foundation employees may engage in additional employment as long as the additional employment does not adversely affect their performance and commitment to their Research Foundation employment, and as long as that additional employment does not create a potential conflict of interest. Concerns and questions about additional employment and any potential conflict must be discussed in advance of the start of that additional employment.
Overload Employment
This classification pertains to faculty employment only. The CSU establishes reasonable limits on the total amount of employment time that an individual may work within the CSU system, including its auxiliaries. In accordance with CSU Additional Employment Policy HR 2002-05, under certain circumstances a maximum of 125% time-base is allowed CSU system-wide on non-federal awards. In determining the 125% additional employment cap, both CSU and other CSU auxiliary employment time are considered together. A maximum of 100% is allowed on federal awards.

More information on additional employment and faculty overload employment can be found at the CSU Employee Policies and Programs web page.

Temporary, Casual Employees (excluding students)
Employees in this category usually work no more than 28 hours per week on average. Temporary, casual employees are paid at an hourly rate of pay and are normally eligible to receive overtime pay when applicable. They receive only those benefits that are legally mandated, including workers’ compensation, state disability insurance, and state-mandated sick leave (24 hours per calendar year).

Student Assistants – Undergraduate and Graduate
Employees who are enrolled in and are attending classes at SJSU or another institution of higher education can be hired as student assistants. A copy of their academic schedule may be required as a condition of their employment. Individuals in this classification are paid at an hourly rate and are eligible for overtime pay when appropriate. In accordance with CSU and Research Foundation policies, during regular school sessions, student assistants are approved to work no more than a total of 20 hours per week (including both campus as well as Research Foundation hours of employment). Student assistants are entitled to receive only those benefits which are legally mandated, including workers’ compensation, state disability insurance, and state-mandated sick leave (24 hours per calendar year).

New Hire Recruitment
Research Foundation HR recruitment processes ensure that all legal and government hiring regulations are met and maintained. Employees are not authorized to begin work until all required steps have been approved and completed.

The Research Foundation Human Resources Team will:

• Assist with writing a job description
• Prepare other recruitment materials
• Post open positions on designated sites Please note that formal posting is required for all benefited positions; formal posting is not required for non-benefited positions.
• Screen for qualifications as specified
• Forward applications of qualified individuals to the hiring manager (without confidential information)

• Set up and attend interviews as appropriate

• Write the offer letter for the successful candidate, and ensure its delivery

• Ensure that all recruitment requirements are met before the candidate begins work (such as background checks and Live Scan)

**Request to Recruit**
To begin the recruitment process for benefited positions, a **Request to Recruit Form** must be completed and submitted to Research Foundation Human Resources. The hiring manager (principal investigator, manager, supervisor, or director) is responsible for completing and submitting the form along with a job description. The form is available on the Research Foundation [Forms web page](#).

The Request to Recruit Form is not required when hiring non-benefited positions; however, the designated hiring manager is responsible for completing and submitting a job description for the position to Human Resources.

**Onboarding**
Upon a candidate’s acceptance of employment, the hiring manager must complete a Research Foundation appointment form for the newly hired employee. The appointment form is used to communicate administrative actions (e.g. new hires, changes, extensions, salaries). It is critical that PI’s attend to the timely submission of appointment forms and other administrative details in a timely manner.

To ensure compliance with required regulations and the HR team’s ability to follow through on the PI’s proposed actions, appointment forms must be received by HR in a timely manner. The newly hired employee is responsible for completing the required new hire documentation and for contacting Human Resources to complete the required new hire processes.

**New and Re-Hired Employees**
Hiring managers must ensure that all required documentation for all new and re-hired employees is completed before the employee begins working. No employee is authorized to begin work until the following processes have been completed:

- E-Verify
- Glacier (for non-residents)
- Background Checks (for all new or re-hired benefited and employees hired for sensitive category positions)
- Live Scan (all employees hired for sensitive category positions)
**E-Verify**

E-Verify is an Internet-based system that allows an employer to electronically determine the eligibility of an employee to legally work in the United States. The E-Verify process is mandatory for those employers with federal contracts or subcontracts that contain the Federal Acquisition Regulation (FAR) E-Verify clause.

**Background Checks**

The Research Foundation’s **Background Checks Policy** aligns with the CSU policy and directives. The Research Foundation has retained the services of a third party agency—the Accurate Background company—to perform these services. The policy applies to the hiring of all new or re-hired benefited employees and employees hired into sensitive positions. Job offers are strictly conditional based upon successful completion of background checks.

**Live Scan**

In addition to background checks, Live Scan fingerprinting is required of any employee (benefited or non-benefited including benefited employees, student assistants, and volunteers) whose job assignment falls into the “sensitive” category. “Sensitive” job categories are generally those that fall into the areas of finance, working with or around minors, or having access to Level 1 Security information.

**NOTE:** A new employee is not authorized to start work until the onboarding process has been successfully completed.

**Benefits**

Benefited employees are normally eligible to receive the Research Foundation sponsored and subsidized benefits listed below:

- Vacation
- Sick leave
- Paid holidays
- Paid Family Leave
- Employee Assistance Program
- Retirement Plan

Non-benefited employees are not normally entitled to receive company benefits beyond those benefits which are legally mandated. The Research Foundation also provides 24 hours of paid sick leave each year (January 1 – December 31) for non-benefited employees including student assistants. If sick leave is not used by December 31,
the allotted hours will be forfeited for that year. Sick leave must be used in minimum increments of two hours.

The Research Foundation’s Employee Online Portal allows employees to view and make changes to their personal information, pay and tax information, job information, and benefits. A login is required for access.

**Payroll and Timekeeping**

The Research Foundation follows a semi-monthly pay schedule (24 pay periods per year). Work performed from day 1 through and including day 15, including all overtime hours, is normally paid on or before the 26th day of the month.

**Pay Periods**

Work performed from day 16 through and including the last day of the month, including all overtime hours, is normally paid on or before the 10th day of the following month.

Dates may be adjusted if the pay date falls on a weekend or holiday. PIs and employees are encouraged to refer to the [Payroll and Timecards web page](#) on the Research Foundation website. An updated calendar is issued and posted each year.

**Timesheet Entries and Approvals**

The Employee Online Portal provides access to convenient electronic timesheet entry and supervisory approval. Employees must record their own time and submit their timesheet by the required due date. Non-exempt employees enter hours for each day worked during the reporting period. Exempt employees only enter exceptions (such as time taken for vacation, sick leave, holiday, etc.) Timesheets are legal documents. When an employee submits a timesheet, the employee is affirming that the hours and times noted are accurate and correct. Errors on a timesheet must be immediately reported to the employee’s manager for correction.

**Entries**

To complete and submit a timesheet, log into Employee Online and select Timecard Online. For complete instructions visit the [Online Timecards for Employees](#) web page.

**Approvals**

To view and approve a timesheet, log into the [Research Foundation ERP system](#). Approvers may also view their direct reports’ timecard entries via email. Detailed entries are provided in the body of the email. Notifications are sent to approvers via email when timecards have been submitted for their approval. Detailed time entries are provided in the body of the email. Approvers are able to respond to the email with an approval or rejection of the submitted timecard entries.

**Overtime**

Time worked beyond eight hours in a day, 40 hours in a week, or on the seventh consecutive day of work is considered overtime. Please note that overtime must
be approved in advance by the supervisor. Compensation for overtime is paid in accordance with state and federal laws.

**Rest and Meal Breaks**
Non-exempt (hourly) employees are entitled to periodic rest break periods during their workday within a set work schedule. Rest breaks are paid time off and need not be recorded. However, meal periods are not normally paid time, and meal times must be accurately taken and recorded. The first rest break should be taken no later than 4 hours and 59 minutes into the employee’s shift. Rest breaks and meal periods must be taken away from the employee’s regular work area.

### Paid Break for Hours Worked

<table>
<thead>
<tr>
<th>Actual Hours Worked</th>
<th>Number of Paid 15-Minute Rest Breaks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 3 hours 29 minutes</td>
<td>0</td>
</tr>
<tr>
<td>3 hours to 5 hours 59 minutes</td>
<td>1</td>
</tr>
<tr>
<td>6 hours through and including 10 hours</td>
<td>2</td>
</tr>
<tr>
<td>10 hours 1 minute to 13 hours 59 minutes</td>
<td>3</td>
</tr>
<tr>
<td>14 hours through and including 18 hours</td>
<td>4</td>
</tr>
</tbody>
</table>

### Meal Periods and Hours Worked

<table>
<thead>
<tr>
<th>Shift Duration</th>
<th>No Meal Breaks</th>
<th>One Unpaid 30-Minute Meal Break</th>
<th>Two Unpaid 30-Minute Meal Break</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 3 hours 29 minutes</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 hours to 5 hours 59 minutes</td>
<td></td>
<td>X</td>
<td>Me may be mutually waived.</td>
</tr>
<tr>
<td>6 hours through and including 10 hours</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>10 hours 1 minute to 13 hours 59 minutes</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

First meal break MUST be taken. Second meal break may be mutually waived.
### Automatic (Direct) Deposits

Employees at all Research Foundation sites are encouraged to have their paychecks automatically deposited into their designated bank accounts. To begin automatic deposit, the employee must send a completed request form to the Research Foundation Human Resources. An employee may request to begin or cancel automatic payroll deposit at any time.

### Appointment Expiration or Extension

Prior to the end of an employee’s appointment and in cases when the appointment is being extended, the principal investigator or designee is responsible for submitting a completed Appointment Expiration or Extension Form to Human Resources. The principal investigator is responsible for ensuring that forms have been correctly filled out, appropriately signed, and returned to Human Resources in a timely manner.

### Voluntary and Involuntary Separations

#### Voluntary Separations

The Research Foundation requests at least two weeks or as much advance notice as possible and a letter of resignation when an employee plans to terminate their employment. The letter must be submitted to the employee’s supervisor and must include the date the employee plans to terminate their Research Foundation employment. The supervisor must complete an SJSU Research Foundation Appointment Form and a final timesheet. Both completed forms must be submitted to Human Resources at least three working days before the employee’s termination date.

NOTE: State law mandates that an employee who provides a minimum of a 72-hour notice (three calendar days), must be paid on his or her last work day. If an employee does not give a 72-hour notice, the employer has 72 hours from the date of the employer’s knowledge of the employee’s notification to tender their final pay.
Involuntary Separations

Human Resources must be consulted in advance of all employee terminations. In instances where an involuntary termination is necessary, the supervisor (principal investigator or team manager) must arrange a meeting with Human Resources to discuss reasons for the proposed termination. Human Resources may determine that further investigation of the issues is necessary before any final actions are taken.

Following final discussions and agreement between HR and the supervisor, a termination date can be set and the employee can be notified. The supervisor is responsible for completing the appointment form and final timesheet, and for forwarding both forms to the Human Resources department. The Human Resources team will coordinate issuance of the final check with Payroll. The final check must be provided to the employee on their last day of work.

Independent Contractors

The Research Foundation may engage the services of an independent contractor (IC) on a short-term, intermittent, or an as-needed basis to perform specific tasks or services. These specific tasks or services are those not normally provided by Research Foundation employees. Independent contractors are not permitted to begin work on any tasks until all required approvals are obtained in writing, from all parties involved.

It is critically important for organizations to properly classify its workers. Incorrectly classifying workers can place the organization at risk for various liabilities and steep penalties. The Research Foundation Human Resources team will exercise caution and due diligence in its assessment of all workers to ensure that all are correctly and appropriately classified. The team is available to provide specific guidance and direction should you have questions or concerns regarding independent contractor qualifications.

Please note that the individuals who fall into any one of the following categories cannot (under any circumstances) be classified as independent contractors:

- Student assistants
- Corporations – including a Limited Liability Company (LLC) of more than one person (using a business tax identification number), or a DBA
- Third party agencies
- Partnerships
- Current or active members of the San José State University (SJSU) faculty or staff
- Current or active members of any other CSU faculty or staff
- California State University, SJSU, or Research Foundation ex-employees whose separation date from their respective organization is one calendar year or less from a proposed IC assignment with the Research Foundation
- H-1B Visa Holders
California ICs
On September 18, 2019, Governor Gavin Newsom signed Assembly Bill 5 (AB 5) into law. The bill codifies the California Supreme Court’s ABC test for independent contractors as stated in the Dynamex Operations West, Inc. v. Superior Court of Los Angeles (2018) case. AB 5 became law on January 1, 2020. It formally adds Section 2750.3 to the California Labor Code.

As described in the assembly bill, the ABC test must be used to determine whether or not a worker providing services to a California employer is an employee or an independent contractor. Under the new law, a worker in California is presumed to be an employee (and must be treated as such), unless an employer proves that the worker:

(A) Is free from the control and direction of the company in performing work, both practically and in the contractual agreement between the parties; and
(B) Performs work that is outside the usual course of the company’s business; and
(C) Is customarily engaged in an independently established trade, occupation, or business which is of the same nature as the work he or she performs for the company.

The agreements below apply to California independent contractors.

- Determination of Independent Contractor Status Checklist & Agreement - CA Only
- General Provisions for Independent Contractor Services - Non-Disclosure Agreement
- Independent Contractor Proprietary Rights Assignment

Out-of-State ICs
The “ABC” test does not apply to out of state independent contractors. All out-of-state independent contractors must comply with their home resident state’s regulations regarding the establishment of an independent contractor agreement with the Research Foundation, a California corporation.

The out-of-state IC will be asked to affirm that he or she has done so as a prerequisite for the granting of IC status with the Research Foundation. The Research Foundation will continue to use the current multi-factor form to determine IC status for proposed out-of-state ICs. The agreements below apply to all out-of-state independent contractors.

- Independent Contractor Checklist and Agreement - All Except CA
- General Provisions for Independent Contractor Services - Non-Disclosure Agreement
- Independent Contractor Proprietary Rights Assignment
Required Approvals
The Research Foundation Independent Contractor Checklist and Agreement cannot be implemented until approvals, in writing, are obtained from the principal investigator, the director of HR (or their designee), the Sponsored Programs manager, and Research Foundation Purchasing. Independent contractors are not permitted to begin work until the IC agreement has been signed off by all parties.

Time Limits
Independent contractors can work for the Research Foundation only until the assigned project is completed. Contracts must specify the expected number of service days or months. If the need for services extends beyond the specified service period, a new independent contractor agreement must be established.

Please note that independent contractors are not permitted to work on multiple projects for the Research Foundation at the same time or on a series of projects over an extended period of time. Agreements that extend past the grant end date must be approved by of the Research Foundation’s Sponsored Programs director (or his or her designee).

The documents listed below provide additional IC information and guidelines and are also available on the Research Foundation Independent Contractors web page:

- Independent Contractor Policy
- Independent Contractor Procedures

Workplace Safety
Safety is the responsibility of each employee and is a key priority at the Research Foundation. Each employee must contribute to the safe work practices of the Research Foundation. When an employee is injured or becomes ill on the job, and the injury or illness is work-related, the employee MUST IMMEDIATELY notify their assigned supervisor, or call Human Resources directly. In an emergency, please dial 9-1-1.

The supervisor must:

- Provide first aid, if he or she is medically trained, or if first aid trained staff is readily available.
- As soon as possible, arrange transportation for the employee, and if possible accompany them to the appropriate medical facility. For the appropriate medical facility, please refer to the Preferred Providers Clinics list on the Research Foundation Workers Compensation web page.
- As soon as possible or within 24 hours after the incident occurs, complete an SJSU Research Foundation Injury/Illness Investigation Report.

NOTE: SJSU student employees who become ill or are injured on the job must be referred to the SJSU Student Health Center located on campus.
Witnesses of Illness or An Accident

Should you witness an occupational illness or accident please do the following:

- Notify Research Foundation Human Resources about the injury or illness as soon as possible.
- Be prepared to give a short account of what happened.
- Fill out an Injury/Illness Investigation Report.

Occupational Injury or Illness Claims

California law requires the Research Foundation to complete an Employer’s Report of Occupational Injury or Illness (DLSR 5020) [pdf] within five days of their knowledge of every occupational injury or illness that results in lost time beyond the date of the incident OR which requires medical treatment beyond first aid.

Per Labor Code Sec. 5402, an employer’s knowledge of an injury, obtained from ANY source, including a managing agent, superintendent, foreman, or other person in authority, or an employer’s knowledge of an assertion of a claim of injury, is an equivalent notice of injury.

Workers Compensation

Occupational injuries or illnesses are covered by the Research Foundation’s Workers’ Compensation Insurance Policy through CSURMA/AORMA, and is provided at no cost to the employee. The Workers’ Compensation program is currently administered by Sedgwick CMS. When work-related injuries or illnesses occur, the first order of business is to get medical assistance for the injured or ill employee. As soon as possible following the incident, an “Employee’s Claim for Worker’s Compensation Benefits Form” must also be completed.

**NOTE:** The Research Foundation Workers’ Compensation is a NO FAULT program. Irrespective of whether an employee’s own conduct or actions contributed to or caused the injury or illness will not affect their eligibility to receive appropriate medical attention and treatment from the SJSU Research Foundation Workers’ Compensation program.

The Research Foundation Worker’s Compensation program does not cover independent contractors or volunteers. While these individuals should be medically referred, the proper referral is to their personal physicians or clinics.
**Complaint Procedure**

The Research Foundation understands that workplace conflicts do not benefit the Research Foundation or its employee. Staff employees and managers are encouraged to address differences at the earliest possible date, and to approach such differences in a way that supports resolution.

Any concerns or complaints of alleged discrimination or harassment that involve Research Foundation employees, including staff, students, or volunteers, or any occurrence of such incidents that involve anyone participating in Research Foundation programs must be brought to the attention of principal investigators, managers or supervisors immediately. Such concerns, complaints, and incidents must also be reported to Research Foundation Human Resources in a timely manner, either by the complainant or by the principal investigator, manager, or supervisor.

For detailed information on the Research Foundation’s Complaint Procedure, please contact [Research Foundation Human Resources](mailto:Research.Foundations@Human.Resources).
Many university policies affect the development of proposals and the administration of funded awards. It is important that faculty members pursuing extramural support be fully aware of these policies that have been developed to protect their interests and those of the university. Questions related to a specific policy may be addressed to the Research Foundation executive director, OSP director, associate director, or the assigned OSP manager.

Selected university policies related to research are listed below. Links to the full text are included. To access the list of policies online, visit the Research, Scholarship, and Creative Activities web page on the SJSU Academic Senate website.

- **Policy on Research, Scholarship, and Creative Activity (S18-5)**
- **Academic Freedom and Professional Responsibility (S99-8)**
- **Research Misconduct (F12-5)**
- **Conflict of Interest Policy (S99-11)**
- **Intellectual/Creative Property (F98-3)**
- **Fair Use of Copyrighted Materials: Intellectual Property Policy (S96-11)**
- **Organized Research and Training Units (S05-13)**
- **Protection of Human Research Subjects (F17-1)**
- **Assurance for Humane Use and Care of Animal Subjects (S14-6)**
- **Classified/Proprietary Research and Publishing Research Findings (F69-12)**