

Award Acceptance/Negotiation Procedure

This procedure implements CSU systemwide policies for Sponsored Programs Administration: [Award Acceptance and Negotiation](#) (ICSUAM #11002.04 and portions of [Sponsored Programs General Policy Standards and Requirements](#) (ICSUAM #11002.01).

Summary

The Office of Sponsored Research and Programs (OSRP) is responsible for review, negotiation and acceptance of sponsored program agreements on behalf of the Foundation at California State University, Dominguez Hills (CSUDH), and may utilize subject matter experts as needed to ensure that the review and negotiation of agreements comply with CSU/Campus policies and procedures, regulations and applicable laws, using standard templates/agreements when appropriate and possible.

100 Delegation of Authority. In accordance with Foundation policies and/or procedures, only those individuals so designated are authorized to accept sponsored awards. Principal Investigators/Project Directors and others, as necessary, shall be consulted and kept apprised throughout the review, negotiation and acceptance process.

200 Award Acceptance. Prior to acceptance of the Award or beginning a segment of an award that requires a specific compliance requirement, OSRP will:

- A. negotiate and accept terms & conditions of the award;
- B. ensure that compliance requirements have been met (see Section 200 of 502-003-A);
- C. confirm that there are no substantial changes in the budget or scope of work in accordance with Section 500 from 502-003-A, Pre-Award Proposal Review/Approval Procedure.
 - Note: If there are changes from the original proposal requiring approval in accordance with 502-003-A, Section 500, the review/approval will occur prior to transition to post-award.

201 Authorization to Spend. Disbursements shall not be processed on any sponsored project until receipt of a fully executed award document or necessary approvals have been obtained. In cases when the Sponsor allows OSRP to incur costs prior to receipt of the award or the project start date, disbursements for allowable expenditures may be made prior to receipt or execution of the award document with approval of OSRP. This approval is with the understanding that any costs not recovered by the Sponsor are the responsibility of the PI/PD and his/her College/Division.

300 State Agreements. The AB20 model agreement (California Model Agreement [CMA]) in compliance with Education Code Section 67325 et seq and systemwide guidance for agreements from California's

State agencies shall be used unless otherwise specified by the CSU Chancellor's Office (CSUCO) Sponsored Programs Office, in compliance with ICSUAM SP Policy #11002.01, Section 305.

301 Use of the Model Agreement. The California Model Agreement (CMA) is intended to be used for all research, training, and public service awards to a CSU campus issued after January 1, 2016. Exceptions are rare and will be pre-approved by CSU, University of California (UC) and Department of General Services (DGS). Refer to Guidelines for additional information.

302 CSUCO Prior Approval Required. The following triggers a CSUCO prior approval requirement on agreements from the State of California.

- A. **Indirect cost rate on State agreements:** Accepting an indirect cost rate lower than 25% requires prior review/approval from the CSUCO. While the guidelines issued on indirect cost for state-funded agreements is not a part of the CMA, we continue to hold this line with the UC to ensure consistency on how we interact with State agencies under the CMA.
- B. **Patent Rights provision inclusion:** Accepting the pre-negotiated "*Patent Rights—State*" provision (from the CMA MOU) on Exhibit G requires prior review/approval from the CSUCO.

303 CMA Exhibit G. If any alternate terms are negotiated in Exhibit G or if the University Patent Rights provision is incorporated, OSRP will upload Exhibit G from the agreement to the CSU SharePoint site.

501 Assignment. If the agreement from the sponsoring agency contains language regarding ownership of intellectual property that is either copyrightable or patentable, the PI and other faculty contributors are required to sign a document to assign title to any sponsored works to the University, only to the extent required to comply with the terms and conditions of the sponsored agreement. The assignment form must be executed prior to accepting the award, if necessary, in compliance with Management of Sponsored Programs Policy 502-000-A, Sections 501-503 and CSU system SP policy 11002.01 and US Patent Law (see Bayh-Dole Act requirements under guidelines).

502 Tax-Exempt Bond-Funded Facility (TEBFF) Use Requirements. Since the majority of the facilities at CSUDH are TEBFF, OSRP will be required to notify CSUDH Facilities Management when there is potential Private Business Use (PBU) in a campus facility. The Facilities Management department will be responsible for making any final determination on PBU and for any communication with the CSUCO. OSRP will review sponsored agreements using the TEBFF decision tree to determine if there is PBU. If so, the following will be provided to Facilities Management so that they can do further analysis on the use of the facility/project:

1. Copy of the Grant/Agreement;
2. Facility/Room Number where sponsored work will be done;
3. PI Name;
4. Project Purpose; and
5. Sponsor Name.