

FLORIDA ATLANTIC UNIVERSITY

NOTICE OF PROPOSED REGULATION AMENDMENTS

Date: July 6, 2012

REGULATION TITLE AND NUMBER: Grants, Contracts and Unrestricted Gift Funds (6.003).

SUMMARY: FAU Regulation 6.003 addresses procedures for sponsored and directed research activities involving grants or contracts. The proposed amendments update the regulation to reflect current practices and organizational titles. This regulation amendment shall be effective August 6, 2012.

FULL TEXT OF THE REGULATIONS: The full text of the proposed regulations is attached below to this Notice. The full text of the existing regulations is posted on FAU's website at www.fau.edu/regulations. In addition, the full text of the proposed regulations and current regulation are available upon request to the Office of the General Counsel at (561) 297-3007 or GeneralCounsel@fau.edu.

AUTHORITY TO AMEND THE REGULATIONS: Article IX of the Florida Constitution and the Board of Governors Regulation Development Procedure dated July 21, 2005.

UNIVERSITY OFFICIAL INITIATING THE REGULATION AMENDMENTS: David Kian, General Counsel.

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENTS SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. In response, the University may solicit additional written comments, schedule a public hearing, withdraw or modify the proposed regulation amendments in whole or in part after notice, or proceed with adopting the regulation amendments. The comments must identify the regulation(s) on which you are commenting:

THE PERSON TO BE CONTACTED REGARDING THE REGULATION AMENDMENTS IS: David Kian, Office Manager, Office of the General Counsel, 777 Glades Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), GeneralCounsel@fau.edu.

PROPOSED

Florida Atlantic University

Regulation -6.003 Grants, Contracts and Unrestricted Gift Funds.

(1) ~~(1)~~ The purpose of this ~~rule~~regulation is to define the general policies for all sponsored and directed research activities involving grants or contracts, provide procedures for submitting proposals for outside support, and define the roles of delegated individuals.

(2) ~~(2)~~ The ~~Sponsored~~Vice President for Research ~~Administrator will approve, or designee, is responsible for approving~~ all research, grant, and contract proposals after reviewing them to ~~insure~~ensure that they conform to University, Board of ~~Regents~~Trustees, and state ~~rules, regulations,~~ policies and laws. All proposals will also be reviewed to ~~insure~~ensure that they are in proper form for submission to the potential sponsors and that implied or definite University commitment of funds, space, and personnel can be met.

(3) ~~(3)~~ The ~~University Controller~~Division of Research shall be responsible for budget control, record keeping, formal financial reports and accounting for all ~~contract~~contracts and grant funds. The sponsored research development trust fund, which is derived from grant overhead cost sharing, will be accounted for in a separate fund. The ~~University Controller~~Division of Research will maintain such records and make such reports as are required by law ~~and by the administrator of the Division of Sponsored Research,~~ using acceptable accounting practices. The ~~Controller and the~~ Division of Research ~~Administrator~~ will be responsible for determining that expenditures are made in accordance with the terms of the grant or contract, as well as in accordance with ~~the applicable University rules, regulations of the Division of Sponsored Research, and policies.~~

(4) ~~(4)~~ The President, or ~~the University Provost~~designee, is authorized, on behalf of the Board of ~~Regents~~Trustees, to enter into and execute contracts and to accept grants for research. Subcontracts, expenditures and other commitments may be made only after official notification of the grant award is made to the University, unless the contract carries the following or its equivalent: "This contract (or agreement) is contingent upon receipt by Florida Atlantic University of funds from _____ (Granting Agency) for _____ (Grant Title)." ~~Solicitation of bids should be made to qualified firms, agencies or persons. Advice and assistance of the Director of Procurement should be utilized by the Principal Investigator. The best and lowest bid is to be selected. The contract is to be signed by the Principal Investigator, the Dean of the College concerned and the President or the University Provost.~~ _____ (Grant Title)."

Specific Authority: ~~240.241(2) FS. Law Implemented 240.241 FS. Article IX of the Florida Constitution, 1001.706, F.S., Board of Governors Regulation 1.001. History--~~ New 10-1-75, Amended 5-24-76, 12-17-78, Formerly 6C5-6.03, Amended 11-11-87. Formerly 6C5-6.003. ~~Amended 5-24-12.~~