

WELCOME!

UTIA Compliance Training
1 - 9 - 2012

What we'll cover today:

- ▶ *Who am I and why am I here?*
- ▶ *What do we mean by “compliance” and why do we care?*
- ▶ *What are Pls' compliance responsibilities?*
- ▶ *What resources are available to help?*

Who am I?

Jane Burns, CPA, CIA, MPA – UTIA Compliance Officer
janeburns@utk.edu 865-974-7375

What brought me here?

- ▶ Grants Coordinator for UTIA
- ▶ Auditor for state of TN and internal auditor for UT
- ▶ *"I'm here to help."*

What is my job as compliance officer?

- ▶ Formulate and implement export control and other compliance programs
- ▶ Assure UTIA demonstrates its export control due diligence and documents adherence
- ▶ Safeguard the organization from research compliance and other regulatory risks by identifying needs, promoting awareness, educating the UTIA community, developing and implementing programs by which risks are mitigated.
- ▶ Work closely with administrators, faculty, staff and students advising and directing them in compliance and other regulatory matters.
- ▶ Coordinate and lead linkages across the university community facilitating communications between offices/operations who have a direct or indirect role in export control and research compliance.

Position established to support you.

My goal is to facilitate, educate, and protect – not add red tape.

What do we mean by “compliance”?

Abiding by:

- ▶ State and federal laws and regulations
- ▶ University policies
- ▶ Agency guidelines
- ▶ Grant and contract requirements
- ▶ Etc.

Why care? Potential fines, findings, and other consequences to university and individuals

Principal Investigator Compliance Responsibilities

University Fiscal Policy FI0205 on SPONSORED GRANTS AND CONTRACTS

“The principal investigator is primarily responsible for administering the grant or contract. The following areas require the principal investigator's special attention.”

- ▶ Administrative Responsibilities
- ▶ Timeliness in Charges and Adjustments
- ▶ Grant and Contract Budget and Expenditure Report
- ▶ Budget Monitoring
- ▶ Equipment Procured on Federally Sponsored Projects
- ▶ Other Federal Regulations Relating to Conflict of Interests, Protection of Human Subjects, Care of Animals, Inventions and Patents, Publications, Copyrights, etc.
- ▶ Unusual Requirements

Administrative Responsibilities. The general administrative responsibilities for grants and contracts are as follows.

...

University Obligations. The department head and principal investigator of the grant or contract project must be thoroughly familiar with all obligations assumed by the university on grants and contracts under their administration and see that requirements are met, charges are processed promptly, and required technical reports are submitted on schedule (or that time extensions are obtained when necessary or appropriate). These personnel should also obtain advance approval for significant revisions to budget or program plans. In addition, the department head and principal investigator must ensure that project costs are reasonable, allocable to the grant or contract within the stated time period, allowable, and consistently charged. ...

Note: When developing contracts, employees should be aware of the university's policy on conflict of interests (see [FISCAL POLICY FI0125](#)).

...

Timeliness in Charges and Adjustments. ...Department heads and project directors should promptly review the monthly Grant and Contract Budget and Expenditure Report...

Grant and Contract Budget and Expenditure Report. ...Principal investigators should ensure that this report is reviewed monthly and appropriate action is taken. For example, expenditures should be reviewed for accuracy, applicability, and completeness. ...Also, the principal investigator may want to initiate requests for project time extensions or additional funding based on R ledger information.

Budget Monitoring. ...Principal investigators and/or department heads should ensure that over-expenditures are transferred quickly to an appropriate cost object since the department is ultimately responsible for these costs and for any lost funding caused by late invoicing on overspent WBS elements.

Equipment Procured on Federally Sponsored Projects. ...itemized in detail in the proposal and in the approved grant or contract. Otherwise, written approval may be required...If suitable equipment is available, it must be used instead of purchasing additional equipment. ...

- ▶ **Other Federal Regulations Relating to Conflict of Interests, Protection of Human Subjects, Care of Animals, Inventions and Patents, Publications, Copyrights, etc.** Contact the [campus or institute research office](#) for assistance.
- ▶ **Unusual Requirements.** A grant or contract proposal with unusual procedural, reporting, or billing requirements beyond the university's normal policies or practices should not be accepted or recommended for approval until both the campus or institute research office and the principal investigator of the project have cleared the requirements with appropriate university officials.

Resources

- ▶ PEOPLE:
 - Compliance officers serving UTIA and UTIA compliance committee
 - UTIA Office of Sponsored Programs and CVM pre-award
 - Post-award staff and departmental business managers
- ▶ Institutional Compliance office (university-wide)
- ▶ Websites
- ▶ Checklist and TERA-PAMS
- ▶ Training, manuals, materials, memberships, etc.

Compliance Officers

- ▶ **Animal Subjects** – Dr. Dana Glass–Mattie and Betsy Bailey
- ▶ **Human Subjects** – Brenda Lawson
- ▶ **Biohazardous Materials** – Brian Ranger
- ▶ **Safety** – Susan Fiscor
- ▶ **Radiological Materials** – Chris Millsaps
- ▶ **Export Control** – Jane Burns
- ▶ **Others** identified by UTIA for Institutional Compliance Office

One of best ways to meet your responsibilities is open communication with these people.

Institutional Compliance Office

- ▶ Bill Moles, Director
- ▶ List of regulations (UTIA has identified in charge of compliance.)
- ▶ Risk assessment – systematic, documented way to rank risks and identify needs
 - To build on UTK effort
 - Campuses/units determine high risk areas
 - To protect university and employees
 - NOT to add unnecessary red tape – due diligence to meet industry standards

Compliance Websites

- ▶ UTIA Compliance <http://agriculture.tennessee.edu/sponsoredprograms/compliance.asp>
- ▶ Animal Subjects <http://iacuc.utk.edu/>
- ▶ Human Subjects <http://research.utk.edu/humansubjects/>
- ▶ Biosafety <http://biosafety.utk.edu/>
- ▶ Safety <http://safety.ag.utk.edu/>
- ▶ Radiological Mat. www.utk.edu/radiationsafety
- ▶ Export Control <http://agriculture.tennessee.edu/sponsoredprograms/exportControl.asp>

- ▶ OTHER LINKS <http://agriculture.tennessee.edu/sponsoredprograms/policies.asp>



[Webmail](#) | [Tmail](#) | [Online@UT](#) | [A-Z Index](#)

- UT Institute of Agriculture (UTIA)
- Home
- Services
- Proposals
- Contracts/Subcontracts
- Faculty Incentive Plan
- Funding Opportunities
- Policies
- Compliance
- Grantsmanship
- Responsible Conduct
- Technical Editing
- Standard Info
- Training
- Manual
- TERA-PAMS
- Help
- Contacts
- Contact Us:
aggrant@utk.edu

[UTIA » Sponsored Programs](#)

Policies

UTIA is committed to the university's mission of excellence in teaching, research, and public service and to compliance with all applicable laws and regulations. Employees should be familiar with the following policies and websites:

UT Policies Relating to Grants and Contracts

- [Contracts](#)
- [Cost Sharing](#)
- [Sponsored Grants and Contracts](#)
- [Subcontract Monitoring](#)
- [Conflict of Interest](#)
- [Cost Transfers](#)
- [Effort Certification](#)
- [UTIA Faculty Incentive Plan](#)
- [E-Verify Policy](#)

Federal Grants Management Circulars

- [OMB Circular A-21 \(2 CFR, Part 220\)](#)
- [OMB Circular A-110 \(2 CFR, Part 215\)](#)
- [OMB Circular A-133](#)

Other University Policies and Guidance

- [UT Code of Conduct](#)
- [University fiscal, human resources, information technology, and safety policies](#)
- [UT Research Foundation site for Statement of Policy on Patents, Copyrights, Intellectual Property, and Revenue Sharing](#)
- [Office of Equity](#)
- [For Extension employees, compliance issues, including Program for Equal Opportunity Employment in the University of Tennessee Extension, at Extension Evaluation and Staff Development: Administrative Resources](#)
- [University-wide Institutional Compliance Office](#)
- [Compliance Hotline](#)
- [List of major compliance issues to consider as beginning projects at UTIA Compliance Check List for Faculty Members](#)

UTIA Compliance Check List for Faculty Members

Please provide a copy of this completed questionnaire to the incoming faculty member at the time of the offer of employment so that they have compliance requirements and contacts in hand.

	YES	NO
Animal Subjects [contact Elizabeth Baily (865) 974-3631]		
1. Do you plan to use animals as part of your research/project? If YES, you will need to submit a protocol to the IACUC (procedures listed @ http://iacuc.tennessee.edu) and ensure that laboratory facilities are available for housing the animals.		
Human Subjects [contact Brenda Lawson (865) 974-7697]		
1. Do you plan to use human subjects (including surveys, photographs, etc.) as part of your research/project? If YES, you will need to submit a protocol to the IRB (procedures listed at http://research.utk.edu/humansubjects/).		
Radiological Materials [contact Chris Millsaps (865) 974-5580]		
1. Will your research/project involve loose radioactive material? If YES, you will need to complete the application for radioactive materials use found at www.utk.edu/radiationsafety and the basic radiation safety training course, which you may sign up for at the same website.		
2. Will your research/project involve sealed sources of radioactive materials? If YES, you will need to complete the application for radioactive materials use found at www.utk.edu/radiationsafety and the Sealed Source Training module located at that site.		
3. Will your research/project involve x-ray machines or other radiation? If YES, you will need to complete the application for use and possession of x-ray equipment found at www.utk.edu/radiationsafety and the training for x-ray users located at the same site.		
Biological Materials [contact Brian Ranger (865) 974-1938]		
1. Do you plan to use recombinant DNA molecules as part of your research/project? If YES, you will need to register this work with the UT Institutional Biosafety Committee. The registration form and a "user's guide" is available at http://biosafety.tennessee.edu or contact the Biosafety Officer at (865) 974-1938.		
2. Do you plan to work with any microbiological agents or toxins that are currently regulated or listed as "select agents" by the DHHS or USDA? <i>If YES, you must contact Brian Ranger, Biosafety Officer at (865) 974-1938 as soon as possible!</i>		
3. Does your research/project involve work with agents that are infectious to humans, animals or plants? If YES, if agents are infectious to humans, or require a federal permit for interstate or international transfer you will need to register this work with the UT Institutional Biosafety Committee. The registration form is available under the forms link at http://biosafety.tennessee.edu or contact the Biosafety Officer at (865) 974-1938.		
4. Does your research/project involve work with human-derived materials including blood products, tissues or cells? If YES, you will need to be included in the UT Bloodborne Pathogens Exposure Control Program which requires specific training and posting of your lab. The Biosafety Officer administers this program. Please contact (865) 974-1938 for further details.		

	YES	NO								
Chemical Hazards and Other Health and Safety Issues [contact Susan Fiscor (865) 974-4904]										
<p>1. Does your work/research involve hazardous chemicals? Classes of hazardous chemicals and some examples are:</p> <table border="1"> <tr> <td>➤ Toxic compounds, such as cyanides, chlorine, ammonia, xylene, toluene, BME, and n-hexane</td> <td>➤ Sensitizers, such as formaldehyde, isocyanates, nickel compounds and latex</td> </tr> <tr> <td>➤ Reproductive toxins, such as mercury, toluene, xylene and ethidium bromide</td> <td>➤ Reactive or explosive chemicals, such as picric acid, azides, perchlorates and ethyl ether</td> </tr> <tr> <td>➤ Carcinogens, such as benzene, acrylamide and chromium VI</td> <td>➤ Corrosives, such as strong acids or bases, and phenol</td> </tr> <tr> <td colspan="2">➤ Highly flammable liquids and gases, such as hexane, acetylene, concentrated alcohols, and hydrogen</td> </tr> </table> <p>If YES, you will need to have a chemical hygiene plan with safety procedures for your research, including specific training on chemical waste and laboratory safety, required signage for your lab, and complete an inventory of hazardous chemicals. Follow chemical safety guidelines and procedures at http://safety.ug.utk.edu/chemhygiene/index.html. Contact Susan Fiscor, UTIA Safety Officer, at (865) 974-4904 for further details.</p>	➤ Toxic compounds, such as cyanides, chlorine, ammonia, xylene, toluene, BME, and n-hexane	➤ Sensitizers, such as formaldehyde, isocyanates, nickel compounds and latex	➤ Reproductive toxins, such as mercury, toluene, xylene and ethidium bromide	➤ Reactive or explosive chemicals, such as picric acid, azides, perchlorates and ethyl ether	➤ Carcinogens, such as benzene, acrylamide and chromium VI	➤ Corrosives, such as strong acids or bases, and phenol	➤ Highly flammable liquids and gases, such as hexane, acetylene, concentrated alcohols, and hydrogen			
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<p>2. Does your work involve other potential health and safety issues?</p> <p>If YES, see information regarding Health and Safety Topics at http://safety.ug.utk.edu/. For more information, contact Susan Fiscor, UTIA Safety Officer, at (865) 974-4904.</p>										
Export Control [contact Jane Burns (865) 974-7375]										
<p>1. Does your work involve potential military application or defense technology, software, or other defense articles listed on the United States Munitions List (USML) under the International Traffic in Arms Regulations (ITAR)?</p> <p>If YES, contact Jane Burns at janeburns@utk.edu or (865) 974-7375. Full list is available at: www.pmdtic.state.gov/regulations_laws/itar_consolidated.html ITAR Part 121.</p>										
<p>2. Will your work require travel to foreign countries?</p> <p>If YES, you will need to take precautions to protect yourself and university data. Contact Jane Burns of OSP at janeburns@utk.edu or (865) 974-7375 for details. You must check with OSP before traveling to embargoed countries, found on the OFAC Sanctions Program and Country Summary: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx</p>										
<p>3. Is any member of your research/project team a foreign national?</p> <p>If YES, Export Administration Regulations (EAR) regarding "deemed export" may apply. If a new foreign national will be part of the team, contact Jane Burns at janeburns@utk.edu or (865) 974-7375. http://www.bis.doc.gov/deemedexports/deemedexportsfaqs.html</p>										
<p>4. Does your work involve anything with a strong potential dual-use (civilian and military) application?</p> <p>If YES, Export Administration Regulations (EAR) apply. http://www.access.gpo.gov/bis/ear/ear_data.html. Contact Jane Burns at janeburns@utk.edu or (865) 974-7375.</p>										
<p>5. Does your work address Homeland Security concerns or spacecraft technology?</p> <p>If YES, staffing restrictions or licensing requirements may apply. Contact Jane Burns at janeburns@utk.edu or (865) 974-7375.</p>										
<p>6. If any of the above Export Control answers are "yes", will the results of your work be private/proprietary (i.e. not published or publicly available)?</p> <p>If YES, the Fundamental Research and Published exclusions available for some export-controlled activity will not apply.</p>										

For information regarding other compliance issues, contact Jane Burns, UTIA Compliance Officer, at (865) 974-7375.

Revised 9/21/11

FUTURE TRAINING

160 PBB 12:15 – 1:15 scheduled Feb. – June

- ▶ **February 13 – Animal Subjects** (Betsy Bailey and/or Dana Glass–Mattie)
- ▶ **March 12 – Human Subjects** (Brenda Lawson)
- ▶ **April 9 – Materials/Safety** (Brian Ranger, Susan Fiscor, and Chris Millsaps)
- ▶ **May 14 – Export Control and International Travel** (Beth O’Brien of FBI)

June and beyond – TBD (suggestions welcome!)