

Research Operating Procedure for Minimum & Maximum Effort and Summer Effort on Main & Branch Campus Sponsored Projects

It is reasonable that if you are going to be a Principal Investigator or Project Director on a sponsored project you will be devoting a measurable amount of effort greater than zero to that project. It is also reasonable that if you are a research faculty or staff member that has duties other than just technical in nature you will be engaged in non-sponsored activities. These activities could include preparation of new or competing proposals, teaching, professional activities outside the context of a sponsored project or university public service. Therefore the following operating procedure defines the minimum and maximum effort allowable on sponsored projects.

Minimum Effort on Sponsored Projects: With certain exceptions (including, for example, equipment & instrumentation grants, doctoral dissertation grants, faculty mentors on institutional training grants), faculty are expected to propose some level of activity (1% or more) or the minimum required by the program on proposals on which they are listed as Principal Investigator or key. If an award is accepted, the faculty member and key personnel are committed to providing this level of effort over the annual budget period of the award unless sponsor policies permit otherwise.

Maximum Allowed Sponsored Project Effort: Given that most faculty members have responsibilities for teaching, administration, or other University activities, it is typically not feasible for them to charge 100% of their salary or certify 100% of their effort to sponsored research. Administrative responsibilities include new proposal preparation, service as departmental chair/division head/director, and service on department/division/College committees. In general, faculty members will not be permitted to charge or certify 100% effort to sponsored research activities. Exceptions to this may include faculty who have no other teaching, or administrative responsibilities (e.g., faculty who are assigned entirely to one long-term sponsored project) and will be reviewed on a case-by-case basis by the chair, dean/director and OVPR, as applicable.

Summer Effort/Salary for Faculty with 9-Month Academic Appointments: Faculty compensated for 9-month academic appointments are permitted to expend up to an additional three months of summer effort on one or more sponsored projects in the period beyond the academic year (i.e., during the summer research period) and earn up to 65 days of additional salary (calculated based upon the faculty member's monthly base salary for the nine month academic appointment) for that effort, subject to the regular approval process (<http://www.unm.edu/~fco/enter.htm>). A request for summer salary indicates a commitment to put forth the comparable effort on the particular project during the summer, not the academic year.

Effort expended during the academic year does not satisfy a commitment related to the receipt of summer salary. Faculty receiving summer salary from a sponsored project will typically perform such work in their normal place of business (i.e., the University) unless the project requires that the work be conducted off site. If a faculty member has academic, administrative or other non-research activities (such as vacation) during the summer period, he or she may be precluded from devoting 100% effort to sponsored projects and thus from requesting 65 days of salary from those sponsored projects.

Reduction of Effort Commitments: During the life of the award, when required by sponsor policies, it is the PI's responsibility to obtain University and sponsor prior approval for absences (generally 3 months or more) or significant (25% or more) reductions of the PI's and/or other key personnel effort. If a reduction in

effort commitment is made, the salary support coming from that award must be reduced commensurate with the effort.

Federal sponsor requirements:

From 2006 to 2010, the Office of Inspector General at the National Science Foundation conducted 16 audits of effort reporting systems at major research universities. The most common problems found in these audits are:

- Failure to adequately account for unfunded effort and voluntary uncommitted cost sharing
- Policies and procedures do not reflect grants management regulations and requirements
- Effort committed in grant proposal and budgeted and not charged to the grant

These audit findings are typically based on a January 5, 2001 Presidential Review Directive and clarification memo to Circular A-21 issued by the Office of Management and Budget (OMB), which states that "... most Federally-funded research programs should have some level of committed faculty (or senior researchers) effort, paid or unpaid by the Federal government."

In addition, the National Institutes of Health (NIH) Grants Policy Statement notes that "... 'zero percent' effort or 'as needed effort' is not an acceptable level of involvement for 'key personnel.'"

These audit findings plus OMB and NIH guidance make it important to establish and implement a minimum effort requirement.

The following Frequently Asked Questions may assist in understanding this policy:

Q1. What is the minimum level of effort that may be used for a grant application to the federal government?

A1. The minimum amount of effort committed to a specific federally sponsored research activity may be no less than 1% of the employee's 'University effort.' Beyond this minimum, the amount of effort committed to a sponsored project is left to the Principal Investigator, based on a best estimate of the actual effort required to meet the goals and outcomes of the proposed project. In most cases, it is expected that the effort will be substantially larger than 1%.

Q2. If there is summer effort, do we also need AY effort?

A2. No. OMB Memorandum (M-01-06) states: "... most Federally-funded research programs should have some level of committed faculty (or senior researchers) effort, paid or unpaid by the Federal Government. This effort can be provided at any time within the fiscal year (summer months, academic year, or both)." But, as noted in A1, the effort budgeted should be the best estimate for the actual effort required.

Q3. Can the minimum effort be provided as cost-share?

A3. Yes the effort may be provided as cost-shared effort if pre-approved by VP for Research, based on recommendations of the department chair and dean/center director. Exceptions noted below.

Q4. Will I need to certify the minimum effort in my effort certification?

A4. Yes, this is committed effort (whether paid or cost-shared) and needs to be tracked and certified in your effort certification.

Q5. Does minimum effort apply to “Other Senior Personnel” besides the PI?

A5. Yes, it applies to ‘key personnel’ who typically include research scientists, principal scientists and senior scientists, depending on their intellectual contribution to the proposed scope of activity. Typically, replacement of any of these individuals requires approval from the sponsor.

Q6. Which grants are exceptions to this requirement of Minimum Effort?

A6. The following are excluded from the requirements set forth in this policy: (Note: This listing is not exhaustive; should you have questions about a particular program or sponsored activity, please contact your School/Departmental Research Administrator or the Pre Award Services for further guidance.)

- Equipment and Instrumentation grants for acquisition, unless the PI or key personnel will have effort devoted to installation, setup, etc.
- Doctoral dissertations or other awards intended as “student augmentation” such as Fellowship/Scholarship awards.
- Training grants (e.g., T32, Mentors on K/Career Awards).
- Specific purpose awards such as travel grants, workshops, and conference support grants.
- National Science Foundation (NSF) Research Experience for Undergraduates (REU) supplements. Note that committed effort for the PI must be present on the research grant for which the REU is a supplement.
- National Institutes of Health (NIH) Minority Supplements. Note that committed effort for the PI must be present on the research grant that receives the supplement.
- National Institutes of Health (NIH) Other Significant Contributors as cited in the agency’s SF424 Application Guide.

Q7. Is minimum effort required on grants from non-Federal sources?

A7. Not unless mandated by the sponsor but, as noted above, the effort budgeted should be the best estimate for the actual effort required.

Q8. What if the sponsor does not permit faculty salary in the grant?

A8. If the published sponsor guidelines exclude faculty salary on the grant, the effort will be automatically cost-shared.

Q9. I am on a 9 month contract; can I cost-share my unpaid summer effort to meet the minimum requirement?

A9. No, because this would result in unpaid effort which violates labor laws.