

Principal Investigator and Grant Transfers: Procedures

Procedure Sections

- Procedure Statement
- Reason for Procedure
- Who Should Know These Procedures
- Contacts
- Applicable Federal Regulations
- Transfer of an Award from WMC to Another Institution
- Transfer of an Award from Another Institution to WMC
- Forms / Instructions
- Roles & Responsibilities
- Definitions

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Responsible College Officer
Director, Grants & Contracts

Responsible Office
Grants & Contracts

Procedure Statement

This document describes the procedures associated with the transfer of Principal Investigators (PIs) and grants between institutions, and the responsibilities of those involved with the transfer. Adherence to these procedures will ensure that PI and grant transfers meet external regulations, guidelines and terms as well as institutional policies and guidelines.

Reason for Procedure

Federal grants and contracts are awarded to WMC, not directly to Principal Investigators. If a PI wants to transfer institutions, the grantee institution (WMC) will determine on a case-by-case basis whether it will retain or transfer the grant. As grantee institutions, WMC must approve the relinquishing of the grant and relinquish the grant and equipment to the PI's new institution. The awarding agency must also approve all grant/contract transfers from one institution to another.

Who Should Know These Procedures

- Dean
- Senior Administration – Vice Provosts, Associate Deans
- Director, Department Chair, Division Head
- Faculty
- Departmental/Divisional Administrators
- Finance Personnel – Research Accounting, Accounting Services
- Grants & Contracts Personnel
- Research Compliance Personnel
- Research Integrity Personnel
- All Employees

- Information Technology Personnel
 Faculty Affairs Personnel
 Students

Contacts

Subject	Contact	Phone	Email
Policy questions	Barbara Pifel	(212) 821-0722	blp2001@med.cornell.edu
Research Accounting questions	Kevin McGrath	(212) 680-7125	kjmcgra@med.cornell.edu
Faculty Affairs issues	Mark Albano	(212) 746-6329	maa2034@med.cornell.edu
Institutional research compliance issues	Barbara Pifel	(212) 821-0722	blp2001@med.cornell.edu

Applicable Federal Regulations

NIH Grants Policy Statement Part II: Terms and Conditions of NIH Grant Awards Subpart A: General

Change of Grantee Organization: After WMC determines whether to retain or relinquish the grant, NIH prior approval is required for the transfer of the legal and administrative responsibility for a grant-supported project or activity from one legal entity to another before the expiration date of the approved project period. Such a change of grantee organization may be accomplished under most NIH grants, including construction grants, if:

- The grant to be transferred has been terminated in accordance with Code of Federal Regulations Sections 45 CFR 74.61 or 92.43. (Provision under 74.61 includes statement that an award may be terminated in whole or in part by the HHS awarding agency with the consent of the recipient or may be terminated by the recipient upon sending to the HHS awarding agency written notification setting forth the reasons for such termination.)
- A noncompeting continuation award that is within an approved project period has been withheld because of the grantee's actions (see "[Administrative Requirements—Enforcement Actions—Suspension, Termination, and Withholding of Support](#)"); or
- The original grantee has agreed to relinquish responsibility for an active project before the expiration of the approved project period. This includes any proposed change of grantee as a result of a PI on a research project transferring from one domestic organization to another domestic organization or from a foreign organization to a domestic organization. The project under the same PI may be supported at a new organization for a period up to the remainder of the previously approved project period in an amount not to exceed that previously recommended for direct costs (plus applicable F&A costs) for the remaining period.

A change of grantee that involves the transfer of a grant to or between foreign institutions or international organizations requires competitive review and approval of the Institute or Council Advisory Council/Board. Transfer of a grant from a foreign organization to a

domestic organization requires the approval of the federal sponsor's Grants Management Officer.

A change of grantee organization may involve the transfer of equipment purchased with grant funds. The transfer may be accomplished as part of the original grantee's relinquishment of the grant; otherwise, NIH reserves the right to transfer title to equipment to the new organization as indicated in "Administrative Requirements—Management Systems and Procedures—Property Management System Standards."

A request for a change of grantee organization must be submitted to the designated GMO and must be accompanied by a Relinquishing Statement and a Final Invention Statement and Certification from the original grantee as well as an application (PHS-398) from the proposed grantee. If the original award was the result of a modular application, modular procedures also apply to the request for change of grantee. The application (for awards other than those made under modular procedures) from the proposed grantee should include, at a minimum:

- A face page;
- Budget pages (current and future years);
- An updated biographical sketch;
- A statement indicating whether the overall research plans/aims have changed from the original submission, and, if so, providing updated information;
- An updated "other support" page(s), if necessary;
- A resources page;
- A checklist page;
- Certification of IRB/IACUC approval, if applicable; and
- If the change includes the transfer of equipment purchased with grant funds, the application must include a detailed list. This list, as part of a transfer application, serves as an acceptance of title by the new organization. NIH may request additional information necessary to accomplish its review of the request.

For a modular application, the proposed grantee must submit the following:

- A face page;
- Narrative budget information, including total direct costs and F&A costs for the current budget period;
- Biographical sketches for key personnel;
- "Other support" pages;
- Resource page;
- Checklist page; and
- If future budget periods remain, information regarding the number of modules and the basis for computing F&A costs.

A change of grantee organization request must be made prior to the anticipated start date at the new organization and preferably several months in advance. Failure to provide timely notification may result in disapproval of the request or a delay in processing.

A change of grantee request will normally be permitted only when all of the permanent benefits attributable to the original grant can be transferred, including equipment purchased in whole or in part with grant funds. In reviewing a request to transfer a grant, NIH will consider whether there is a continued need for the grant-supported project or activity and the impact of any proposed changes in the scope of the project. A change may be made without competitive review, provided the PI plans no significant change in research objectives and the facilities and resources at the new organization will allow for successful performance of the project. If these conditions or other programmatic or

administrative requirements are not met, the NIH awarding office may require a competitive review or may disapprove the request and, if appropriate, terminate the award.

As stated above, the original grantee must provide a written statement relinquishing its interests and rights to the grant in accordance with instructions from the NIH awarding office. Acceptance of a Relinquishing Statement by NIH does not guarantee approval of a transfer application for the continued funding of a project.

NIH will accomplish a change of grantee organization by issuing a revised NGA (Notice of Grant Award) to the original grantee, which will reflect the revised budget/project period end dates, deletion of any future-year support, and deobligation of remaining funds, if applicable. (A deobligation of funds will be based on the estimated grant expenditures through the relinquishment date, as determined from the Relinquishing Statement.) Concurrently, the new grantee will receive an NGA reflecting the balance reported on the Relinquishing Statement or, if the change of grantee organization occurs on the anniversary date of the project, the NGA to the new grantee will reflect the previously committed direct cost level plus applicable F&A costs. This amount is subject to change as a result of the closeout of the original grant and may be adjusted downward.

Transfer of an Award from WMC to Another Institution

Initiate Transfer

It is the Principal Investigator and/or the Department Administrator's primary responsibility to initiate a grant transfer to an outside institution. The PI should contact the **Department Chair**, the **Grants & Contracts Office**, and **Sponsoring Agency**, within a reasonable time frame in advance of the transfer date to ensure a smooth transition. It is also the PI's responsibility to review the original award documentation. In particular:

- Review **cost sharing** requirements to determine if these have been met. Determine what cost sharing requirements, if any, will transfer to the new institution.
- Review the agreement for **equipment**, produce a list of equipment purchased on the current award, and obtain signature from the Department Chairperson authorizing the transfer. Any movement of equipment that has not been purchased with this award must be approved by the Department Chairperson. Refer to agency guidelines for specific requirements.

Complete Federal Requirements

Next, the PI and/or Department Administrator should complete the appropriate **Agency Relinquishing Statement** and Final Invention Statement or Project Report.

PHS

PHS 3734 Official Statement Relinquishing Interest and Rights in a PHS Research Grant (<http://grants1.nih.gov/grants/phs3734.pdf>)

HHS 568 Final Invention Statement and Certification (<http://grants1.nih.gov/grants/hhs568.pdf>)

NSF

Detailed instructions/forms for a grant transfer are available electronically on the FastLane website section entitled PRINCIPAL INVESTIGATOR (PI) TRANSFER

(https://www.fastlane.nsf.gov/documents/pi_transfer/pi_transfer_1.jsp)

"Final Project Report" (<http://www.seismo.unr.edu/ftp/pub/louie/nr/nrfinal98a-1.pdf>)

ALL OTHER FUNDING AGENCIES

A signed agency/corporation/foundation form(s) as identified by the agency

This relinquishment form should contain the following:

- The effective date of relinquishment
- The estimated unexpended direct and F&A cost balances from the current budget period (carry-over of funds from previous budget periods should not be included in these amounts)
- A statement of intent concerning the transfer of equipment

Internal Processing Activities

The PI and Department Administrator should complete the WMC **Grant Transfer Request Form** and obtain concurring signatures from the PI and Department Chairperson. The PI or Department Administrator will then forward the completed **Agency Relinquishing Statement**, the internal **Grant Transfer Request Form**, and any applicable attachments to the Grants & Contracts Office.

Grants & Contracts will review the request forms and then jointly review the PI's research portfolio with the Department Administrator to determine any necessary action steps or remaining issues. If Grants & Contracts or the Department identifies open issues related to the transferred award or related subawards at any time during the transfer process, they should work together, and with the Finance Office, if necessary, to complete open items. When Grants & Contracts or the Department reaches a resolution related to these open issues, they circulate this resolution to all relevant parties, including the PI, Finance, and the new institution, as necessary. Potential questions or open issues to consider include:

- Will any **junior faculty members**, such as graduate students, transfer to the new institution with the PI? If these individuals will still be working on the project, the PI and the new institution will need to set up a subaward with WMC once the grant is transferred.
- Are there any **Intellectual Property** concerns? Grants & Contracts will coordinate with the Office of Technology Development if there are any inventions involved.
- Was any **equipment** purchased with the grant, and will it be transferred to the new institution? If so, the PI must include a detailed list of the equipment as an attachment to the request.

Grants & Contracts will also contact all **subrecipients** to let them know there is an anticipated change to their contract end date, and they will issue an amendment to terminate the contract once the relinquishment date is known. Grants & Contracts should obtain signed amendments from the subrecipients as soon as the end date is known to terminate WMC's legal and financial liability for the research. The new grantee institution and the PI will establish a new subaward agreement with the subrecipient.

The Grants & Contracts Office will review and institutionally endorse the **Agency Relinquishing Statement** and **Grant Transfer Request Form**. Grants & Contracts will forward this paperwork to the Finance Office. Finance will determine the amount of unexpended or unobligated funds to be included on the **Agency Relinquishing Statement**. The estimate should be conservative to ensure that there are sufficient funds retained to meet all obligations that may develop. Finance will then work with the Department Administrator on any outstanding financial issues such as personnel and payroll changes. If the change includes the transfer of equipment, the Department Administrator will make appropriate adjustments to the online equipment inventory and send a memo to Fixed Assets, noting the relinquished items and tag numbers.

Final Relinquishment Activities

Finance next forwards the **Agency Relinquishing Statement** and **Grant Transfer Request Form** back to Grants & Contracts. Grants & Contracts completes the final signatures, sends a copy to Finance to

retain in the award file and forwards the original to the PI and Department Administrator. The PI is then responsible for sending the **Agency Relinquishing Statement** to the applicable federal agency.

Following relinquishment of the grant, Finance issues the final financial report to the sponsor. The final FSR is due to the NIH within 90 days of the project end date at WMC. Finance returns any unobligated balance back to the sponsor, and the sponsor is responsible for releasing these funds to the new institution with a revised NGA. The Department Administrator should coordinate with Finance to ensure that all amendments and final invoices have been received from the subrecipients before the final financial report is submitted.

Finance is also responsible for any other activities related to closing out the account in FRS and ensuring that all invoices have hit the grant before it is closed. Finance will maintain a copy of all records related to the transfer and termination of the award at WMC.

Finally, the Office of Faculty Affairs completes the process by terminating the PI's appointment at WMC.

Transfer of an Award from Another Institution to WMC

When a PI is transferring into WMC, he or she must first complete the normal faculty appointment process through the Office of Faculty Affairs.

After the PI is fully appointed as a new faculty member, the PI should submit a new award application for his or her grant through Grants & Contracts in accordance with the granting agency's policies and Grants & Contracts proposal submission procedures. However, this cannot be processed until the original institution has submitted the **Agency Relinquishing Statement**, and it has been approved by the sponsor. (Grants & Contracts and Finance should also maintain a copy of the **Agency Relinquishing Statement** in the award file.)

Grants & Contracts will help to ensure the equivalent of the steps in the section "Transfer of an Award from WMC to Another Institution" have taken place at the original institution and that the originating Sponsored Research Office has been in contact with WMC. When the PI is transferring into WMC, an initial meeting with Grants & Contracts and the Department is particularly important to go over the PI's research portfolio and to determine necessary action steps or remaining financial issues. If the project involves humans or animals, Grants & Contracts should ensure that the PI has drafted the necessary protocols and submitted them to the WMC IRB or IACUC.

Grants & Contracts will work with the originating institution and sponsor to confirm the transfer of the project and to determine the appropriate transaction for transfer. This will generally involve the relinquishment of the award by the originating institution and transfer of the award to WMC by the sponsor. In some cases, such as transfer of an award close to the end date, the sponsor may prefer the original institution sub-contract to WMC rather than relinquish the award.

Once the above steps are completed, Grants & Contracts will receive an NGA reflecting the estimated balance of the award funds to be transferred. After the original institution has submitted their final financial statement, the awarding agency will issue a revised NGA to WMC to reflect a change in funding. This amount may be more or less than the original estimate.

- *Note: If the Department submits a signed request for a Preliminary Account and Grants & Contracts has also received a copy of the Relinquishing Statement from the original institution, Grants & Contracts will work with Finance to facilitate the Preliminary Account so that the PI can proceed with his or her research.*

Forms / Instructions

The following instructions and forms support this policy:

Grant Transfer Request Form

Roles & Responsibilities

Responsibilities	PI	Dept Admin	Grants & Contracts	Finance	Faculty Affairs
Contact the Sponsoring Agency, Department, and Grants & Contracts in advance of the transfer date	P	S			
Complete the Agency Relinquishing Statement, Grant Transfer Request Form, and Final Invention Statement (if applicable)	P	S			
Include appropriate paperwork with requests to transfer the grant, including detail of any materials or equipment	P	S	S		
Contact all subrecipients to let them know that there is an anticipated change to their contracted end date and amend the contract			P		
Review Grant Transfer Request Form and discuss any outstanding issues or action items	S	S	P	P	
Relinquish the grant	S	S	P	S	I
Issue final financial report to sponsors				P	
Process any new PIs through the faculty appointment procedures					P
Terminate any faculty appointments at WMC for departing PIs					P

KEY
P = PRIMARY RESPONSIBILITY
S = SECONDARY RESPONSIBILITY
O = INSTITUTIONAL OVERSIGHT
O - L = LOCAL OVERSIGHT
I = PROVIDE INPUT

Definitions

Term	Definition
Grantee	The organization or individual awarded a grant or cooperative agreement by NIH that is responsible and accountable for the use of the funds provided and for the performance of the grant-supported project or activities. The grantee is the entire legal entity even if a particular component is designated in the award document. The grantee is legally responsible and accountable to NIH for the performance and financial aspects of the grant-supported project or activity.
Preliminary Account	An account established before all parties have signed the contract. Sometimes the agreement language of a grant or contract is still being negotiated on the anticipated start date. In these cases, the PI can request a preliminary account to begin the project because the expenses will be incurred during the proposed project period.
Relinquishing Statement	Official statement relinquishing interests and rights in a federally funded public health service research grant.
Subawards / Subgrants / Subcontracts	As it pertains to this policy, these terms mean an award of financial support subsidiary to a prime award (e.g., a grant, cooperative agreement, and other agreements) made by a prime award recipient to an eligible subrecipient. It also includes awards made by a subrecipient to a lower tier subrecipient. It does not include procurement of goods and services through the funds provided in a prime award.