

#COGROct2023

Institutional Cost of Compliance & Administrative Burden:

Where Do We Go from Here?

October 27, 2023



COGR



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Speakers



Bruce Morgan
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**Recap from COGR's
September 27th
Workshop* on Research
Security Requirements &
the Associated Cost of
Compliance Survey**

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*Webinar recording and slides are available in the [COGR Portal!](#)

Considering all compliance requirements associated with the receipt of federal research funding, how do you rank the current institutional administrative burden and cost associated with research security compliance requirements:

Top cost/burden

0

In the top three costs/burdens

0

In the top ten costs/burdens

0

My institution views it the same as all other costs/burdens associated with federally funded research

0

No response (I fainted when I had to think about all compliance requirements associated with federal research funding!)

0

Has your institution seen any indications of faculty members either ending international collaborations or refraining from entering into international collaborations because of associated research security requirements?

Yes, we have actual examples of this.

0

Maybe, we've heard anecdotes, but haven't seen any actual examples yet.

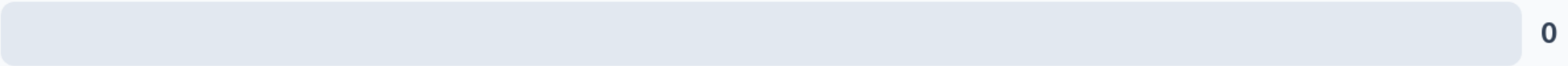
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No, not yet.

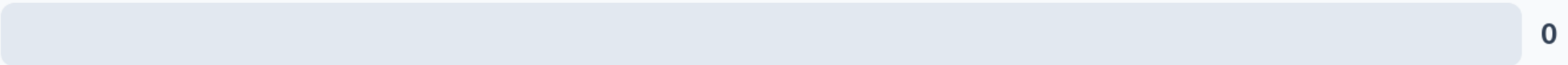
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Do you think that having one year from the date that the research security program requirements are issued will give your institution adequate implementation time?

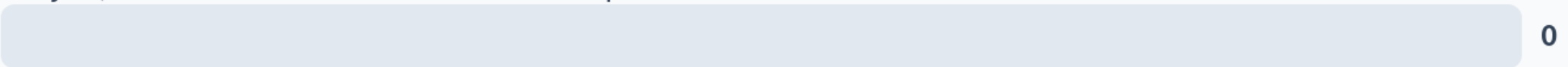
Yes, we are pretty far along already.



Yes, but we will be pressed to make the deadline.



Maybe, hard to tell until we see the final requirements.



No, based on what we've seen so far, we need more time.



Top Responses: Institutional Preparedness for Anticipated Research Security Program Requirements

- Lots of planning but waiting for the final requirements before proceeding further -- **44%**
- Assessed current practices and anticipate being able to leverage them to address requirements – **39%**
- Good to go! – **11%**

(191 responders)

Top Responses: Research Security Officer

- Allocating research security officer duties to an existing employee – 48%
- Already had an employee who had these duties – 29%
- New hire – 16%

(199 responders)

Top Responses: Program Logistics

Units Leading the Response

- Vice Pres. for Research – 30%
- No Single Office – 29%
- Compliance Office – 15%
- Research Security Office – 10%

(198 responders)

Coordinating Mechanism

- Committee – 47%
- Informal communications/planning processes – 35%
- Non-committee formal planning process – 16%

(197 responders)

Top Three Areas that will Require the Most Additional Resources

- Information Technology – 75%
- Research Compliance – 59%
- International Travel Processes – 43%
- Conflict of Interest/Commitment – 36%
- Export Controls – 37%
- Pre-Award – 26%
- Post-Award – 10%

(197 responders)

Institutional Challenges

- **International Travel** – What travel will be encompassed? How to handle loaner devices? Cost of IT to block cloud access.
- **Training** – Faculty compliance training burn-out. Use of government provided/commercial training vs. institutionally tailored training.
- **Cybersecurity** – High costs, particularly because of decentralization.
- **Emerging Research Institutions** – Will individual award terms and conditions drive institutions who would not meet the \$50M research security trigger to establish a program anyway?
- **Faculty Concerns** –How to make sure faculty feel supported in their international research activities?

The Research Administrator's Perspective

**Bruce Morgan
University of California,
Irvine**





36,000+ students

Degrees Awarded (2021-22)

Bachelor's	9,009
Master's	1,751
Ph.D.	514
M.D.	93
D.N.P	18
J.D.	138
Total	11,523



— The Wall Street Journal/Times Higher Education 2022 College Rankings

Workforce (fall 2022)

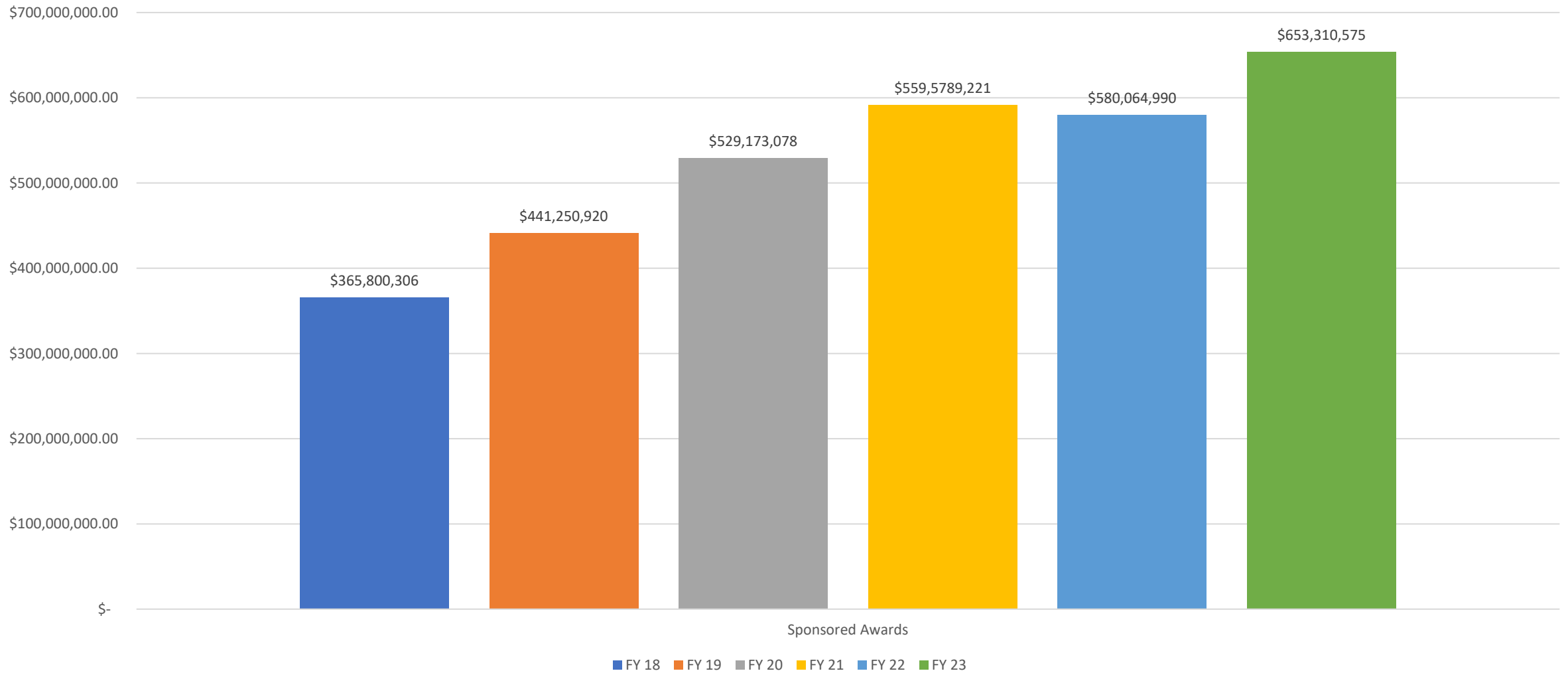
Ladder-rank faculty	1,553
Other teaching faculty	1,292
Nonteaching academics	2,966
Campus staff	6,677
Medical center staff	6,890
Subtotal	19,378
Student employees	7,838
Total	27,216



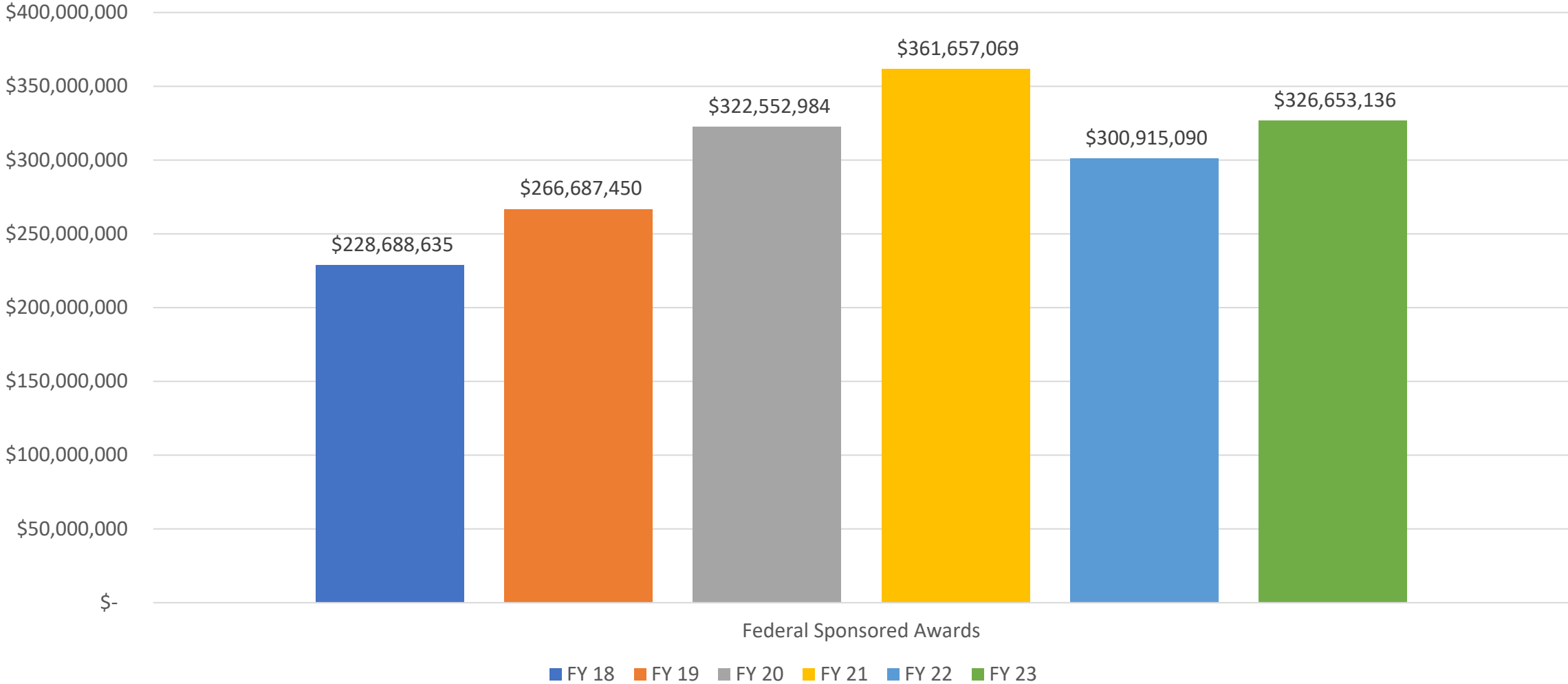
- Part of the UC system
- Located in Orange County, CA
 - Half way between LA and San Diego
 - Main campus in Irvine
 - UCI Health campuses in Orange and Irvine



UCI Sponsored Awards FY 18 v. FY 23 (78.6% increase)



UCI Sponsored Awards Direct Federal Funding FY 18 v. FY 23 (42.8% increase)



Organizational Changes Primarily Due to Research Security

FY 18

- Research Engagement & Facilitation Team within Sponsored Projects Administration (3 FTE)
 - Conflict of Interest
 - Export Control
 - Sponsored Research IT Security
 - Cannabis research
 - DURC
 - Gift v. grant classification
- Export Control = .9 FTE
- COI = 1.8 FTE
- All other work = .3 FTE

Now

- Research Engagement & Compliance (REC) unit reports to the Associate Vice Chancellor for Research Administration (10 FTE)
 - Research Security includes Export Control, COI, Sponsored Research IT Security, vetting processes, and risk analysis/mitigation
 - IACUC
- Research security = 4.9 FTE
- IACUC = 4 FTE
- Director = 80% research security, 18% IACUC, 2% all other work
- The new FTEs associated with research security were added over time
- Collectively, estimated cost of these FTE is ~\$420K in FY 24 (salaries and benefits)

Associate Vice Chancellor's Priorities

FY 18

- Efficient operations
- Research compliance (IRB, IACUC, COI)
- Acquiring and implementing enterprise systems for research administration
- Everything else

Now

- Efficient Operations
- Research security
 - COI
 - Export Control
 - COC
 - Sponsored research IT security
 - Proposal disclosures
 - Facilitating and promoting compliance and coordinating with other central offices
- Acquiring systems and tools to support research security
- Research compliance (IRB, IACUC)
- Everything else

Institutional Response to Research Security

FY 18

- **Undue Foreign Influence Workgroup**
(June 2019)
 - Review February 2019 Top Line Recommendations from UC President for addressing potential risks related to international engagements and improving the University's ability to mitigate them.
 - Identify gaps between Top Line recommendations and UCI policy, procedure, processes, and practice
 - Make recommendations to UCI leadership

Now

- **[Research Security & International Engagement Committee](#)** (March 2023)
 - Develop policy & procedure
 - Oversee UCI's research security and risk mitigation program
 - Review and approve international activities that pose elevated risk (reputational, regulatory, data/cyber, and IP)

Institutional Awareness & Perspective

FY 18

- Visiting foreign academic/post doc/grad student
 - Low or no cost labor
 - Increased research productivity
 - Increased publications, and
 - Increased opportunities for long-term collaborations
- Risk Intelligence Committee's ranking of UCI's top 15 risks didn't include research security

Now

- Vetting process for visitors who will receive UCI appointments
- Campaign to increase risk awareness
 - Senior campus leaders regularly articulate the importance of responsible international collaboration and engagement through compliance and risk mitigation
- Growing awareness of gaps that pose institutional risk
- Risk Intelligence Committee rank research security as UCI's #2 risk behind employee sustainability

Institutional Awareness & Perspective

FY 18

- Institutional review of federal proposals did not include review of current/pending support or biosketches
- COI & COC siloed

Now

- A growing research security program
 - [Recently implemented international engagement questions for federal proposals](#)
 - Pursuing better integration between COI and COC

Discussions with Faculty

FY 18

- Reducing administrative burden
- Improving services
- Improving systems and tools
- Troubleshooting & problem solving
- No, Contract and Grant Accounting doesn't report to me, but I'll try to help you
- Compliance
 - IRB
 - IACUC
 - COI

Now

- Can I attend this conference in [foreign country]?
 - If I go, what impact will that have on my ability to get federal funding?
- Can I share data with my collaborator in [foreign country]?
- Is it okay to accept an honorary title?
- What are the risks if I....?
- I've decided not host a visiting academic from [foreign country] because the risk is too great.

The Researcher's Perspective

**Geeta Swamy,
Duke University**

The Duke University logo is centered within a white circle that has a blue border. The circle is positioned on the right side of the slide, overlapping the dark blue background. The text "Duke" is in a large, dark blue serif font, and "UNIVERSITY" is in a smaller, dark blue sans-serif font below it.

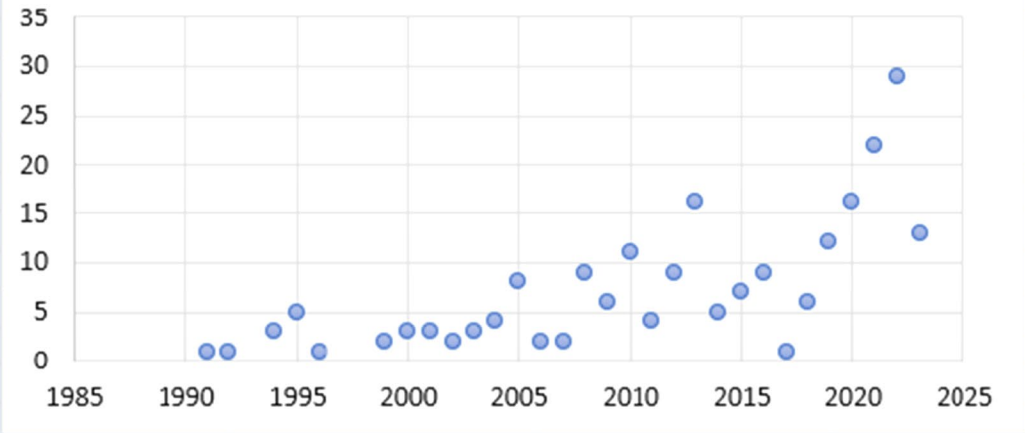
Duke
UNIVERSITY

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CUMULATIVE Total of Regulations & Policies Adopted, and/or Substantially Modified & Changes in Interpretation of Regulations or Business Practices Affecting Federal Research Since 1991

of Regulations/Policies Adopted, and/or Substantially Modified, & Changes in Interpretation of Regulations or Business Practices **Each Year** Since 1991



1991: 26% Administrative Cap Imposed on F&A

172% increase in last 10 Years (2013-2023)

1991-2023

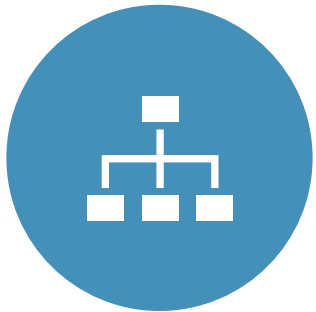
DUKE RESEARCHER'S PERSPECTIVE OF ADMINISTRATIVE BURDEN & COMPLIANCE



Perception of increasing tasks and compliance as a shift in responsibility from administrative staff to faculty researchers



Lack of confidence and trust in researchers to have good intentions and do the right thing



Increasing number offices/teams involved in research environment – research administration, finance, HR, visa services, research security, data mgmt., etc., etc., etc.



Unique, highly frustrating barriers to international research collaborations

ADMINISTRATIVE BURDEN

Time and effort that researcher investigators spend on administrative tasks that are not directly related to their research or teaching

Grant application components other than research strategy

Regulations/ Compliance
training, disclosures, other support, effort certification

Dissemination
data management & sharing, publications, presentations





Communicate

Best Practices

Right-size processes

Technology

Direct support

Modernize policies

WHO SHOULD BE DESIGNATED SENIOR/KEY PERSONNEL ON SPONSORED PROJECTS?

- Sponsor instructions haven't changed (yet), **but what has changed is the increased sponsor pressures and requirements** related to transparency, disclosures and training for those designated as Key Personnel
- General principles
 - Senior and Key Personnel are specifically and uniquely important to the project and have a specific skill set that is difficult to replace.
 - The individual (and Duke) is responsible for fulfilling the role AND the effort.
 - Changes to the Senior and Key Personnel designations won't happen with the click of a button.

[Duke guidance for appropriate designation of Senior and Key Personnel on sponsored projects | myResearchPath](#)

IT IS NOT UNCOMMON FOR COLLABORATORS NOT MEETING THE DEFINITION AND SPIRIT TO BE DESIGNATED SENIOR / KEY PERSONNEL.

When this happens, our collective* administrative and compliance responsibilities increase:

- **Other Support / Current & Pending**
- **Effort Tracking and Prior Approvals**
- **FCOI Tracking and Reporting**
- **RCR / SCRI Training**
- **Timely Reporting of Harassment, Bullying, Safe Workplace Issues**

* (regardless of where Senior / Key Personnel is employed)

GUIDANCE FOR DESIGNATING SENIOR/KEY PERSONNEL

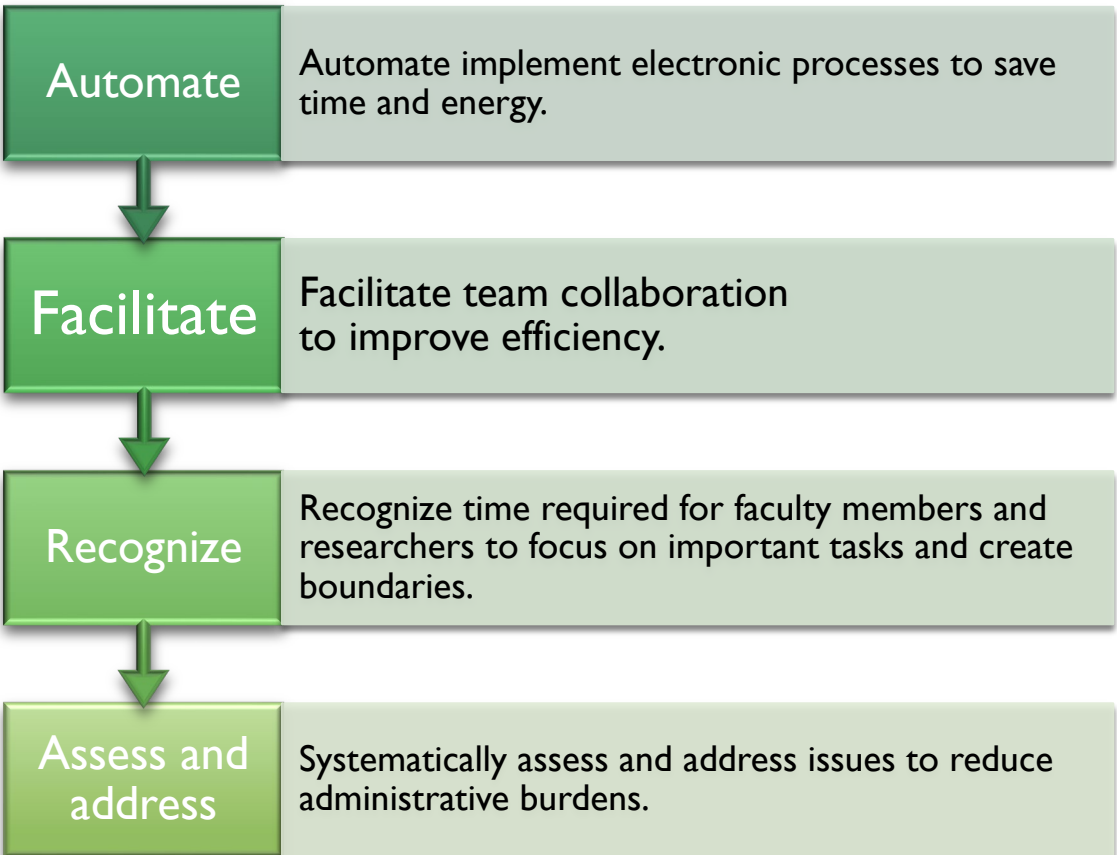
WHAT IT IS:

- Definitions and FAQs related to who can and who should be designated Senior/Key (according to sponsor guidance)
- Describes the PI, grant manager, and institutional responsibility for managing compliance of Senior/Key effort
- Guides the PI and grant manager when making decisions about who should be Senior/Key on sponsored projects

WHAT IT IS NOT:

- This is guidance, not policy.
- It is not meant to prohibit or hinder, but instead to
 - Inform the research community about the administrative burden and compliance requirements that come with designating someone Senior/Key





On the Horizon: Phase II of COGR's Survey on the Cost of Research Security

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Why Another Survey?

- Cost of Compliance – NSPM-33 Disclosure Requirements, November 2022
- Cost of Compliance – NIH Data Sharing and Management, May 2023
- Survey of F&A Cost Rates (ongoing, with the “2023 F&A Capstone” to be published in 2024)

To quote a good friend: “*Dave- what **new tactics** can we try to convince federal agencies and Congress that the admin/costing issues around these mandates are killing us!!*”

Another Survey as a “New Tactic?”

- Well, not necessarily, but *Data-Driven Evidence* can help to make the case ...
- And ...

DATA + ANECDOTE(s) = COMPELLING ARGUMENT

- Finally ... *a compelling argument, combined with a creative media platform, and moved by a robust network distribution* might – *just might* – connect to the right people at the right time and initiate change ...

Survey Approach ...

Assign “Burden Factors” to a matrix capturing “Compliance Requirement” and “Organizational Unit.”

Burden Factors (used in DMS Survey):

- 1 – Low Impact** (e.g., no new staff, no reallocation of existing staff effort, no new training, no new IT/technology, etc.)
- 2 – Low/Moderate Impact** (e.g., no new staff, some reallocation of existing staff effort, some new training, some new IT/technology, etc.)
- 3 – Moderate/High Impact** (e.g., consideration of new staff, more significant reallocation of existing staff effort, new training, new IT/technology, etc.)
- 4 – High Impact** (e.g., serious consideration of new staff, significant reallocation of existing staff effort, significant new training, significant IT/technology, etc.)

For Example ...

Compliance Requirement #1, NSF Reporting Module:

	1	2	3	4
Vice President of Research		■		
Compliance Office				■
Research Security Office	■			
Export Control Office	■			
Office of Sponsored Programs			■	
Researchers/Faculty/PIs	■			
Graduate Students	■			

And Ultimately ...

Compliance Requirement #1, NSF Reporting Module:



Burden Factors of **3–Moderate/High Impact** and **4–High Impact** can be translated into \$ figures, which allows us to estimate the cost of compliance both for a specific compliance requirement and for a particular organizational unit (including faculty!)

Is there a “Cost of Inaction?”

For smaller and emerging research institutions, the cost burden will potentially become prohibitive to their continued participation in the federal research ecosystem ...

For mid-size research institutions, they will continue to participate, but may choose to retreat from conducting certain types of federally sponsored research ...

For large research institutions, most likely, they will continue full participation, but even they may choose to restructure the composition of their research portfolios ...

As for faculty, investigators, and those aspiring to be researchers, the ever-growing administrative burden required to conduct federally sponsored research has and will continue to lead some to seek other careers that are less complicated ...

And for the United States, our position as the global leader in science and technology will be challenged. Future generations of Americans will bear the cost—a less-creative, less-robust research enterprise that diminishes American ingenuity, imagination, and innovation.



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COGR Points of Contact

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