

University of Colorado **Boulder**

## PROCEDURAL STATEMENT

**Procedural Statement Title:** Sponsored Projects Progress and/or Technical Reports

**Functional Area:** Research Administration

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**Related Policy:** U.S. Office of Management and Budget's Uniform Guidance, 2 CFR 200.329(c)(1)

**Effective Date:** February 1, 2019

**Approved by:** Massimo Ruzzene, Acting Vice Chancellor for Research & Innovation and Dean of the Institutes

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MR

**Responsible Office:** Office of Contracts and Grants (OCG)

**Procedural Statement Contact:** Alexa Van Dalsem, Deputy Director, Office of Contracts and Grants

**Last Reviewed/Updated:** March 1, 2023, January 11, 2021

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### I. PURPOSE

According to U.S. Office of Management and Budget's Uniform Guidance, [2 CFR 200.329\(c\)\(1\)](#), performance reports must be submitted "at the interval required by the Federal awarding agency or pass-through entity to best inform about improvements in program outcomes and productivity." This procedural statement sets forth CU Boulder's position regarding the submission of sponsored project performance reports and outlines corrective actions imposed on researchers when this requirement is not met.

### II. CU BOULDER REQUIREMENTS

[Regent Policy 8.A: Principles of Ethical Behavior](#) states that "Members of the university community are expected to conduct themselves ethically, and in compliance with all applicable laws, regulations, and university policies." Per Federal regulations and Regent Policy, CU Boulder requires that performance reports are submitted timely and according to award specifications to ensure campus research obligations to the sponsor are fulfilled. **It is the responsibility of the project's lead Principal Investigator (PI) to complete and submit these reports to the applicable sponsor within the timeframe stipulated by that sponsor and to ensure all other senior personnel on the project also submit their reports on time.** Past due reports place the University's future funding at risk and create a critical compliance issue. The Office of Contracts and Grants (OCG) has received notices from Federal sponsors saying they have blocked particular awards and delayed processing certain requests because of non-compliance.

PIs who are leaving the University or are retiring must complete all outstanding report obligations before physically leaving CU Boulder or before their retirement date. Exiting PIs with courtesy appointments are expected to meet reporting obligations for ongoing awards throughout their lifecycle, including all final reports.

### III. DEFINITIONS

**Progress or technical reports** provide performance information to Federal and non-Federal sponsors regarding the research results associated with financial assistance or contractual agreements awarded to CU by describing scientific progress, identifying significant changes, reporting on personnel and any travel activity, and describing plans for the subsequent budget period or year. The content and timeline requirements for these reports are dictated by specific sponsor and/or award terms and conditions.

### IV. RELATED POLICIES, PROCEDURES, AND GUIDELINES

OCG will send a maximum of three delinquency notices for any specific overdue report. These notices are sent to the Department Chair or Institute Director with a copy to the PI and stipulate a specific timeframe within which the reports must be submitted before corrective action will be taken by OCG and/or the PI's respective College or School.

#### A. Guidelines for Federal Awards

Under the regulations imposed by [2 CFR 200.329\(c\)\(1\)](#), CU Boulder is required to submit annual or other interim performance reports and final technical reports to document accomplishments and be compliant with the award terms. Each federal agency defines its own specific guidelines outlining which reports are required and when they need to be submitted. Individual federal contracts can also have their own unique requirements tailored to the contract's Scope of Work.

#### B. Guidelines for Non-Federal Awards

The basic criteria for submission of annual or other interim performance reports and final technical reports for non-Federal sponsored projects are defined by those sponsors and/or the specific award. Therefore, it is important to review the terms and conditions for each non-federal award as they can be unique and may differ considerably from other sponsors.

#### C. Submission Procedures

It is the PI's responsibility to understand the terms and conditions of her/his/their award to know which reports are required and how they are to be submitted. InfoEd provides OCG the capability to track each award's requirements so it is important the database accurately reflects the fulfillment of these obligations. OCG has the capability to access a limited number of sponsor online systems to view their records regarding timely report submissions. Therefore, OCG relies on information from the PI to confirm their compliance with these reports.

PIs are responsible for submitting their technical and/or progress reports to the sponsor. However, federal sponsors sometimes require a signing official to submit which means someone in OCG needs to complete the process. If there are ever questions regarding the reporting process for a specific award, OCG can provide assistance to PIs with issues encountered during submission. OCG's [Guide to Sponsor Reporting Requirements](#) provides information on key parameters about sponsors' report submission processes.

#### D. Record Retention

InfoEd is also the official repository for documents that substantiate the sponsor's authorization of the award and award actions, and fulfillment of CU Boulder's obligations for that award. These award documents must be retained according to the University's [Record Retention Policy](#), specifically with the Boulder campus schedule. **Sending the technical and progress reports to OCG releases the PI from the responsibility of retaining these documents for the period specified by the retention schedule.** Therefore:

- Upon submission, the PI should send a copy of the report to [ocgreports@colorado.edu](mailto:ocgreports@colorado.edu), or
- If the report is only available in a web format notify [ocgreports@colorado.edu](mailto:ocgreports@colorado.edu) that it was submitted and when.

### E. Internal Tracking and Email Notifications

With the implementation of InfoEd in July 2015, OCG reviews each award document and associated modifications and lists each progress/technical reporting requirement in the Deliverables screen in the InfoEd system. These data can then be tracked and reviewed to ensure timely completion and compliance with sponsor requirements. When reports are not submitted according to sponsor requirements and become delinquent **for more than a month**, according to information in InfoEd, OCG initiates the process outlined below. Each notice sent to the PI provides a window of **three (3) business days** to submit the report.

1. OCG sends the first email notification to the PI's Chair or Director and copies the PI, the project Fiscal Manager and [ocgreports@colorado.edu](mailto:ocgreports@colorado.edu).
2. If the required report is not completed within three business days, a second email is sent to the PI.
3. If not completed by the second deadline, OCG sends its final email to the PI's Chair or Director with a copy to the PI, the project Fiscal Manager, to OCG's Director, and to the Research and Innovation Office (RIO) or the Associate Dean of her/his/their College or School. ***This email clearly states it is OCG's final notice and advises the PI that until the outstanding report(s) is submitted, OCG will withhold any award action for her/his/their active awards.***
4. If OCG has withheld award action for this PI because of late reports on other awards, he/she is considered a "repeat offender." As such, additional corrective action will be imposed with this third notice and OCG will not submit proposals for that PI until the outstanding report(s) is(are) submitted. When applicable, this additional action will be noted in the final notice.
5. At this point, additional corrective action may also be enacted at the discretion of the College, School, or RIO up to and including denying any merit increases in the next merit cycle.

### F. Sponsor Delinquency Notices

OCG is also copied on email notifications that sponsors send to PIs about overdue reports and sometimes the sponsor contacts OCG's Director about late reports for which they are requesting immediate action.

- If OCG receives a late notice from the sponsor about a report that is delinquent for more than a month, OCG can either send a 3-business day deadline **or** notify the PI's Chair or Director that OCG will immediately withhold any award action until the report(s) is submitted plus copy the PI, RIO, and the Associate Dean of the College or School.
- If OCG receives a direct request from the sponsor for immediate action, the PI may also be subject to additional corrective action by her/his/their College, School, or RIO.

### G. Corrective Action

Part IV, Section D.1. in the [Professional Rights & Duties of Faculty Members Policy](#) deals with sanctions imposed for unprofessional conduct, maintaining they should be appropriate for remedying the conduct in question. Corrective action steps outlined in this Procedural Statement are devised with that intent. Any technical and/or progress reports considered overdue by the sponsor require immediate attention to avoid sponsor penalties.

Escalating Corrective Action Steps:

1. **First Consequence:** OCG will withhold any action on the PI's active awards. OCG will not process any incoming requests (such as a no cost extension) nor will they process any new sponsor actions (such as additional funding, POP extension, new award, etc.) until the late report(s) is submitted.
2. **Second Consequence:** In addition to holding award actions, OCG will not submit new proposals for the PI. This will occur automatically if the PI has experienced the First Consequence for a different late report and is considered a "repeat offender."

- a. Following a precedent set by the National Science Foundation, any proposals on which this researcher is either a PI or a co-PI will not be submitted until the late report(s) is(are) submitted.
- b. Faculty are no longer considered “repeat offenders” when:
  - i. all of his/her delinquent reports have been successfully submitted to the sponsor,  
**and**
  - ii. has no other delinquent reports resulting in corrective action in the next 12 months.
- c. The faculty member will be considered a “repeat offender” again if, within those 12 months, another late report does not meet the deadlines established by OCG notices and a First Consequence is then imposed. This proposal restriction can also be authorized at the discretion of the PI’s College, School, or RIO.

## V. FREQUENTLY ASKED QUESTIONS

Q: If I need to send a copy of my performance reports to OCG, why doesn’t OCG just submit the reports by the required deadline? Why do I have to do them?

A: Completion and submission of performance reports within the sponsor deadlines are the primary responsibility of the lead Principal Investigator because these reports capture the achievements of the research and its progress according to the scope of work. OCG helps ensure compliance with the reporting requirements by *tracking* the submissions of the reports, not by submitting the reports on behalf of the PI. In some cases, OCG does assist with the report submission (see the [Guide to Sponsor Reporting Requirements](#) tool), however, it is understood by most sponsors that the PI will complete and submit the required performance reports themselves, and the sponsors have designed their submission systems with that understanding.

Q: What if I need assistance with the requested reporting requirements or reporting systems?

A: You can send an email to [ocgreports@colorado.edu](mailto:ocgreports@colorado.edu) or find the contact for your department in the [OCG Directory](#).

Q: I’ve had sponsored awards for more than 10 years but the sponsors have always been pretty relaxed about reports I needed to complete. Why have they changed?

A: Federal agencies have been given the mandate by Congress and the Office of Management and Budget to close awards per Federal requirements. In addition, both NIH and NSF have been audited since 2013 with recommendations to take appropriate actions to ensure performance reports are submitted on time. Consequently, many agencies are continually improving their capability to track outstanding obligations and are taking steps for or warning of disciplinary action against individual PIs and the University because of unfulfilled obligations. Prior to 2014, OCG had seen this type of sponsor response only in rare and extreme situations. It is now becoming common practice.

## VI. RESOURCES

OCG’s [Guide to Sponsor Reporting Requirements](#)

[Professional Rights & Duties of Faculty Members Policy](#)

[Regent Policy 8.A: Principles of Ethical Behavior](#)

U.S. Office of Management and Budget’s Uniform Guidance, [2 CFR 200.329\(c\)\(1\)](#)

**VII. HISTORY**

<b>Changes</b>	<b>Date</b>	<b>Approved By</b>
Adopted	02/11/2019	Terri Fiez
Revised with updated 2 CFR 200 references, removal of step to call PIs to verify email, renumbering of sections, addition of Resources.	01/11/21	Denitta Ward
Minor typos corrected, changed to Massimo Ruzzene for approval	03/01/23	Massimo Ruzzene