

OFFICE OF RESEARCH ADMINISTRATION NEWSLETTER

“Yale has a clear obligation to comply with all regulations pertaining to the administration of federal grants, and we will spare no effort to remedy any deficiencies in our practices.” *President Rick Levin*

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NSF Required Mentoring Plan for Postdoctoral Researchers

The National Science Foundation (NSF) recently revised its Proposal and Award Policies and Procedures Guide (NSF 09-1) which effects proposals submitted on or after January 5, 2009. (Note: Principal Investigators (PI) responding to a funding opportunity with a due date on or after January 5th must comply with the guidelines in NSF 09-1). One significant change is that for any proposal that anticipates supporting postdoctoral researchers, the PI must include a mentoring plan for these individuals in the proposal.

Specifically, each NSF proposal that requests funding to support postdoctoral researchers must include, as a separate section within the 15-page project description, a description of the mentoring activities that will be provided for such individuals. The PI will be required to report on the mentoring in the annual and final reports. (Note: If a postdoctoral fellow is added to an active award, an NSF review of the mentoring activities will not be required mid-project but the PI will be required to report on the mentoring activities in the annual and final reports.)

To better assist PIs in the preparation of their proposals, the NSF provided examples of mentoring activities which include, but are not limited to: career counseling; training in preparation of grant proposals, publications and presentations; guidance on ways to improve teaching and mentoring skills; guidance on how to effectively collaborate with researchers from diverse backgrounds and disciplinary areas; and training in responsible professional practices. Proposed mentoring activities will be evaluated as part of the merit review process under the Foundation's broader impacts merit review criterion.

Proposals that do not include a separate section on mentoring activities within the Project Description will be returned without review.

Note: This new requirement will likely lead to NSF adding a new certification at proposal submission which will state that the institution (Yale) has a plan in place to provide appropriate training and oversight.

NSF is currently reviewing the most effective approach to both integrating the training into the research processes and how to engage investigators in their involvement to provide the best guidance as role models for research integrity. NSF is aware that, in order to reach the range of trainees and broad disciplines reflected in NSF's research portfolio, multiple approaches toward this mentoring activity will be necessary.

A summary of all significant changes for NSF proposals is located at:

http://www.nsf.gov/pubs/policydocs/pappguide/nsf09_1/gpg_sigchanges.jsp

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OFFICE OF RESEARCH ADMINISTRATION MISSION STATEMENT

To coordinate the activities of the various University offices providing support to faculty, staff and students on sponsored projects, to assure that service provided by those offices is of the highest caliber and professionalism, and to serve as an effective representative for the research enterprise at Yale University and nationally.

Did you know...

...that the University has issued guidance and a revised Memorandum of Understanding form addressing VA/ Yale joint appointments? Both documents are located at

the following url: <http://www.yale.edu/ppdev>, click on Grants and Contracts and select 1411 GD.01 to access the Guide and select 1411 FM.01 to access the form.

EXPORT CONTROLS AND ELECTRONIC DEVICES IN INTERNATIONAL TRAVEL

Yale faculty, staff and students commonly bring their laptop, cell phone, GPS, PDA, data storage devices and other electronic devices loaded with information and software (“Devices”) with them not only across campus, but also to other countries. Although taking Devices to international destinations seems routine, individuals doing so may be “exporting” the Device under U.S. export control laws and regulations. Such “exports” may require a license from the U.S. government. Export control regulations may also govern a Yale traveler’s use of another person’s Device while traveling, and a Yale traveler permitting someone else to use his/her Device while outside the United States.

Most international travel with Devices will not require a license. Yale travelers should be familiar with the applicable export control regulations, however, and strive to comply, because violations can result in the imposition of criminal sanctions and heavy civil penalties.

The licensing requirements can be summarized generally as follows:

Individuals traveling with a Device that is *routinely available from commercial vendors* will probably *not* need an export license as long as the Device is kept under their *immediate control* when outside the United States, and is brought back to the United States *within one year of the initial departure*.

Travelers are likely to require an export license to bring a Device outside the United States if:

- They are traveling to a country that has been embargoed by the U.S. Department of Treasury (*i.e.*, as of October 2008, Cuba, Iran, N. Korea, Syria or Sudan);
- The Device holds encryption software, either commercially available or research-generated;
- The Device contains unpublished data or other information relating to items or materials on one of the technology control lists established by the U.S. government (An example of such information would be blueprints of laboratory equipment that could be used to create toxic materials.). Note that the need for an export license would probably not apply to data and information which result from fundamental research: basic and applied research typically associated with academia;

- The Device is designed for use or application with technologies associated with satellites, spacecraft or technologies with a military use, or the Device contains information or software designed for use or application with such technologies; or
- The Device could be used in the development of weapons of mass destruction.

Certain exclusions to the licensing requirements may be available for Devices taken outside the country for professional or research uses. (The applicability of an exclusion requires a careful determination in advance of departure, however.)

In addition to becoming familiar with applicable export control requirements, Yale travelers should note that any international travel with a Device may result in the disclosure of personal information installed on the Device. In some countries, **custom officials may examine information contained in Devices or seize Devices.** Instances of laptop seizures have been widely reported in the press. Travel in and out of the U.S. is no exception: Homeland Security personnel may inspect information contained in a traveler’s Device, or seize the Device. Yale travelers should therefore consider carefully which Devices, bearing what information, they wish to bring with them on international trips.

This article is designed to provide only general guidance on a complex issue. If you think you might need a license or need to rely on an exclusion, or if you have any questions or need more detailed information about this topic, please contact: Donald Deyo, Ph.D. Director, International Agreements and Export Control Licensing at ext. 5-3817 or via email donald.deyo@yale.edu

Did you know...

...that a PI may request an At-Risk account in order to incur necessary research related pre-award costs (up to 90 days prior to start date) on a federal grant? The transfer of costs from one sponsored project to another to remove a deficit would not be a proper use of this flexibility and violates University policy on cost transfers.

DATA SECURITY

Research data is not immune to the laws, regulations, and contractual arrangements that require stringent data security controls for electronic information.

While researchers have always been concerned with the confidentiality, integrity and/or availability of their data, a number of regulations require adherence to standards prescribed in federal and state laws. Electronic health information was one of the first areas to be governed by data security standards under the HIPAA Security Rule in 2005. More recently, Connecticut state law began requiring institutions to implement policies and procedures for the protection of social security numbers including notification of individuals in the event of a data breach. Neither HIPAA nor state law was written specifically for research data. Instead, the regulations target particular types of data as requiring protection, irrespective of the context under which the information is collected, stored, or used. In addition to legislative initiatives, federal funding agreements increasingly are requiring adherence to the Federal Information Security Act (FISMA) standards.

To assist investigators in implementing appropriate safeguards, the University has created a secure computing web site at <http://www.yale.edu/its/secure-computing/> including interim guidance on human subjects research data security (<http://www.yale.edu/its/policy/GuidanceClassification.pdf>). The general approach is for investigators to assess the sensitivity and criticality of information they collect and maintain, and then to implement security strategies commensurate with this assessment. Both the guidance document as well as the secure computing website provide detailed information on what types of strategies are appropriate and who to contact for additional advice.

For information on specific University policies related to these issues see:

- Policy 1602: Protecting the Security and Confidentiality of Social Security Numbers (<http://www.yale.edu/ppdev/policy/1602/1602.pdf>)
- HIPAA Privacy and Security Policies (<http://mire.med.yale.edu/hipaapolicies/>)
 - Detailed IT & HIPAA Security Rule Guidance (<http://hipaa.yale.edu/security/>)

Did you know...

...the Office for Postdoctoral Affairs has a new website? The address for this site is www.yale.edu/postdocs

NEW STAFF MEMBER TO ORA

The Office of Research Administration would like to welcome Ms. Janice Murphy-Wallace as its new Assistant Director, Research Compliance Training. Janice will be instrumental in the development and coordination of educational opportunities and communications to the Yale community. Please contact Janice regarding suggestions for training topics and/or articles for the ORA Newsletter.

RESEARCH ADMINISTRATION TRAINING OPPORTUNITIES

UPCOMING TRAINING EVENTS

- Brown Bag Luncheon Series: *The Management Challenges of Training Grants*
Wednesday, January 14, 2009: NOON – 1:15 PM
Peabody Auditorium, 3rd floor, 170 Whitney Ave.
- Brown Bag Luncheon Series: *Movable Equipment Inventory (MEI)*
Wednesday, February 11, 2009: NOON – 1:15 PM
Brady Auditorium, B131, 310 Cedar Street
- Fundamentals of Sponsored Projects Administration 2-day training program:
January 21-22, 2009, 9:00 AM
Peabody Auditorium, 3rd floor, 170 Whitney Ave.

For details and to register for these events, visit <http://www.yale.edu/training/>, navigate to Grant and Contract Financial Administration and click GCFA Training.

ADDITIONAL TRAINING FOR FACULTY AND ADMINISTRATORS

(Some of the following offerings are web-based)

Grant and Contract Financial Administration (GCFA)

- Allowability of Costs and Cost Transfer Principles Training
- Effort Reporting Principles
- Effort Reporting System Training
- Subrecipient Basics, Monitoring and Tracking

To learn more and/or to register for these sessions, visit <http://www.yale.edu/training/>, navigate to Grant and Contract Financial Administration, then click on the Yale office providing the training.

