



UNIVERSITY of  
MASSACHUSETTS  
BOSTON  
100 Morrissey Blvd.  
Boston, MA 02125-3393

Office of the Vice Provost  
for Research  
617.287.5600  
Fax: 617.287.5616

## A Note Concerning Principal and Co-principal Investigators

The University of Massachusetts Boston engages in a wide range of research, instruction, and public service projects that are supported by funds from external agencies and organizations through grants, contracts, and cooperative agreements. Most proposals for these sponsored programs are prepared and submitted by an individual member of the UMass Boston faculty or professional staff. If the proposal is selected by the funding source for an award, then the faculty or staff member takes on the full responsibility associated with the project. From time to time questions arise concerning the privilege of preparing and submitting a proposal and the duties and obligations of directing a sponsored program if the university receives an award.

Some proposals are prepared by several persons, some of whom may be from different departments and different units of the university. Typically, the parties involved have implicitly or explicitly developed shared understandings concerning their roles, duties, and responsibilities. In nearly all of these cases, the shared understandings successfully guide the collaboration of the partners and conflicts do not arise. However, in a small number of cases disagreements arise among the partners. Issues that typically require resolution include the distribution of project tasks, right to authorize budget expenditures, responsibility to hire and supervise project staff members, location of and access to project equipment, distribution of the recovered costs of facilities and administrative expenses, and intellectual property rights.

This note is written to provide guidance for the definition and eligibility of sponsored program team members, and to describe the UMass Boston mechanism to define clearly the roles, duties, and responsibilities of the multiple parties who may be involved in a sponsored program.

### *How are PI and Co-PI defined?*

The status of *principal investigator* (PI) is granted by the university as a matter of privilege<sup>1</sup>. A PI is that individual designated by the university as responsible for the preparation and intellectual content of a proposal for a sponsored program, for determining the direction of the research and scholarship once the project is funded and underway, and for selecting, training, and supervising students and staff members involved in the project. In addition, the PI is

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<sup>1</sup> Please refer to UMass Board of Trustee policy T94-034: *Policy for the Development and Administration of Grants, Contracts and Cooperative Agreements for Sponsored Programs*.

responsible for the prudent and effective administrative and financial management of the sponsored program in accordance with the terms and conditions of the award and consistent with all university policies, and with the highest ethical standards. Included in this responsibility is compliance with all federal and state laws, rules, and regulations, as well as all university policies and procedures, concerning protection of human research subjects, the care and use of animals in research, and the handling of recombinant DNA molecules, toxins, high consequence pathogens, and infectious agents.

A *co-principal investigator* (Co-PI) is a project team member who is designated by the university as responsible for some portion of the programmatic, administrative, financial management, and compliance duties associated with a sponsored program.

### ***Who can be a PI?***

In accordance with UMass policy, the award for any sponsored program is made to the university and not to an individual or a department. The university is legally responsible for completing the proposed project and, more importantly, for fulfilling the sponsor's requirements presented in the grant's terms and conditions. By signing and submitting the proposal to the sponsor, the university's chief research officer is certifying full compliance with the terms and conditions of the grant if an award is made, as well as full compliance of the university and the project team members with all applicable laws, rules, and regulations, such as those relating to the use of human and animal subjects, responsible conduct in research, conflict of interest, lobbying, and affirmative action, to name a few.

The individual designated by the university as the PI takes on the full obligations associated with the project, including all programmatic, administrative, financial management, and compliance responsibilities of the project. Clearly, only a UMass Boston employee can be designated to manage the budget and perform related official administrative activities of a university project (e.g., make personnel decisions, procure equipment). What, then, constitutes a UMass Boston employee?

An *employee* is distinguished from an *independent contractor* by the following two conditions:

- An *employee* is on the UMass Boston payroll; that is, he or she occupies a position with an on-going contractual relationship with the university, has FICA and other taxes deducted, and is covered by unemployment and workmen's compensation insurance. An *independent contractor* is paid from a UMass Boston budget but is not on the payroll; he or she handles the required tax and insurance deductions independent of UMass Boston.
- An *employee* is closely and routinely supervised and reports to a supervisor who is a UMass Boston official. An *independent contractor* is neither closely nor routinely supervised but rather is given performance guidelines in a scope-of-work document.

His or her efforts yield a required product and are reported in a project final report that is submitted to and evaluated by a UMass Boston official.

Persons holding the following positions, because they are UMass Boston employees, may prepare and submit<sup>2</sup> a proposal to an extramural funding source for a sponsored program and may be designated as the PI for a sponsored program if an award is made to the university:

1. All faculty members holding full-time tenured or tenure-track appointments;
2. All professional staff members holding full-time, non-temporary positions; and
3. All persons holding full-time appointments as research professor, research associate professor, or research assistant professor<sup>3</sup>.

In addition, certain other persons who are UMass Boston employees but who are not included in groups 1, 2, or 3 above may prepare and submit a proposal and may be designated as the PI for a sponsored program, provided that a full-time faculty or staff member is designated as the Co-PI and accepts co-responsibility for ensuring that all the requirements of the sponsored program are met. Individuals in the following groups may qualify:

4. Faculty and professional staff members holding positions that are temporary or less than full-time;
5. Adjunct and visiting faculty members;
6. Post-doctoral fellows; and
7. New university employees whose appointments have not yet started but who will achieve employee status at the time an award is made to the university.

Note, that for employees in groups 1, 2, and 3, the designation of a Co-PI for the sponsored program is optional, whereas for employees in groups 4, 5, 6, and 7, the designation of a Co-PI is required before the proposal can be submitted.

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<sup>2</sup> It is understood that the submission of a proposal to an extramural funding source is conditional upon the proposal being in compliance with all relevant federal, state, university, and sponsor rules and regulations, and upon the review and approval by all relevant university officials.

<sup>3</sup> Please refer to UMass Board of Trustee policy T02-024: *University of Massachusetts Boston Policy on Research Professorships*.

### ***Can a student be a PI?***

There are two cases in which a UMass Boston undergraduate or graduate student may prepare and submit a proposal to an extramural funding source for a sponsored program and may be designated as the PI for a sponsored program if an award is made to the university:

1. The UMass Boston undergraduate or graduate student is a UMass Boston employee as defined above, provided that a full-time faculty or staff member is designated as the Co-PI and accepts co-responsibility for ensuring that all requirements of the sponsored program are met; and
2. The UMass Boston undergraduate or graduate student is not a UMass Boston employee as defined above, provided that (a) the appointment is allowable by the sponsor<sup>4</sup>, and (b) a full-time faculty or staff member is designated as the Co-PI and accepts co-responsibility for ensuring that all requirements of the sponsored program are met.

### ***Can an individual who is not a UMass Boston employee submit a grant proposal and be designated a PI?***

An individual who is not a UMass Boston employee can prepare and submit a grant proposal to an extramural funding source for a sponsored program<sup>5</sup>, but he or she cannot be the PI for the sponsored program unless, as a result of an award to the university, the individual becomes a UMass Boston employee. In other words, if the individual wishes to be the PI for the project, then he or she must be included in the proposal and budget in a role that, if the proposal is selected for award, will constitute employee status in one of the seven groups as defined above (e.g., research assistant professor, temporary full-time professional staff member). The position must be reviewed and classified by HR, the salary to be paid must be appropriate for the position classification, and the benefits must be those benefits that are provided to other UMass Boston employees of similar status. In addition, these benefits must include only those that can be legitimately charged to the sponsor. For example, it may not be possible to charge retirement benefits to the sponsor if the individual is officially retired. All questions about position classification, salary, and benefits will be referred to the Department of Human Resources by the professional staff of ORSP during the review of the proposal and budget that occurs during the routing and approval process.

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<sup>4</sup> For example, the Doctoral Dissertation Improvement Program of the NSF and the Dissertation Research Award program of the American Psychological Association allow grant projects to be directed by students.

<sup>5</sup> The proposal must be in compliance with the terms and conditions of the sponsor and with all university policies concerning sponsored programs, and it must be submitted through a department or unit of the university with the full review and approval by the relevant department chairperson and dean or director.

If the individual will not assume employee status if an award is made to the university but will serve as an independent contractor, then the individual can still prepare and submit a grant proposal provided he or she has secured someone to be the PI for the project who is or will be an UMass Boston employee should the proposal be selected for an award. The PI will assume the full responsibilities associated with the project. A standard UMass Boston consulting contract, available from the Procurement Office or from ORSP, must be prepared for the individual who will be participating in the project as an independent contractor. This contract, which must be executed prior to the start of the project, will specify the scope of work, the compensation to be paid to the individual and payment schedule, and any other provisions relevant to the completion of the project (e.g., confidentiality, intellectual property). The compensation to be included in the proposal budget must be usual, customary, and reasonable for independent contractors hired by UMass Boston, and it must also be acceptable to the sponsor as specified in the proposal guidelines. It will be important for individuals to investigate the tax consequences of participation in a sponsored program as an independent contractor before the submission of a proposal. They may wish to consult their personal tax consultant to determine whether, and in what capacity, they wish to participate.

#### ***Who can be a Co-PI?***

Because a Co-PI shares the programmatic, administrative, financial management, and compliance responsibilities for a sponsored program, a Co-PI must also be an employee of UMass Boston. Consequently, individuals who are eligible for designation as a PI as specified above (i.e., those in group 1 through 7) are also eligible for designation as a Co-PI.

#### ***Can collaborators from other institutions be designated as Co-PIs?***

The question is occasionally asked whether collaborators associated with other institutions can be listed as Co-PIs on a proposal or designated as Co-PIs if an award is made to UMass Boston. For the reasons given above, individuals associated with other institutions who are not UMass Boston employees cannot be designated as Co-PIs. In addition, submitting a proposal that includes individuals who are associated with other institutions as Co-PIs would imply that UMass Boston can assure the sponsor of the full compliance of those individuals as well as their institutions with the terms and conditions of the award, when clearly it cannot. Any formal sponsored program relationship with collaborators at other institutions must be handled through subcontracts to the relevant institutions or through consulting contracts<sup>6</sup>.

#### ***How are Co-PIs designated, and how are project responsibilities shared?***

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<sup>6</sup> A variety of informal relationships are possible; please consult with the professional staff of ORSP.

Because extramural sponsors require that some individual at UMass Boston be designated as the PI, all sponsored program proposals must designate one—and only one<sup>7</sup>—person as PI. However, the project team may wish to share the responsibilities for a sponsored program among one or more Co-PIs. The university does not have any requirement for a particular arrangement for the division of responsibilities among the PI and Co-PIs, but it does require that the division of responsibilities be made explicit and incorporated into a memorandum of understanding (MOU). The MOU, which is available as an electronic form on the ORSP Web site, must be filed by the PI following notification that the university has received an award for a proposal that included one or more Co-PIs.

The MOU provides the following information for the PI and for each Co-PI:

- Name, department, and college or unit;
- Distribution of duties and responsibilities;
- Percentage of credit or contribution, for proper attribution for campus reporting purposes;
- Percentage of the recovered facilities and administrative costs of the sponsored program that is to be returned at the close of the fiscal year, in accordance with university policy; and
- Succession of signatory responsibility in the case of long term absences or change in key personnel, in accordance with the terms and conditions of the award and university policy.

The PI and each Co-PI must sign the MOU to signify their agreement to the terms, and the department chairperson and dean or unit head of the PI and each Co-PI must sign to signify their approval of the mutual understandings contained in the MOU. Because of the importance of the information contained in the MOU, the award funds for the sponsored program will not be released by the university prior to the receipt of a completed and signed MOU. The MOU covers the entire period of the sponsored program award unless it is superseded by a revised MOU. All issues concerning intellectual property for sponsored programs involving Co-PIs will be resolved in accordance with university policy<sup>8</sup>.

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<sup>7</sup> At the time of this writing, the National Institutes of Health (NIH) was preparing for the implementation of policies and procedures beginning in September 2006 on a selected set of grant programs to formally allow more than one PI on individual research awards to encourage a “team science” approach to research. The multiple-PI approach is intended to supplement and not replace the single-PI model for NIH grant awards. If successful, the multiple-PI approach may be adopted by other federal agencies and may require the revision of UMass policy.

<sup>8</sup> Please refer to UMass Board of Trustee policy T96-040; *The University Of Massachusetts Intellectual Property Policy, Amherst & Boston*.

Although it is the intent of the MOU to avoid disputes among collaborators on sponsored programs, it is recognized that occasionally a dispute may occur. Disputes that cannot be handled among the parties should be referred to the dean of the college or the director of the unit in which the sponsored program is located. In cases where the dean or director is a PI or Co-PI, or where he or she may have a conflict of interest, the dispute should be referred to the vice provost for research. If the relevant dean or director or the vice provost for research is unable to resolve the dispute, then the parties will be referred to the provost.

*Richard F. Antonak*  
*Vice Provost for Research*  
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