

7.1.2 Facilities and Administrative (F&A) Cost Recovery

Chapter 7 - Research and Sponsored Programs	Original Effective Date: September 2006
Section: 7.1 Office of Sponsored Programs	Date Last Reviewed: September 2022
Responsible Entity: Vice President and Chief Financial Officer	Date Last Revised: September 2022

I. Purpose

To set forth UT Health San Antonio’s policy on recovery of Facilities and Administrative (F&A) costs incurred in the conduct of sponsored programs.

II. Scope

This policy is applicable to all sponsored programs and particularly to Principal Investigator/Project Directors.

III. Policy

It is the policy of UT Health San Antonio to recover Facilities and Administrative (F&A) costs on all of its extramural sponsored programs. The following rates apply to projects accounted for in the Fund Group 4xxxx series:

Federally funded projects or pass-through federal funds from other entities except SBIR/STTR awards ¹	Full federal rate as negotiated except where limited by statute, policy, or agency practice.
Agreements with for-profit sponsors (research and testing studies)	26% total direct costs
Agreements with for-profit sponsors for clinical research studies, including investigator-initiated clinical research studies	30% total direct costs
All other non-federal programs including fees received for services rendered	26% total direct costs

¹For federally-funded Small Business Innovation Research/Small Business Technology Transfer (SBIR/STTR) awards made through a for-profit company, the F&A rates are as follows: Phase I – 26% total direct costs and Phase II – full federal research rate.

A. Waiver/Rate Reductions

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When UT Health San Antonio accepts a project with no F&A reimbursement or with a reduced F&A rate, it is agreeing to a substantial subsidy of real costs associated with the sponsored activities. However, in select cases and with proper documentation, an award may be accepted with waived or reduced F&A recovery. These circumstances are set forth below.

1. Waiver/Rate Reduction When Mandated by the Sponsor
 - a. Reduced or waived F&A reimbursement is acceptable when mandated by the sponsor, provided that the sponsor is a non-profit organization or a specific federal, state, or local governmental agency with a mandated F&A reimbursement limitation. To be eligible for a waiver or reduced F&A rate, documentation must be provided that F&A will not be paid or will be paid at a rate lower than the applicable UT Health San Antonio rate. Such documentation may take the form of published agency guidelines or a letter on agency letterhead. To be accepted, the waiver/reduction must apply to an entire program of awards within a sponsor's portfolio (i.e., not just to the individual award in question).
 - b. Documentation of the sponsor's policy must be provided to the Office of Sponsored Programs (OSP) by the Principal Investigator/Project Director (PI/PD) or administrative unit at the time a proposal is submitted. The policy must be verified by OSP staff prior to providing institutional endorsement of the proposal. If sponsor policy mandates use of a reduced F&A rate, that rate should be applied to all budgeted direct costs with no exclusions unless the sponsor's published guidelines eliminate designated categories of direct cost from the rate application base.
 - c. UT Health San Antonio will not accept an F&A rate lower than the sponsor's established policy and does not waive F&A reimbursement when the sponsor is a for-profit organization.
2. Waiver for Certain Salary Only Agreements or Honorariums

F&A costs are not charged on salary-only agreements with government or non-profit sponsors where direct non-project specific services are provided. Examples include UT Health San Antonio's agreements with affiliated organizations where we provide certain staffing and/or other services. This waiver does not include payments received for performance of testing or other services charged at a fixed rate. In addition, where honorariums are received by faculty and are required by institutional policy to be deposited into institutional accounts, no F&A will be charged.

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3. Waiver/Rate Reduction in Cases of Incoming PI/PD's
 - a. Waived or reduced F&A rates may be accepted in cases where PI/PD's come to UT Health San Antonio from other institutions and bring their existing awards with them. Typically, waived or reduced F&A recovery occurs when the F&A rate at the former institution is lower than UT Health San Antonio rate, when the former institution accepted the award without F&A or at a reduced rate, or when it is not reasonable from a budgetary perspective to expect a PI to incur the same type of cost twice on the same budget (e.g., application of F&A on the first \$25,000 of an existing subaward). In these cases, an F&A rate waiver or reduction is accepted solely to ensure that the PI/PD is not disadvantaged in the relocation to the UT Health San Antonio. The available direct cost balance from the former institution is honored and the amount of F&A relinquished by the former institution is accepted as the amount available for F&A through the end of the current budget period or, in rare cases, through the end of the current project period.
 - b. Renewal submissions for funding that continues the transferred project must include the correct F&A rate for UT Health San Antonio.
 - c. When faculty relocate to another institution, F&A rate waivers or reductions will not be considered for project-related work remaining at UT Health San Antonio and requiring a subaward from the faculty member's new institution.

B. Requesting an Individual Waiver/Rate Reduction

1. When a PI/PD wishes to submit a proposal or asks the institution to accept an agreement with waived or reduced F&A recovery that is not sponsor-mandated, the PI/PD must submit a letter of request that must also be endorsed by their department Chair/Director, Dean, and Vice President of Research, to the Vice President and Chief Financial Officer through the Director of the OSP, in advance of proposal submission to the sponsor. The written request should specify the project, the rationale for the waiver or reduction, and the dollar value of the F&A waiver/rate reduction request.
2. The OSP will review the request and make a recommendation to the Vice President and Chief Financial Officer. If an F&A waiver/rate reduction is approved, it should not be viewed as precedent setting. Requests are evaluated and determinations will be made on a case-by-case basis. Factors that will be considered include:
 - a. Rationale for the waiver
 - i. Is it in the best interests of UT Health San Antonio to conduct this project without receiving full F&A reimbursement?
 - ii. Is there something unusual or extenuating about the project that warrants it being treated differently from other worthwhile projects?
 - iii. Has additional funding been requested from the Chair/Director, Dean's Office, or Vice President of Research to support the project? If not, why?

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- iv. What is the likelihood of more significant funding for this project from this same agency in the future?
 - v. What will be the specific impact on the project if the waiver is not granted?
 - vi. Has the PI/PD taken all appropriate measures to recover F&A and/or to make budgetary adjustments to make the project viable?
 - b. Amount of the waiver
 - i. What is the estimated loss to UT Health San Antonio?
 - c. Sponsor category and history
 - i. Has this sponsor previously received a waiver?
 - ii. Does this sponsor primarily receive its funding from public donations?
 - iii. Does this sponsor have a regulatory or statutory obligation to provide full F&A?
 - iv. Is this a sponsor that provides significant funding to the institution via other means?
 - d. PI/PD's portfolio
 - i. Is there a pattern of requesting F&A waivers/rate reductions?
 - ii. If a previous waiver has been granted, did the PI/PD comply with instructions to obtain full funding in the future?
 - iii. What is the status of the PI/PD?
 - e. Timeliness of request
 - i. Is this request being submitted prior to the proposal being furnished to the sponsor?
- 3. Reductions or waivers will not normally be considered under the following circumstances:
 - a. When the sponsor's published rate is already lower than the established UT Health San Antonio's rates for the category of project;
 - b. When the rate proposed, in the case of a subaward, is not equal to the F&A rate allowable on the prime award;
 - c. When F&A recovery is not requested in the initial proposal or, where there is no formal proposal, the quotation provided to an agency; or
 - d. When the PI/PD or UT Health San Antonio has a financial interest in the for-profit company providing project funding.

C. Accounting for F&A Waivers/Rate Reductions

- 1. Approved F&A waivers/rate reductions are accounted for on the back end. This allows UT Health San Antonio to recover all F&A revenues, remain consistent

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with all its extramural sponsors and negotiate a return of F&A based on the PI's history of respective revenue generation, which leadership can track such commitment.

2. When an F&A waiver/reduced rate is approved, F&A will still be budgeted on the proposal at the full applicable rate upfront and collected on the sponsored project for the duration of the award.
3. A separate companion project will be established and funds equal to the waived/reduced F&A will be provided to the PI/PPD, transferred from an institutional project.
4. The OSP will reconcile the actual amount of F&A recovered compared to the approved F&A waived amount.
5. Upon completion of the award, any available balance from the companion project will be returned back to the institutional project that provided the companion funding.

IV. Definitions

When used in this document with initial capital letter(s), the following words have the meaning set forth below unless a different meaning is required by context.

Facilities and Administrative (F&A) Costs – expenses associated with the use of University facilities and various administrative costs that cannot be directly or uniquely assigned to any particular project. F&A costs are also referred to as indirect costs.

V. Related References

For questions regarding this policy, contact the Office of Sponsored Projects (OSP) at grants@uthscsa.edu or 210-567-2340.

VI. Review and Approval History

- A. The approving authority of this policy is the University Executive Committee.
- B. The review frequency cycle is set for three years following the last review date, a time period that is not mandated by regulatory, accreditation, or other authority.

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Effective Date	Action Taken	Approved By	Date Approved
9/2006	Policy Origination		
11/2016	Policy Revision		
09/2022	Policy Revision, discretionary edits	VP/CFO	08/04/22