

SBIR/STTR Administrative Guidance

	SBIR (Small Business Innovation Research)	STTR (Small Business Technology Transfer)¹
Federal Overview	<ul style="list-style-type: none"> Small Business Concern (SBC) <i>may</i>, but is not required to, collaborate with research institution (RI) SBC must do 2/3 of research for Phase 1; SBC must do ½ of research for Phase II RI may conduct up to 1/3 of research for Phase 1; RI may conduct up to ½ of research for Phase 2 	<ul style="list-style-type: none"> Small Business Concern (SBC) <i>must</i> collaborate with a research institution (RI) for a portion of the award SBC must conduct at least 40% of the research RI must conduct at least 30% of the research
Federal Rule for Overall PI	<ul style="list-style-type: none"> PI must be primarily employed by SBC (over 50%) 	<ul style="list-style-type: none"> PI² may be primarily employed by the RI (over 50%); except NSF, which requires primary employment by SBC Phase I PI must commit a minimum of 10%
UNC		
Overall PI of grant	If UNC person serves in this role by reducing UNC FTE, then UNC subawardee PI can't have any UNC affiliation with Overall PI or SBC	Allowable within guidance parameters: <ul style="list-style-type: none"> he/she cannot be providing signing authority or administrative oversight/activities for the SBC with Sponsor Overall PI role must be explicitly detailed in the UNC subaward SOW 1% of 10% effort (or minimum allowed by sponsor) should be clearly delineated as Overall PI role for scientific and technical components
PI of subaward	If proposed UNC PI has no relationship with SBC, then no concerns.	If proposed UNC PI has no relationship with SBC, then no concerns.

¹ Only 5 agencies have STTR programs – Department of Defense, Department of Energy, NASA NIH and NSF.

² STTR – PI is defined as the one individual designated by the applicant to provide the scientific and technical direction to a project supported by the funding agreement

	<p>If proposed UNC PI has a COI with the SBC (equity, inventorship of licensed IP or BOD position) then:</p> <ul style="list-style-type: none"> -Relationships should be clearly described in the text of the application and elsewhere as needed. -UNC assesses and attempt to manage; sometimes change in role to co-PI is needed -COI Matrix for Independent Data Confirmation Report will be applied -Certain sponsors, such NSF, won't allow PI of proposed subaward if person has paid, BOD position, equity holder -If UNC has an interest in the SBC and the project involves human subjects then study needs review under Institutional COI policy. Generally, the UNC PI cannot have Individual COI with human studies and potentially very limited engagement as co-investigator. 	<p>If proposed UNC PI has a COI with the SBC (equity, inventorship of licensed IP or BOD position) then:</p> <ul style="list-style-type: none"> -Relationships must be clearly described in the text of the application and elsewhere as needed. -UNC assesses and attempt to manage; sometimes change in role to co-PI is needed -COI Matrix for Independent Data Confirmation Report will be applied -Certain sponsors, such NSF, won't allow PI of proposed subaward if person has paid, BOD position, equity holder -If UNC has an interest in the SBC and the project involves human subjects then study needs review under Institutional COI policy. Generally, the UNC PI cannot have Individual COI with human studies and potentially very limited engagement as co-investigator.
<p>UNC student involvement at UNC (SBC/RI)</p>	<p>If student is listed on subaward, then COI Process will need to be initiated for school specific review if PI or other investigators have relationships with SBC.</p> <p>No student dissertation work related to SBIR award can occur.</p> <p>Individual schools will make decision regarding whether and/or at what % effort student involvement is permitted.</p>	<p>If student is listed on subaward, then COI Process will need to be initiated for school specific review if PI or other investigators have relationships with SBC.</p> <p>No student dissertation work related to STTR award can occur.</p> <p>Individual schools will make decision regarding whether and/or at what % effort student involvement is permitted.</p>
<p>UNC student work at SBC</p>	<p>COI Committees do not permit in conjunction with SBIR if it is faculty advisor's or thesis/dissertation committee's SBC.</p>	<p>COI Committees do not permit in conjunction with STTR if it is faculty advisor's or thesis/dissertation committee's SBC.</p>

UNC postdoc³ involvement at UNC on Subaward	Permitted in all schools Note: Schools may possibly limit the % effort on SBIR for postdoc progression considerations; training opportunities; faculty member's COI increases sensitivity	Permitted in all schools Note: Schools may possibly limit the % effort on STTR for postdoc progression considerations; training opportunities; faculty member's COI increases sensitivity
UNC PostDoc involvement at SBC	Individual COI Review by applicable school before subaward can be signed. Form requesting reduction in effort (approved by OHR and OPA) must be uploaded into Ramses at time of award.	Individual COI Review by applicable school before subaward can be signed. Form requesting reduction in effort (approved by OHR and OPA) must be uploaded into Ramses at time of award.
UNC other staff involvement at RI	Permitted – listed as budgeted personnel in subaward	Permitted – listed as budgeted personnel in subaward
Using visiting researchers/scientists	Generally, should not be involved in subaward given IP considerations. Would need to be reported by PI to SBC, then SBC to Sponsor. NOTE: not listed on budget and may pose challenges in identifying possible involvement.	Generally, should not be involved in subaward given IP considerations. Would need to be reported by PI to SBC, then SBC to Sponsor. NOTE: not listed on budget and may pose challenges in identifying possible involvement.
FUA for SBC	SBC may have an FUA at UNC consistent with University policies SBC must designate non-UNC person and non-spouse/partner of UNC person to negotiate FUA contract negotiations with UNC SBC must be registered in NC with non-UNC address; also non-UNC address must be used for any grant documents submitted by SBC SBC must properly identify space in its prime proposal for SBIR award; properly executed FUA and UNC's receipt of payments important for SBC's consideration of space/cost in their % resources towards the project	SBC may have an FUA at UNC consistent with University policies SBC must designate non-UNC person and non-spouse/partner of UNC person to negotiate FUA contract negotiations with UNC SBC must be registered in NC with non-UNC address; also use non-UNC address must be used for any grant documents submitted by SBC SBC must properly identify space in its prime proposal for SBIR award; properly executed FUA and UNC's receipt of payments important for SBC's consideration of space/cost in their % resources towards the project

³ UNC classification as EHRA temps; 5 year limit

<p>Use of UNC resources by SBC</p>	<p>Recharge centers – SBC must pay external rate; SBC should have a contract with UNC for the services in the same form as other external entities</p> <p>SBC may not directly utilize the services of the UNC IRB, IACUC or IBC. Work related to these areas should be done via a subaward to the University.</p>	<p>Recharge centers – SBC must pay external rate; ; SBC should have a contract with UNC for the services in the same form as other external entities</p> <p>SBC may not directly utilize the services of the UNC IRB, IACUC or IBC. Work related to these areas should be done via a subaward to the University.</p>
<p>Review of proposal/SOW</p>	<p><u>OSR Review of Proposal</u></p> <ul style="list-style-type: none"> -Review LOI and clarify ability to back out -Request a copy of prime proposal by SBC to determine how UNC as RI is represented (faculty start-up especially); if push-back from SBC then require sections that represent UNC’s role on the SBIR -- if unsuccessful then must obtain at time of award -Check NC Secretary of State website for SBC registration; confirm address for SBC is not a UNC address; draft note to file -Confirm SBC contact is not UNC employee or spouse/partner of UNC employee <p><u>At time of Award</u></p> <ul style="list-style-type: none"> -Confirm SBC has a non-UNC address and non-UNC email address on Notice of Award - Check NC Secretary of State website for SBC registration; confirm address for SBC is not a UNC address; draft note to file -Confirm SBC contact and signing authority is not UNC employee or spouse/partner of UNC employee - Confirm contract negotiations with non-UNC employee or spouse/partner of UNC -Review list of SBC personnel in proposal/award ensure no UNC individuals (with the exception of a part-time FTE at UNC; if UNC Postdoc then OHR/OPA approval form must be uploaded into Ramses by dept 	<p><u>OSR Review of Proposal</u></p> <ul style="list-style-type: none"> -Review LOI and clarify ability to back out -If UNC faculty member is to serve as overall PI, ensure that UNC SOW clearly delineates the PI’s role as scientific PI (not administrative) (i.e., technical and scientific aspects). See section above on “Overall PI of the grant” -Request a copy of prime proposal by SBC to determine how UNC as RI is represented (faculty start-up especially); if push-back from SBC then require sections that represent UNC’s role on the STTR – if unsuccessful then must obtain at time of award -Check NC Secretary of State website for SBC registration; confirm address for SBC is not a UNC address; draft note to file -Confirm SBC contact is not UNC employee or spouse/partner of UNC employee <p><u>At time of Award</u></p> <ul style="list-style-type: none"> -Confirm SBC has a non-UNC address and non-UNC email address on Notice of Award - Check NC Secretary of State website for SBC registration; confirm address for SBC is not a UNC address; draft note to file -Confirm SBC contact and signing authority is not UNC employee or spouse/partner of UNC employee - Confirm contract negotiations with non-UNC employee or spouse/partner of UNC

	<ul style="list-style-type: none"> - Confirm who will be responsible at the SBC for fiscal, purchasing, grants processes -Confirm UNC SOW is substantive so determination of responsibilities for the project can be clearly identified -Confirm UNC SOW includes on data management plan -Confirm no animal, human, IBC work in FUA SBC space -Confirm SBC for financial risk assessment -Confirm and request if Organizational COI review is needed -Confirm and request export review if needed 	<ul style="list-style-type: none"> -Review list of SBC personnel in proposal/award ensure no UNC individuals (with the exception of a part-time FTE at UNC; if UNC Postdoc then OHR/OPA approval form must be uploaded into Ramses by dept). - Confirm who will be responsible at the SBC for fiscal, purchasing, grants processes -Confirm UNC SOW is substantive so determination of responsibilities for the project can be clearly identified -Confirm UNC SOW includes a data management plan - Confirm no animal, human, IBC work in FUA SBC space - Confirm SBC for financial risk assessment - Confirm and request if Organizational COI review is needed -Confirm and request export review if needed
Progress or Final Reports	<p>UNC PI will need to submit Progress/Final Reports through Ramses system before submission to SBC.</p> <p>Individual COI will be reviewed and confirmed, including any Independent Data reviews</p> <p>UNC PI will receive approval confirmation, then UNC PI can submit to SBC.</p>	<p>UNC PI will need to submit Progress/Final Reports through Ramses system before submission to SBC.</p> <p>Individual COI will be reviewed and confirmed, including any Independent Data reviews</p> <p>UNC PI will receive approval confirmation, then UNC PI can submit to SBC.</p>
Review of IP	<p>Standard UNC IP terms in contract. If non-standard terms, OSR to consult with OTC.</p> <p>OTC needs full application available for review.</p>	<p>Standard UNC IP terms in contract. If non-standard terms, OSR to consult with OTC.</p> <p>OTC needs full application available for review.</p>
Use of Data	<p>Per federal regulation, the data in this type of award <u>belongs to the SBC.</u></p> <p>Data rights should be clearly outlined and established in the agreement between the University and the SBC. Accordingly, the PI should consult with OSR during negotiation of the agreement to ensure all necessary data rights are reserved prior to award set-up.</p>	<p>Per federal regulation, the data in this type of award <u>belongs to the SBC.</u></p> <p>Data rights should be clearly outlined and established in the agreement between the University and the SBC. Accordingly, the PI should consult with OSR during negotiation of the agreement to ensure all necessary data rights are reserved prior to award set-up.</p>

Export Review	If subaward to RI from SBC indicates a possible export concern, an export control review will need to be conducted before subaward can be signed.	If subaward to RI from SBC indicates a possible export concern, an export control review will need to be conducted before subaward can be signed.
Human Subjects Studies	Cannot be conducted by SBC in FUA space; only through subaward to UNC. Individual and Institutional COI reviews, if applicable, might cause change in roles for human study or additional independent reviews.	Cannot be conducted by SBC in FUA space; only through subaward to UNC. Individual and Institutional COI reviews, if applicable, might cause change in roles for human study or additional independent reviews.
Legal counsel and formal company official (non-UNC) for SBC	SBC must indicate legal counsel for the SBC. SBC must indicate non-UNC authorized company official	SBC must indicate legal counsel for the SBC. SBC must indicate non-UNC authorized company official
Waivers of F&A subaward from SBC	VCR decision to waive F&A for Phase 1.	VCR decision to waive F&A for Phase 1.