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Compliance Program for Sponsored Awards – Updated July 2022

1. PURPOSE

- 1.1 A purpose of this Compliance Program is to provide the introduction and integrate the guidance by which LAU and its faculty, staff, and other individuals working on Sponsored Programs will address compliance with applicable awarding agencies requirements, including illustratively the United States (“U.S.”) government regulations, agreement provisions, and other legal requirements, as amended from time to time, relating to all sponsored awards (including contracts), grants and other financial assistance awards (“Awards”), which include subawards (“Subawards”) and subcontracts (“Award Subcontracts”) issued under such Awards. As set forth in greater detail below, this Compliance Program introduces and integrates the policies and procedures that govern Award compliance.
- 1.2 This Compliance Program represents the over-arching guidance with respect to compliance for sponsored awards. Specific guidance is contained in a series of policies intended to establish standards and guidelines, as identified and described in more detail below (“Policies”). This Compliance Program, including its Policies, intentionally separates various sponsored award types, such as U.S. Awards and FAR Contracts where necessary. If the Compliance Program and its Policies do not make a distinction between different sponsored award types such as the U.S. Awards and FAR Contracts, that also is intentional and they should be read and interpreted consistent with that intention.
- 1.3 LAU maintains procedures that implement this Compliance Program and its Policies (“Procedures”). Some Procedures are specific to this Program and its Policies, but others have broader application. When applicable, each Policy will identify relevant Procedures in the References section of the Policy.
- 1.4 General references to this Compliance Program include the Policies and applicable Procedures, unless otherwise stated.

2. TERMS AND DEFINITIONS

Unless otherwise provided in a specific Policy or Procedure, the following terms shall have the meanings indicated below, regardless of whether the terms are capitalized:

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- Administrative Personnel - Personnel providing non-technical support that benefit LAU activities or objectives, generally. For example, although not an exclusive list, non-technical support includes clerical support, accounting and financial management functions, and personnel management.
- Agreements Officer – The individual designated as such by the Awarding Agency. This individual is the Government or donor’s official authorized to execute and modify Awards on behalf of the Awarding Agency. This individual may also be referred to as the Grants Officer. The terms may be used interchangeably.
- Award – sponsored awards including illustratively U.S. grants, cooperative agreements, and any other financial assistance from an Awarding Agency. U.S. Federal agreements are subject to [2 CFR Part 200](#).
- Award Subcontract – A subcontract issued under an Award strictly for the purchase of property or services needed to carry out the performance of the Award. This term does not include an agreement that qualifies as a Subaward (i.e., an agreement to actually carry out part of the Award scope of work). See “Procurements, Subawards, and Subrecipient Monitoring” Policy for further explanation of the differences between a Subaward and an Award Subcontract.
- Award Subcontractor – A recipient of an Award Subcontract.
- Awardee – The recipient of an Award directly from an Awarding Agency.
- Awarding Agency - The department or agency that solicits and enters into an Award or a Contract.
- Contract, including FAR ones, – Any contract awarded to LAU by an Awarding Agency for the acquisition of goods or services and that is subject to the general acquisition regulations of the awarding agency, such as the FAR in the case of U.S. Federal contracts.
- Contracting Officer or CO – The individual designated as such by the Awarding Agency. The Contracting Officer is the official authorized to execute and modify Contracts on behalf of the Awarding Agency. U.S. Federal contract follow the Federal Acquisition Regulations (FAR).
- Cost – As further defined in Section 4 below, the term includes all costs incurred in connection with an Award or Contract, charged directly or indirectly to an Award or Contract, and/or which LAU claims as part of a Cost Share for an Award.
- Cost Objective - as defined in applicable regulations, is a program, function, activity, award, organizational subdivision, contract, or work unit for which Cost data are desired or required and for which LAU takes steps to accumulate and measure the cost of processes, products, jobs, capital projects, etc. A Cost objective may be a major function of LAU, a particular service or project, an Award, a Contract, or an indirect cost activity.

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- Cost Principles - As defined in Section 5 below. For purposes of this Policy, they are requirements that govern the treatment and accounting of Costs related to Awards and Contracts.
- Cost Share or Cost Sharing – Some Awards are cost sharing Awards, which means LAU will only be paid or reimbursed an agreed-upon portion of its costs to perform the Award. The portion not paid with the awarding agency funds is the Cost Share.
- Direct Cost – Any cost that can be specifically and accurately identified with a particular Award, Contract, or other cost objective. Typical examples of Direct Costs include, but are not limited to certain salaries and independent contractor costs.
- FAR Contract – Any contract awarded to LAU by an Awarding Agency for the acquisition of goods or services and that is subject to the FAR. Except in very limited circumstances, all contracts awarded by the Government for the acquisition of goods and services, as opposed to providing financial assistance, are subject to the FAR.
- FAR Subcontract – A subcontract issued under a FAR Contract for the purchase of property or services needed to carry out the performance of the FAR Contract.
- Federal Acquisition Regulation or “FAR” – The regulations in Title 48 of the Code of Federal Regulations implementing uniform policies and procedures for acquisitions by Government executive agencies.
- Final Cost Objective - A cost objective which has allocated to it both direct and indirect costs and is one of the final accumulation points for costs in the cost system, such as a particular Award, internal project, or other cost objective.
- Government – The Federal government of the United States of America.
- Grants Officer – See definition of Agreements Officer above. The terms Grants Officer and Agreements Officer are interchangeable.
- Indirect Cost – Costs that are incurred for and benefit multiple cost objectives and cannot be readily identified with a specific Award or Contract. Examples of Indirect Costs include, but are not limited to, facilities and administrative costs and depreciation. Indirect costs are distributed to cost objectives on bases that will produce an equitable result in consideration of relative benefits derived. They are accumulated and allocated to one or more indirect cost pools or intermediate cost objectives.
- Institutional Base Salary or “IBS” - The annual compensation paid by LAU for a faculty/staff member’s employment or appointment, whether that individual's time is spent on research, instruction, administration, or other activities. IBS excludes any income that an individual earns outside of duties performed for LAU or as Extra Service Pay, as defined in the Personnel Policy – Faculty Section – Institutional Base Salary Supplement.

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- Intermediate Cost Objective - A cost objective that is used to accumulate indirect costs or service center costs that are subsequently allocated to one or more indirect cost pools or final cost objectives.
- LAU –refers to Lebanese American University.
- Prime Contractor – The recipient of a Contract directly from an Awarding Agency.
- Sponsored Program – A program funded at least in part with an Award or Subaward.
- Subaward – An agreement issued under an Award by the Awardee to a Subawardee, or made from one Subawardee to another, to carry out part of the performance of an Award. It does not include an agreement by which an Awardee or Subawardee merely purchases property or services needed to carry out the Award. See “Procurements, Subawards, and Subrecipient Monitoring” Policy for further explanation of the differences between a Subaward and an Award Subcontract.
- Subawardee or Subrecipient – Recipient of a Subaward.
- Subcontract – A subcontract issued under a Contract for the purchase of property or services needed to carry out the performance of a Contract.
- Uniform Requirements – the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Award at [2 CFR Part 200, as supplemented by applicable agency supplements, including, for example, 2 CFR Parts 600 \(Department of State\) and 700 \(USAID\)](#).

3. RESPONSIBILITY

- 3.1 It is the responsibility of LAU and each of its departments, faculty, staff, and all individuals working on Sponsored Programs to fully comply with this Compliance Program. It is imperative that each person with responsibility reviews, understands, and complies with this Compliance Program. Violations may result in severe consequences to LAU and all individual violators.
- 3.2 The Office of Grants and Contracts is responsible for the implementation and maintenance of this Compliance Program and is responsible for its general oversight, including, but not limited to, the following functions:
- 3.2.1 Implementing the Compliance Program with the assistance and cooperation of other departments and individuals identified in specific Policies;
- 3.2.2 Working with other responsible departments and individuals to ensure that faculty, staff and all individuals working on Sponsored

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Programs are properly educated, understand, and follow the Compliance Program;

3.2.3 Keeping LAU officers, directors, and employees apprised of changes in relation to the Compliance Program; and

3.2.4 Periodically reviewing this Compliance Program and its Policies for necessary modifications.

3.3 Additional responsibilities with respect to specific Policies are identified in each of the Policies.

3.4 Any questions concerning this Compliance Program should be directed to the Office of Grants and Contracts, which will coordinate with other responsible individuals. Questions regarding a specific Policy may be directed to any other office or individual identified in such Policy as a resource.

4. SCOPE AND APPLICABILITY

4.1 This Compliance Program applies to all departments, faculty, staff, and other all individuals working on Sponsored Programs.

4.2 This Compliance Program is part of LAU's Policies and specifically supplements LAU's existing University Policies and Procedures ("University Policies and Procedures"). It is not intended to supersede LAU's existing University Policies and Procedures unless and to the extent there is a direct and unavoidable conflict between them, in which case the conflicting provisions of this Compliance Program should control.

4.3 This Compliance Program is intended to address specific compliance requirements, but is not intended to specifically address every obligation under specific sponsored awards and applicable regulations. If there is any question or concern about whether a specific situation may violate an applicable term or condition, please contact the Office of Grants and Contracts or any other office or individual identified in such Policy as a resource.

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5. STATEMENT OF COMPLIANCE PROGRAM

- 5.1 LAU and all of its faculty, staff, and service all individuals working on Sponsored Programs must abide by the rules and regulations outlined in this Compliance Program.
- 5.2 It is the policy of LAU to administer the Compliance Program and ensure its compliance with all requirements of its sponsored awards and all applicable regulations.
- 5.3 The Director of the Office of Grants and Contracts in coordination with other departments and individuals identified in specific Policies shall be the primary point of contract and coordinate, communicate, and cooperate with the Awarding Agency to ensure compliance with all sponsored awards, and their applicable regulations, including, but not limited to:
 - 5.3.1 Timely notice of actual or constructive changes that allow or require for an equitable adjustment; and
 - 5.3.2 Seeking and obtaining necessary consent(s) from the Agreements Officer or Contracting Officer.
- 5.4 The Office of Grants and Contracts, or designee, shall conduct and oversee the training of all individuals subject to this Compliance Program.
- 5.5 Any questions with respect to the applicability or interpretation of this Compliance Program or its Policies should be directed to the Office of Grants and Contracts. The Office of Grants and Contracts will coordinate with LAU Legal Counsel as necessary on the interpretation or applicability of this Compliance Program and any related legal requirement(s).