

**U.S. NUCLEAR REGULATORY COMMISSION
NOTICE OF GRANT/ASSISTANCE AWARD**

1. GRANT/AGREEMENT NO. NRC-38-10-929	2. MODIFICATION NO.	3. PERIOD OF PERFORMANCE FROM: 5/1/2010 TO: 4/30/2013	4. AUTHORITY Pursuant to Section 31b and 141b of the Atomic Energy Act of 1954, as amended
5. TYPE OF AWARD <input checked="" type="checkbox"/> GRANT <input type="checkbox"/> COOPERATIVE AGREEMENT	6. ORGANIZATION TYPE Public State-Controlled Institution of Higher ED	7. RECIPIENT NAME, ADDRESS, and EMAIL ADDRESS Virginia Commonwealth University Department of Mechanical Engineering PO Box 843015 Richmond, VA 23284	
8. PROJECT TITLE: Nuclear Engineering Faculty Development Project			
9. PROJECT WILL BE CONDUCTED PER GOVERNMENT'S/RECIPIENT'S PROPOSAL(S) DATED See Program Description AND APPENDIX A-PROJECT GRANT PROVISIONS	10. TECHNICAL REPORTS ARE REQUIRED <input checked="" type="checkbox"/> PROGRESS AND FINAL <input type="checkbox"/> FINAL ONLY <input type="checkbox"/> OTHER (Conference Proceedings)	11. PRINCIPAL INVESTIGATOR(S) NAME, ADDRESS and EMAIL ADDRESS Virginia Commonwealth University Attn: Dr. Gary Tepper Professor and Interim Chair Email: gctepper@vcu.edu 804-827-4079	
12. NRC PROGRAM OFFICE (NAME and ADDRESS) NRC Attn: John Gutteridge Office of Human Resources MS: GW5A6 (301) 492-2313 11545 Rockville Pike Rockville, Maryland 20852	13. ACCOUNTING and APPROPRIATION DATA APPN. NO: 31X0200 B&R NO: 0-8415-5C1115 JOB CODE: T8460 BOC NO: 4110 OFFICE ID NO: RFPA: HR-10-929	14. METHOD OF PAYMENT <input type="checkbox"/> ADVANCE BY TREASURY CHECK <input type="checkbox"/> REIMBURSEMENT BY TREASURY CHECK <input type="checkbox"/> LETTER OF CREDIT <input checked="" type="checkbox"/> OTHER (SPECIFY) Electronic ASAP.gov (See Remarks in Item #20 "Payment Information")	
15. NRC OBLIGATION FUNDS THIS ACTION <u>\$450,000.00</u> PREVIOUS OBLIGATION _____ TOTAL <u>\$450,000.00</u>		16. TOTAL FUNDING AGREEMENT NRC <u>\$450,000.00</u> RECIPIENT _____ TOTAL <u>\$450,000.00</u> This action provides funds for Fiscal Year _____ in the amount of See Page Two	
17. NRC ISSUING OFFICE (NAME, ADDRESS and EMAIL ADDRESS) U.S. Nuclear Regulatory Commission Div. of Contracts Attn: Sheila Bumpass Mail Stop: TWB-01-B10M Rockville MD 20852			
18. Signature Not Required		19. NRC CONTRACTING OFFICER <div style="text-align: right;"><u>Sheila Bumpass</u> <u>5/1/10</u> (Signature) (Date) NAME (TYPED) <u>Sheila Bumpass</u> TITLE <u>Contracting Officer</u> TELEPHONE NO. <u>301-492-3484</u></div>	
20. PAYMENT INFORMATION Payment will be made through the Automated Standard Application for Payment (ASAP.gov) unless the recipient has failed to comply with the program objectives, award conditions, Federal reporting requirements or other conditions specified in 2 CFR 215 (OMB Circular A110).			
21. Attached is a copy of the "NRC General Provisions for Grants and Cooperative Agreements Awarded to Non-Government Recipients. Acceptance of these terms and conditions is acknowledged when Federal funds are used on this project.			
22. ORDER OF PRECEDENCE In the event of a conflict between the recipient's proposal and this award, the terms of the Award shall prevail.			
23. By this award, the Recipient certifies that payment of any audit-related debt will not reduce the level of performance of any Federal Program.			

TEMPLATE - ADM001

SUNSI REVIEW COMPLETE JUL 8 2010

ADM002

ATTACHMENT A - SCHEDULE

A.1 PURPOSE OF GRANT

The purpose of this Grant is to provide support to the "Nuclear Engineering Faculty Development Project" as described in Attachment B entitled "Program Description."

A.2 PERIOD OF GRANT

1. The effective date of this Grant is May 1, 2010. The estimated completion date of this Grant is April 30, 2013.

2. Funds obligated hereunder are available for program expenditures for the estimated period: May 1, 2010 – April 30, 2013.

A. GENERAL

1. Total Estimated NRC Amount:	\$450,000
2. Total Obligated Amount:	\$450,000
3. Cost-Sharing Amount:	\$165,106
4. Activity Title:	Nuclear Engineering Faculty Development Project
5. NRC Project Officer:	John Gutteridge
6. DUNS No.:	105300446

B. SPECIFIC

RFPA No.:	HR-10-929
FFS:	N/A
Job Code:	T8460
BOC:	4110
B&R Number:	0-8415-5C1115
Appropriation #:	31X0200
Amount Obligated:	\$450,000

A.3 BUDGET

Revisions to the budget shall be made in accordance with Revision of Grant Budget in accordance with 2 CFR 215.25.

	Year 1	Year 2	Year 3
Direct Participant Cost	\$128,790.00	\$128,179.00	\$127,544.00
Indirect Cost	<u>\$21,210.00</u>	<u>\$21,821.00</u>	<u>\$22,456.00</u>
NRC Yearly Total	\$150,000.00	\$150,000.00	\$150,000.00

All travel must be in accordance with the Virginia Commonwealth University Regulations or the US Government Travel Policy absent Grantee's travel regulation.

A.4 AMOUNT OF AWARD AND PAYMENT PROCEDURES

1. The total estimated amount of this Award is \$450,000 for the three year period.

2. NRC hereby obligates the amount of \$450,000 for program expenditures during the period set forth above and in support of the Budget above. The Grantee will be given written notice by the Contracting Officer when additional funds will be added. NRC is not obligated to reimburse the Grantee for the expenditure of amounts in excess of the total obligated amount.

3. Payment shall be made to the Grantee in accordance with procedures set forth in the Automated Standard Application For Payments (ASAP) Procedures set forth below.

Attachment B – Program Description

PROGRAM DESCRIPTION

B.1 Program Description

B.1.2 Nuclear Engineering Education at VCU

In January, 2009 the State Council of Higher Education in Virginia (SCHEV) approved a new MS degree program in Mechanical and Nuclear Engineering at VCU. Simultaneously, a new Nuclear Engineering PhD concentration was developed and is currently offered within the Mechanical Engineering Department. In the fall of 2009, the first class of students was enrolled in a new undergraduate Nuclear Engineering track within Mechanical Engineering. This undergraduate program was developed under an NRC-funded curriculum development grant. These new graduate and undergraduate programs were initiated in response to the growing demand for nuclear engineers in three primary hiring sectors: electrical utilities, national labs and the federal government. Currently approximately 25 new students are enrolled in the undergraduate nuclear engineering track and approximately 25 graduate students are enrolled in the new nuclear engineering MS and PhD programs. Rapid enrollment growth in both the undergraduate and graduate programs is expected with a total projected steady-state enrollment of 150 students (100 undergraduate and 50 graduate).

In support of these new Nuclear Engineering programs the Mechanical Engineering Department has been actively recruiting new faculty members. Two new Nuclear Engineering faculty positions were advertised in the 2008-2009 academic year and two additional positions are currently being advertised in the 2009-2010 academic year. However, competition among universities for Nuclear Engineering Faculty has been fierce as universities across the country begin to expand nuclear engineering education programs in response to the growing national need. New programs such as the one at VCU have a competitive disadvantage in attracting tenure-track faculty members and our 2008-2009 faculty recruiting efforts resulted in the hiring of a single collateral (teaching oriented) nuclear engineering faculty member.

The proposed VCU Nuclear Engineering Faculty Development program is specifically designed to help attract and retain a highly qualified, tenure-track nuclear engineering faculty member to Virginia Commonwealth University with a start date of Fall 2010 or Spring 2011. Our goal is to hire a junior faculty member who excels in both nuclear engineering research and teaching. Specific components of the Development Program include a detailed recruitment and faculty selection process, a comprehensive faculty evaluation plan and a management structure to efficiently implement the program and assure its success.

B.2 Faculty Selection Process

VCU is a public university and has a rigorous faculty selection process, which follows specific guidelines to provide equal opportunity to women, minorities and persons with disabilities. The following are the specific elements of the faculty selection process:

B.2.1 Search Committee

The Mechanical Engineering Department Chair establishes a faculty search committee which must include representation from women and minorities. The search committee meets with a VCU EEO/M services representative to review the search process.

B.2.2 Advertising

A position description is prepared which includes the desired qualifications of the faculty candidate, a detailed job description and the required EEO/AA statements. For a tenure track position, a preferred research area such as radiation shielding or material interactions will be specified along with a specific description of teaching expectations. The faculty advertisement is placed in publications targeted to specific disciplines and steps are initiated to recruit women and minorities (such steps might include contacting conferences of professional organizations specifically targeting women and minorities). The position announcement is also placed on the VCU web site.

B.2.3 Screening

Applications are received and an Application Acknowledgement and Affirmative Action Data Request card is sent to each applicant. The card is returned directly to the VCU EEO-AA office and not to the search committee.

The search committee meets periodically and reviews each application. Applications are sorted based on qualifications and match to the position announcement. Typically, the screening process will begin in the fall semester and continue until the position(s) are filled or the search is deemed unsuccessful.

B.2.4 Phone and Campus Interviews

The top candidates (as identified by the search committee) are first screened in a phone interview to gauge the interest of the candidate and to identify any oral communication difficulties. Candidates who pass the phone interview are then invited for a full day on-campus interview. During the on-campus interview, the candidate will deliver a one hour seminar and meet one-on-one with department faculty and the school of engineering upper administration (the Dean of Engineering meets with every faculty candidate). After a suitable number of on-campus interviews, the search committee makes a recommendation to the Chair of Mechanical Engineering. An offer letter is then drafted and is reviewed and approved by the Dean of Engineering.

B.3. Management Structure Institutional Support

The VCU Nuclear Engineering Faculty Development Plan will be administered by the Chair of the Department of Mechanical Engineering, the Associate Dean of Graduate Studies within the School of Engineering and the Dean of Engineering at VCU. Dr. Gary Tepper, Interim Chair of Mechanical Engineering, will serve as the project Principal Investigator and will have overall responsibility for managing the project, overseeing nuclear engineering faculty recruitment and assessment. Dr. Tepper will

also be responsible for preparing and submitting all of the required progress reports to NRC. Dr. Rosalyn Hobson, Associate Dean of Graduate Studies, will serve as a project Co-Investigator and has the responsibility of coordinating all aspects of the project related to graduate affairs (e.g. graduate student recruiting, stipends, graduate curricula and MS and PhD graduation requirements). Dr. Russell Jamison, Dean of Engineering, will serve as a Co-Investigator on the project. Dean Jamison's participation in the project will assure overall institutional support for the project. Dr. Jamison also has the responsibility to review and approve all new faculty hires within the school of engineering. Drs. Tepper and Jamison will, together, perform annual faculty performance evaluations of the new nuclear engineering faculty hired under this program and, ultimately, make recommendations pertaining to tenure and promotion.

B.4. Evaluation plan

The VCU Nuclear Engineering Faculty Development Plan includes a detailed evaluation plan. The evaluation plan will be used to gauge the overall success of the project in recruiting and retaining highly qualified nuclear engineering faculty members. The following are the specific components of the evaluation plan.

B.4.1 Annual Faculty Performance Evaluation

At the end of each academic year, the faculty member will submit an "Annual Self Evaluation" listing his/her accomplishments in research, teaching and service over the previous academic year. The self evaluation will be reviewed by the Department Chair and the Dean of Engineering and an Annual Performance Evaluation will be performed. The APE will provide a written assessment of the faculty member's performance over the previous year and will include recommendations for improvement, if needed.

In addition to the Self Evaluation, each faculty member will submit a Work Plan for the upcoming academic year. The Work Plan will include concrete performance objectives in the areas of research, teaching and service.

B.4.2 Promotion and Tenure

The successful progress of a new nuclear engineering faculty member towards promotion and tenure will be used as a primary measure of the success of the VCU Nuclear Engineering Faculty Development Program. The promotion and tenure criteria are clearly outlined in the School of Engineering Promotion and Tenure Policies and Procedures document and include specific metrics and requirements in the separate areas of Scholarship, Teaching and Service. The following are the key elements of faculty assessment in each of these areas:

B.4.2.1 Scholarship

A primary mission of a university is the creation and dissemination of new knowledge through discovery and the education of students. The nuclear engineering faculty member will be expected to be engaged continuously and productively in scholarly and research activities. The nature of a given faculty member's contribution will vary in terms of experience, level of development, and demands of particular fields and disciplines. Nevertheless, the following general criteria will be used for evaluating research and scholarly activity.

Research advising

The faculty member will be expected to serve as a research advisor to MS and PhD students. The effectiveness of this research supervision will be included as part of the evaluation process.

Graduate degree productivity

The timely production of graduate degrees is an important part of the University's mission and will be used as an important component of the faculty evaluation process.

Dissemination of new knowledge

The creation and dissemination of new knowledge in peer reviewed journals is one of the most important responsibilities of a faculty member and the quality of the scholarship is considered to be more important than the quantity. The quality of the nuclear engineering faculty member's scholarship will be an important component of the evaluation process.

Grantsmanship

The ability to write competitive grant proposals and to obtain external funding in support of a research program is essential in the engineering disciplines. Technical presentations society memberships

Networking and giving presentations at national and international conferences and membership and participation in professional societies is an important component in the development of a successful faculty member.

Intellectual property generation

While not all academic research leads to new intellectual property, patentable inventions will be considered a positive indicator of the relevance of a faculty member's research activities.

B.4.2.2 Teaching

The quality of a Nuclear Engineering faculty member's teaching will be assessed using the following criteria:

Student perceptions of teaching effectiveness

Student course evaluations will be performed at the end of each semester for each course.

Collegial perceptions of teaching effectiveness

Course visitations by senior faculty members will be performed as part of the promotion and tenure review process and are an effective component of the teaching evaluation process.

Course material

Course syllabi, exams and examples of student work will be included as part of the teaching evaluation process.

Teaching-related scholarship

Teaching related conference and journal papers as well as participation in teaching-oriented conferences will be considered a positive indicator of teaching innovation and leadership.

B.4.2.3 Service

Service is an integral part of the mission of the University. The following specific criteria will be used to evaluate the nuclear engineering faculty member's service activities"

Service to the University. School and Department

A successful faculty member will be expected to serve on an acceptable number of committees and to provide service to the University, School of Engineering and Department of Mechanical Engineering.

Service to one's profession

Professional service such as organizing conferences and reviewing proposals and manuscripts will be considered an important component of the faculty evaluation process.

Community Service

Community service and outreach activities such as mentoring middle school and high school students in nuclear science and engineering are positive indicators of a faculty member's commitment to the community and profession.

B.4.2.4 Mid-Tenure Review

A formal mid-tenure review will be performed in the spring semester of the third year of the faculty member's appointment. The review is initiated and performed at the Department level. The purpose of the review is to provide feedback to the faculty member in each of the key evaluation areas described above. The feedback is provided in the third year so that a faculty member can address any deficiencies and take corrective action before the final promotion and tenure review.

B.4.2.5 Promotion and Tenure Review Process

To be eligible for promotion and tenure within the School of Engineering at VCU, a faculty member must be judged excellent in scholarship, no less than very good in teaching and no less than satisfactory in service. The formal promotion and tenure review process begins in the spring semester of the 5th year of the faculty member's appointment. The faculty member submits a comprehensive dossier to a Peer Review Committee which reviews the dossier, seeks input from external reviewers and prepares a comprehensive report including the results of a vote taken by secret ballot in each of

the main categories of evaluation. The Peer Review Committee's report and voting results are then submitted to the Department Chair and the Chair provides a separate evaluation and vote in each area. The Peer Review Committee's report and the Chair's evaluation are then submitted to the School of Engineering Promotion and Tenure Committee where an independent review and vote is performed before the entire package is sent forward for administrative review by the Dean, University Provost and University President. Final tenure and promotion recommendations are submitted by the President to the Board of Visitors.

B.4.3 Nuclear Engineering Advisory Board

A six-member Nuclear Engineering Advisory Board has been established at VCU. The Advisory Board meets once per calendar year and reviews and advises on both graduate and undergraduate nuclear engineering programs. Currently the membership of the Nuclear Engineering Advisory Board includes: Dominion Generation, AREVA, Nuclear Regulatory Commission, GE-Hitachi Nuclear Energy Inc., Northrop Grumman and the University of Tennessee.

B.5. Leveraged Funding

The School of Engineering will provide matching funds to the faculty development program. The matching funds, totaling 165K, will be distributed over the three years of the program and will support one full-time graduate student, the time commitment of the two faculty Co-Investigators and a portion of the equipment funds.

B.6. Sustainability

VCU has made a long-term commitment to Nuclear Engineering education and research. Our ambition is to be a leading provider of Nuclear Engineering education in the State of Virginia with a full suite of both undergraduate and graduate NE programs. The University has committed multiple new faculty lines for the new Nuclear Engineering programs and has enrolled both undergraduate and graduate students. In addition, strategic partnerships have been formed with key stakeholders such as Virginia Dominion Power and the Virginia Chapter of the American Nuclear Society. Dominion is a strong supporter of the programs and has provided seed funding over the last three years. A student branch of the Virginia-ANS has just been initiated at VCU and the School of Engineering plans to host the annual ANS Workshop for middle school science teachers beginning in the summer of 2010. We are fully committed to build and sustain the Nuclear Engineering programs at VCU.

Attachment C – Standard Terms and Conditions

The Nuclear Regulatory Commission's Standard Terms and Conditions for U.S. Nongovernmental Grantees

Preface

This award is based on the application submitted to, and as approved by, the Nuclear Regulatory Commission (NRC) under the authorization 42 USC 2051(b) pursuant to section 31b

and 141b of the Atomic Energy Act of 1954, as amended, and is subject to the terms and conditions incorporated either directly or by reference in the following:

- Grant program legislation and program regulation cited in this Notice of Grant Award.
- Restrictions on the expenditure of Federal funds in appropriation acts, to the extent those restrictions are pertinent to the award.
- Code of Federal Regulations/Regulatory Requirements - 2 CFR 215 Uniform Administrative Requirements For Grants And Agreements With Institutions Of Higher Education, Hospitals, And Other Non-Profit Organizations (OMB Circulars), as applicable.

To assist with finding additional guidance for selected items of cost as required in 2 CFR 220, 2 CFR 225, and 2 CFR 230 these URLs to the Office of Management and Budget Cost Circulars are included for reference:

A-21 (now 2CFR 220):	http://www.whitehouse.gov/omb/circulars/a021/print/a021.html
A-87 (now 2CFR 225):	http://www.whitehouse.gov/omb/circulars/a087/print/a087-all.html
A-122 (now 2 CFR 230):	http://www.whitehouse.gov/omb/circulars/a122/print/a122.html
A-102, SF 424:	http://www.whitehouse.gov/omb/circulars/a102/print/a102.html
Form 990:	http://www.irs.gov/pub/irs-pdf/i990-ez.pdf

Any inconsistency or conflict in terms and conditions specified in the award will be resolved according to the following order of precedence: public laws, regulations, applicable notices published in the Federal Register, Executive Orders (EOs), Office of Management and Budget (OMB) Circulars, the Nuclear Regulatory Commission's (NRC) Mandatory Standard Provisions, special award conditions, and standard award conditions.

By drawing funds from the Automated Standard Application for Payment system (ASAP), the recipient agrees to the terms and conditions of an award.

Certifications and representations. These terms incorporate the certifications and representations required by statute, executive order, or regulation that were submitted with the SF424B application through Grants.gov.

I. Mandatory General Requirements

The order of these requirements does not make one requirement more important than any other requirement.

1. Applicability of 2 CFR Part 215

a. All provisions of 2 CFR Part 215 and all Standard Provisions attached to this grant/cooperative agreement are applicable to the Grantee and to sub-recipients which meet the definition of "Grantee" in Part 215, unless a section specifically excludes a sub-recipient from coverage. The Grantee and any sub-recipients must, in addition to the assurances made as part of the application, comply and require each of its sub-awardees employed in the completion of the project to comply with Subpart C of 2 CFR 215 Part 180 and include this term in lower-tier (subaward) covered transactions.

b. Grantees must comply with monitoring procedures and audit requirements in accordance with OMB Circular A-133. <

http://www.whitehouse.gov/omb/circulars/a133_compliance/08/08toc.aspx >

2. Award Package

Grant Performance Metrics:

The Office of Management and Budget requires all Federal Agencies providing funding for educational scholarships and fellowships as well as other educational related funding to report on specific metrics. These metrics are part of the Academic Competitiveness Council's (ACC) 2007 report and specifically relates to Science, Technology, Engineering, and Mathematics (STEM) curricula.

As part of the FY 2010 HR grant awards, in addition to the customary performance progress report requested on the SF-PPR, SF-PPR-B, and SF-PPR-E forms, HR requires the following metrics to be reported on by the awardees as follows:

Faculty Development Awards

1. Number of new faculty hired and currently eligible faculty supported in NRC designated STEM areas.

§ 215.41 Grantee responsibilities.

The Grantee is obligated to conduct such project oversight as may be appropriate, to manage the funds with prudence, and to comply with the provisions outlined in 2 CFR 215.41. Within this framework, the Principal Investigator (PI) named on the award face page, Block 11, is responsible for the scientific or technical direction of the project and for preparation of the project performance reports. This award is funded on a cost reimbursement basis not to exceed the amount awarded as indicated on the face page, Block 16., and is subject to a refund of unexpended funds to NRC.

The standards contained in this section do not relieve the Grantee of the contractual responsibilities arising under its contract(s). The Grantee is the responsible authority, without recourse to the NRC, regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurements entered into in support of an award or other agreement. This includes disputes, claims, protests of award, source evaluation or other matters of a contractual nature. Matters concerning violation of statute are to be referred to such Federal, State or local authority as may have proper jurisdiction.

Subgrants

Appendix A to Part 215—Contract Provisions

Sub-recipients, sub-awardees, and contractors have no relationship with NRC under the terms of this grant/cooperative agreement. All required NRC approvals must be directed through the Grantee to NRC. See 2 CFR 215.180 and 215.41.

Nondiscrimination

(This provision is applicable when work under the grant/cooperative agreement is performed in the U.S. or when employees are recruited in the U.S.)

No U.S. citizen or legal resident shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity funded by this award on the basis of race, color, national origin, age, religion, handicap, or sex. The Grantee agrees to comply with the non-discrimination requirements below:

Title VI of the Civil Rights Act of 1964 (42 USC §§ 2000d et seq)
Title IX of the Education Amendments of 1972 (20 USC §§ 1681 et seq)
Section 504 of the Rehabilitation Act of 1973, as amended (29 USC § 794)
The Age Discrimination Act of 1975, as amended (42 USC §§ 6101 et seq)
The Americans with Disabilities Act of 1990 (42 USC §§ 12101 et seq)
Parts II and III of EO 11246 as amended by EO 11375 and 12086.
EO 13166, "Improving Access to Services for Persons with Limited English Proficiency."
Any other applicable non-discrimination law(s).

Generally, Title VII of the Civil Rights Act of 1964, 42 USC § 2000e et seq, provides that it shall be an unlawful employment practice for an employer to discharge any individual or otherwise to discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, sex, or national origin. However, Title VII, 42 USC § 2000e-1(a), expressly exempts from the prohibition against discrimination on the basis of religion, a religious corporation, association, educational institution, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities.

Modifications/Prior Approval

NRC prior written approval may be required before a Grantee makes certain budget modifications or undertakes particular activities. If NRC approval is required for changes in the grant or cooperative agreement, it must be requested of, and obtained from, the NRC Grants Officer in advance of the change or obligation of funds. All requests for NRC prior approval must be made, in writing (which includes submission by e-mail), to the designated Grants Specialist and Program Office no later than 30 days before the proposed change. The request must be signed by both the PI and the authorized organizational official. Failure to obtain prior approval, when required, from the NRC Grants Officer may result in the disallowance of costs, termination of the award, or other enforcement action within NRC's authority.

Lobbying Restrictions

The Grantee will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

The Grantee shall comply with provisions of 31 USC § 1352. This provision generally prohibits the use of Federal funds for lobbying in the Executive or Legislative Branches of the Federal Government in connection with the award, and requires disclosure of the use of non-Federal funds for lobbying.

The Grantee receiving in excess of \$100,000 in Federal funding shall submit a completed Standard Form (SF) LLL, "Disclosure of Lobbying Activities," regarding the use of non-Federal funds for lobbying within 30 days following the end of the calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any disclosure form previously filed. The Grantee must submit the SF-LLL, including those received from sub-recipients, contractors, and subcontractors, to the Grants Officer.

§ 215.13 Debarment And Suspension.

The Grantee agrees to notify the Grants Officer immediately upon learning that it or any of its principals:

(1) Are presently excluded or disqualified from covered transactions by any Federal department or agency;

(2) Have been convicted within the preceding three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;

(3) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b); and

(4) Have had one or more public transactions (Federal, State, or local) terminated for cause or default within the preceding three years.

b. The Grantee agrees that, unless authorized by the Grants Officer, it will not knowingly enter into any subgrant or contracts under this grant/cooperative agreement with a person or entity that is included on the Excluded Parties List System (<http://epls.arnet.gov>).

The Grantee further agrees to include the following provision in any subgrant or contracts entered into under this award:

'Debarment, Suspension, Ineligibility, and Voluntary Exclusion

The Grantee certifies that neither it nor its principals is presently excluded or disqualified from participation in this transaction by any Federal department or agency. The policies and procedures applicable to debarment, suspension, and ineligibility under NRC-financed transactions are set forth in 2 CFR Part 180.'

Drug-Free Workplace

The Grantee must be in compliance with The Federal Drug Free Workplace Act of 1988. The policies and procedures applicable to violations of these requirements are set forth in 41 USC 702.

Implementation of E.O. 13224 -- Executive Order On Terrorist Financing

The Grantee is reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the Grantee to ensure compliance with these Executive Orders and laws. This provision must be included in all contracts/sub-awards issued under this grant/cooperative agreement.

Award Grantees must comply with Executive Order 13224, Blocking Property and Prohibiting Transactions with Persons who Commit, Threaten to Commit, or Support Terrorism. Information about this Executive Order can be found at: www.fas.org/irp/offdocs/eo/eo-13224.htm.

Procurement Standards. § 215.40

Sections 215.41 through 215.48 set forth standards for use by Grantees in establishing procedures for the procurement of supplies and other expendable property, equipment, real property and other services with Federal funds. These standards are furnished to ensure that such materials and services are obtained in an effective manner and in compliance with the provisions of applicable Federal statutes and executive orders. No additional procurement standards or requirements shall be imposed by the Federal awarding agencies upon Grantees, unless specifically required by Federal statute or executive order or approved by OMB.

Travel

Travel is an appropriate charge to this award and prior authorization for specific trips are not required, as long as the trip is identified in the Grantee's original program description and original budget. All other travel, domestic or international, must not increase the total estimated award amount. Trips that have not been identified in the approved budget require the written prior approval of the Grants Officer.

Travel will be in accordance with the US Government Travel Regulations at: www.gsa.gov/federaltravelregulation and the per diem rates set forth at: www.gsa.gov/perdiem.

Travel costs to the grant must be consistent with provisions as established in Appendix A to 2 CFR 220 (J.53)

Property Management Standards

Property standards of this award shall follow provisions as established in 2 CFR 215.30.

Equipment procedures shall follow provision established in 2 CFR 215.34.

Procurement Standards

Procurement standards of this award shall follow provisions as established in 2 CFR 215.40.

Intangible and Intellectual Property

Intangible and intellectual property of this award shall generally follow provisions established in 2 CFR 215.36.

Inventions Report - The Bayh-Dole Act (P.L. 96-517) affords Grantees the right to elect title and retain ownership to inventions they develop with funding under an NRC grant award ("subject inventions"). In accepting an award, the Grantee agrees to comply with applicable NRC policies, the Bayh-Dole Act, and its Government-wide implementing regulations found at Title 37, Code of Federal Regulations (CFR) Part 401. A significant part of the regulations require that the Grantee report all subject inventions to the awarding agency (NRC) as well as include an acknowledgement of federal support in any patents. NRC participates in the trans-government Interagency Edison system (<http://www.iedison.gov>) and expects NRC funding Grantees to use this system to comply with Bayh-Dole and related intellectual property reporting requirements. The system allows for Grantees to submit reports electronically via the Internet. In addition, the invention must be reported in continuation applications (competing or non-competing).

Patent Notification Procedures- Pursuant to EO 12889, NRC is required to notify the owner of any valid patent covering technology whenever the NRC or its financial assistance Grantees, without making a patent search, knows (or has demonstrable reasonable grounds to know) that technology covered by a valid United States patent has been or will be used without a license from the owner. To ensure proper notification, if the Grantee uses or has used patented

technology under this award without license or permission from the owner, the Grantee must notify the Grants Officer. This notice does not necessarily mean that the Government authorizes and consents to any copyright or patent infringement occurring under the financial assistance.

Data, Databases, and Software - The rights to any work produced or purchased under a NRC federal financial assistance award are determined by 2 CFR 215.36. Such works may include data, databases or software. The Grantee owns any work produced or purchased under a NRC federal financial assistance award subject to NRC's right to obtain, reproduce, publish or otherwise use the work or authorize others to receive, reproduce, publish or otherwise use the data for Government purposes.

Copyright - The Grantee may copyright any work produced under a NRC federal financial assistance award subject to NRC's royalty-free nonexclusive and irrevocable right to reproduce, publish or otherwise use the work or authorize others to do so for Government purposes. Works jointly authored by NRC and Grantee employees may be copyrighted but only the part authored by the Grantee is protected because, under 17 USC § 105, works produced by Government employees are not copyrightable in the United States. On occasion, NRC may ask the Grantee to transfer to NRC its copyright in a particular work when NRC is undertaking the primary dissemination of the work. Ownership of copyright by the Government through assignment is permitted under 17 USC § 105.

Records retention and access requirements for records of the Grantee shall follow established provisions in 2 CFR 215.53.

Organizational Prior Approval System

In order to carry out its responsibilities for monitoring project performance and for adhering to award terms and conditions, each Grantee organization shall have a system to ensure that appropriate authorized officials provide necessary organizational reviews and approvals in advance of any action that would result in either the performance or modification of an NRC supported activity where prior approvals are required, including the obligation or expenditure of funds where the governing cost principles either prescribe conditions or require approvals.

The Grantee shall designate an appropriate official or officials to review and approve the actions requiring NRC prior approval. Preferably, the authorized official(s) should be the same official(s) who sign(s) or countersign(s) those types of requests that require prior approval by NRC. The authorized organization official(s) shall not be the principal investigator or any official having direct responsibility for the actual conduct of the project, or a subordinate of such individual.

Conflict Of Interest Standards of this award shall follow provisions as established in 2 CFR 215.42 Codes of Conduct.

Dispute Review Procedures

a. Any request for review of a notice of termination or other adverse decision should be addressed to the Grants Officer. It must be postmarked or transmitted electronically no later than 30 days after the postmarked date of such termination or adverse decision from the Grants Officer.

b. The request for review must contain a full statement of the Grantee's position and the pertinent facts and reasons in support of such position.

- Payment – 2 CFR 215.22
- Cost Share – 2 CFR 215.23
- Program Income – 2 CFR 215.24
 - Earned program income, if any, shall be added to funds committed to the project by the NRC and Grantee and used to further eligible project or program objectives.
- Budget Revision – 2 CFR 215.25
 - In accordance with 2 CFR 215.25(e), the NRC waives the prior approval requirement for items identified in sub-part (e)(1-4).
 - The Grantee is not authorized to rebudget between direct costs and indirect costs without written approval of the Grants Officer.
 - Allowable Costs – 2 CFR 215.27

b. Federal Financial Reports

Effective October 1, 2008, NRC transitioned from the SF-269, SF-269A, SF-272, and SF-272A to the Federal Financial Report (SF-425) as required by OMB:

http://www.whitehouse.gov/omb/fedreg/2008/081308_ffr.pdf

http://www.whitehouse.gov/omb/grants/standard_forms/ffr.pdf

http://www.whitehouse.gov/omb/grants/standard_forms/ffr_instructions.pdf

The Grantee shall submit a "Federal Financial Report" (SF-425) on a quarterly basis for the periods ending 3/31, 6/30, 9/30 and 12/31 or any portion thereof, unless otherwise specified is a special award condition. Reports are due no later than 30 days following the end of each reporting period. A final SF-425 shall be submitted within 90 days after expiration of the award.

Period of Availability of Funds 2 CFR § 215.28

- a. Where a funding period is specified, a Grantee may charge to the grant only allowable costs resulting from obligations incurred during the funding period and any pre-award costs authorized by the NRC.
- b. Unless otherwise authorized in 2 CFR 215.25(e)(2) or a special award condition, any extension of the award period can only be authorized by the Grants Officer in writing. Verbal or written assurances of funding from other than the Grants Officer shall not constitute authority to obligate funds for programmatic activities beyond the expiration date.
- c. The NRC has no obligation to provide any additional prospective or incremental funding. Any modification of the award to increase funding and to extend the period of performance is at the sole discretion of the NRC.
- d. Requests for extensions to the period of performance shall be sent to the Grants Officer at least 30 days prior to the grant/cooperative agreement expiration date. Any request for extension after the expiration date shall not be honored.

Automated Standard Application For Payments (ASAP) Procedures

Unless otherwise provided for in the award document, payments under this award will be made using the Department of Treasury's Automated Standard Application for Payment (ASAP) system < <http://www.fms.treas.gov/asap/> >. Under the ASAP system, payments are made through preauthorized electronic funds transfers, in accordance with the requirements of the

end of each reporting period. A final SF-425 shall be submitted within 90 days after expiration of the award.

Period of Availability of Funds 2 CFR § 215.28

- a. Where a funding period is specified, a Grantee may charge to the grant only allowable costs resulting from obligations incurred during the funding period and any pre-award costs authorized by the NRC.
- b. Unless otherwise authorized in 2 CFR 215.25(e)(2) or a special award condition, any extension of the award period can only be authorized by the Grants Officer in writing. Verbal or written assurances of funding from other than the Grants Officer shall not constitute authority to obligate funds for programmatic activities beyond the expiration date.
- c. The NRC has no obligation to provide any additional prospective or incremental funding. Any modification of the award to increase funding and to extend the period of performance is at the sole discretion of the NRC.
- d. Requests for extensions to the period of performance shall be sent to the Grants Officer at least 30 days prior to the grant/cooperative agreement expiration date. Any request for extension after the expiration date shall not be honored.

Automated Standard Application For Payments (ASAP) Procedures

Unless otherwise provided for in the award document, payments under this award will be made using the Department of Treasury's Automated Standard Application for Payment (ASAP) system < <http://www.fms.treas.gov/asap/> >. Under the ASAP system, payments are made through preauthorized electronic funds transfers, in accordance with the requirements of the Debt Collection Improvement Act of 1996. In order to receive payments under ASAP, Grantees are required to enroll with the Department of Treasury, Financial Management Service, and Regional Financial Centers, which allows them to use the on-line method of withdrawing funds from their ASAP established accounts. The following information will be required to make withdrawals under ASAP: (1) ASAP account number – the award number found on the cover sheet of the award; (2) Agency Location Code (ALC) – 31000001; and Region Code. Grantees enrolled in the ASAP system do not need to submit a "Request for Advance or Reimbursement" (SF-270), for payments relating to their award.

Audit Requirements

Organization-wide or program-specific audits shall be performed in accordance with the Single Audit Act Amendments of 1996, as implemented by OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." <http://www.whitehouse.gov/omb/circulars/a133/a133.html> Grantees are subject to the provisions of OMB Circular A-133 if they expend \$500,000 or more in a year in Federal awards.

The Form SF-SAC and the Single Audit Reporting packages for fiscal periods ending on or after January 1, 2008 must be submitted online.

1. Create your online report ID at <http://harvester.census.gov/fac/collect/ddeindex.html>
2. Complete the Form SF-SAC
3. Upload the Single Audit
4. Certify the Submission
5. Click "Submit."

Organizations expending less than \$500,000 a year are not required to have an annual audit for that year but must make their grant-related records available to NRC or other designated officials for review or audit.

III. Programmatic Requirements

Performance (Technical) Reports

a. The Grantee shall submit performance (technical) reports electronically to the NRC Project Officer and Grants Officer as specified in the special award conditions in the same frequency as the Federal Financial Report unless otherwise authorized by the Grants Officer.

b. Unless otherwise specified in the award provisions, performance (technical) reports shall contain brief information as prescribed in the applicable uniform administrative requirements 2 CFR §215.51 which are incorporated in the award.

c. The Office of Human Resources requires the submission of the semi-annual progress report on the SF-PPR, SF-PPR-B, and the SF-PPR-E forms. The submission for the six month period ending March 31st is due by April 30th. The submission for the six month period ending September 30th is due by October 31st.

Unsatisfactory Performance

Failure to perform the work in accordance with the terms of the award and maintain at least a satisfactory performance rating or equivalent evaluation may result in designation of the Grantee as high risk and assignment of special award conditions or other further action as specified in the standard term and condition entitled "Termination".

Failure to comply with any or all of the provisions of the award may have a negative impact on future funding by NRC and may be considered grounds for any or all of the following actions: establishment of an accounts receivable, withholding of payments under any NRC award, changing the method of payment from advance to reimbursement only, or the imposition of other special award conditions, suspension of any NRC active awards, and termination of any NRC award.

Other Federal Awards With Similar Programmatic Activities

The Grantee shall immediately provide written notification to the NRC Project Officer and the Grants Officer in the event that, subsequent to receipt of the NRC award, other financial assistance is received to support or fund any portion of the program description incorporated into the NRC award. NRC will not pay for costs that are funded by other sources.

Prohibition Against Assignment By The Grantee

The Grantee shall not transfer, pledge, mortgage, or otherwise assign the award, or any interest therein, or any claim arising thereunder, to any party or parties, banks, trust companies, or other financing or financial institutions without the express written approval of the Grants Officer.

Site Visits

The NRC, through authorized representatives, has the right, at all reasonable times, to make site visits to review project accomplishments and management control systems and to provide such technical assistance as may be required. If any site visit is made by the NRC on the premises of the Grantee or contractor under an award, the Grantee shall provide and shall

require his/her contractors to provide all reasonable facilities and assistance for the safety and convenience of the Government representative in the performance of their duties. All site visits and evaluations shall be performed in such a manner as will not unduly delay the work.

IV. Miscellaneous Requirements

Criminal and Prohibited Activities

- a. The Program Fraud Civil Remedies Act (31 USC §§ 3801-3812), provides for the imposition of civil penalties against persons who make false, fictitious, or fraudulent claims to the Federal government for money (including money representing grant/cooperative agreements, loans, or other benefits.)
- b. False statements (18 USC § 287), provides that whoever makes or presents any false, fictitious, or fraudulent statements, representations, or claims against the United States shall be subject to imprisonment of not more than five years and shall be subject to a fine in the amount provided by 18 USC § 287.
- c. False Claims Act (31 USC 3729 et seq), provides that suits under this Act can be brought by the government, or a person on behalf of the government, for false claims under federal assistance programs.
- d. Copeland "Anti-Kickback" Act (18 USC § 874), prohibits a person or organization engaged in a federally supported project from enticing an employee working on the project from giving up a part of his compensation under an employment contract.

American-Made Equipment And Products

Grantees are hereby notified that they are encouraged, to the greatest extent practicable, to purchase American-made equipment and products with funding provided under this award.

Increasing Seat Belt Use in the United States

Pursuant to EO 13043, Grantees should encourage employees and contractors to enforce on-the-job seat belt policies and programs when operating company-owned, rented or personally-owned vehicle.

Federal Employee Expenses

Federal agencies are generally barred from accepting funds from a Grantee to pay transportation, travel, or other expenses for any Federal employee unless specifically approved in the terms of the award. Use of award funds (Federal or non-Federal) or the Grantee's provision of in-kind goods or services, for the purposes of transportation, travel, or any other expenses for any Federal employee may raise appropriation augmentation issues. In addition, NRC policy prohibits the acceptance of gifts, including travel payments for Federal employees, from Grantees or applicants regardless of the source.

Minority Serving Institutions (MSIs) Initiative

Pursuant to EOs 13256, 13230, and 13270, NRC is strongly committed to broadening the participation of MSIs in its financial assistance program. NRC's goals include achieving full participation of MSIs in order to advance the development of human potential, strengthen the Nation's capacity to provide high-quality education, and increase opportunities for MSIs to participate in and benefit from Federal financial assistance programs. NRC encourages all applicants and Grantees to include meaningful participations of MSIs. Institutions eligible to be

considered MSIs are listed on the Department of Education website:
<http://www.ed.gov/about/offices/list/ocr/edlite-minorityinst.html>

Research Misconduct

Scientific or research misconduct refers to the fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. It does not include honest errors or differences of opinions. The Grantee organization has the primary responsibility to investigate allegations and provide reports to the Federal Government. Funds expended on an activity that is determined to be invalid or unreliable because of scientific misconduct may result in a disallowance of costs for which the institution may be liable for repayment to the awarding agency. The Office of Science and Technology Policy at the White House published in the Federal Register on December 6, 2000, a final policy that addressed research misconduct. The policy was developed by the National Science and Technology Council (65 FR 76260). The NRC requires that any allegation be submitted to the Grants Officer, who will also notify the OIG of such allegation. Generally, the Grantee organization shall investigate the allegation and submit its findings to the Grants Officer. The NRC may accept the Grantee's findings or proceed with its own investigation. The Grants Officer shall inform the Grantee of the NRC's final determination.

Publications, Videos, and Acknowledgment of Sponsorship

Publication of the results or findings of a research project in appropriate professional journals and production of video or other media is encouraged as an important method of recording and reporting scientific information. It is also a constructive means to expand access to federally funded research. The Grantee is required to submit a copy to the NRC and when releasing information related to a funded project include a statement that the project or effort undertaken was or is sponsored by the NRC. The Grantee is also responsible for assuring that every publication of material (including Internet sites and videos) based on or developed under an award, except scientific articles or papers appearing in scientific, technical or professional journals, contains the following disclaimer:

"This [report/video] was prepared by [Grantee name] under award [number] from [name of operating unit], Nuclear Regulatory Commission. The statements, findings, conclusions, and recommendations are those of the author(s) and do not necessarily reflect the view of the [name of operating unit] or the US Nuclear Regulatory Commission."

Greetings Sheila,

SBCR has conducted the requested Pre-Award Compliance reviews related to the applications for Trades Schools, Scholarships and Fellowships and Faculty Development. Based on the findings, it was determined that the following institutions were in compliance with applicable Federal Civil Rights laws, Executive Orders and NRC regulations:

Category 1: Trade Schools and Community Colleges

1.	Linn State Technical College	HR-10-901
2.	Florence Darlington College	HR-10-902
3.	Midland Technical College	HR-10-903
4.	Lakeshore Technical College	HR-10-904
5.	Miracosta Technical College	HR-10-905
6.	College of Southern Maryland	HR-10-906
7.	Brazosport College	HR-10-907
8.	Dakota County Technical College	HR-10-908
9.	St. Cloud Technical College	HR-10-909
10.	Columbia-Basin	HR-10-910
11.	Central Piedmont Community College	HR-10-911
12.	Wharton Junior College	HR-10-912
13.	Idaho State University	HR-10-913
14.	Lake Michigan College	HR-10-914
15.	Delaware Community College	HR-10-915
16.	Ridgewater College	HR-10-916
17.	New Mexico Junior College	HR-10-917
18.	Aiken Technical College	HR-10-918
19.	Indian River State College	HR-10-919

Category 2: Scholarships and Fellowships

1.	University of Rhode Island	HR-10-937
2.	University of Illinois	HR-10-938
3.	Prairie View A&M University	HR-10-939
4.	Polytechnic Institute of New York	HR-10-940
5.	Georgia Institute of Technology	HR-10-941
6.	Idaho State University	HR-10-944
7.	Missouri University of Science & Technology	HR-10-945
8.	University of Missouri-Columbia	HR-10-946
9.	Pennsylvania State University	HR-10-947
10.	Vanderbilt University	HR-10-948
11.	University of Nevada-Reno	HR-10-949

Category 2: Scholarships and Fellowships Cont.

12.	Rensselaer Polytechnic Institute	HR-10-950
13.	Colorado State University	HR-10-951
14.	University of Wisconsin-Madison	HR-10-954
15.	University of South Carolina	HR-10-956
16.	University of Idaho	HR-10-957

Category 3: Faculty Development

1.	Clemson University	HR-10-921
2.	University of Puerto Rico at Mayaguez	HR-10-922
3.	Texas A&M University	HR-10-923
4.	University of Texas at Austin	HR-10-926
5.	University of Tennessee	HR-10-927
6.	Virginia Commonwealth	HR-10-929
7.	Kansas State University	HR-10-931
8.	Texas Southern University	HR-10-935