

**Effective 5/10/2016**

**63M-2-502 Principal researchers -- Agreement requirements -- Discontinuing funding.**

- (1) Subject to legislative appropriation, the governing authority shall:
  - (a) provide funding to help a research university honor its commitments to principal researchers employed by the research university; and
  - (b) give priority to funding provided under Subsection (1)(a).
- (2) The governing authority shall enter into a written agreement with a higher education institution that employs a principal researcher:
  - (a) establishing performance standards and expectations for a principal researcher; and
  - (b) requiring the higher education institution to require a principal researcher to comply with reporting requirements set forth in Section 63M-2-702.
- (3)
  - (a) A principal researcher may not be hired on or after May 10, 2016 without the approval of the governing authority and the higher education institution.
  - (b) A higher education institution that enters into or renews an agreement with a principal researcher on or after May 10, 2016 shall include in the agreement:
    - (i) a specific time period for the commitment of USTAR funding;
    - (ii) the amount of USTAR funding committed to the higher education institution for the principal researcher, specifying the purpose of the funding;
    - (iii) an acknowledgment that the principal researcher understands and agrees to the reporting requirements and performance standards under this chapter; and
    - (iv) the governing authority's written approval of the terms of the new or renewed agreement.
- (4) The governing authority may not allocate money to a higher education institution for a principal researcher unless the higher education institution provides the reporting required under Section 63M-2-702.
- (5) The governing authority may discontinue allocating money to a higher education institution for a principal researcher if the governing authority and the president of the higher education institution employing the principal researcher agree in writing that:
  - (a) the principal researcher:
    - (i) fails to meet the performance standards and expectations established under Subsection (2)(a);
    - (ii) receives a reasonable opportunity to remedy the failure to meet performance standards and expectations; and
    - (iii) fails to remedy the failure to meet performance standards and expectations; and
  - (b) under the circumstances, discontinuing USTAR funding to the higher education institution for the principal researcher is appropriate and justified.

Enacted by Chapter 240, 2016 General Session