



## SMITHSONIAN INSTITUTION RESEARCH ASSOCIATES

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### 1. PURPOSE

The purpose of this directive is to establish the policy for appointing and managing Research Associates (RAs). For information about other types of academic appointees, please consult [SD 701](#), *Smithsonian Institution Fellows* and [SD 709](#), *Smithsonian Institution Interns*.

### 2. DEFINITIONS

**Academic Appointment:** A Fellowship, Internship, or RA appointment.

**Academic Appointment Coordinator:** A Smithsonian Institution (SI) staff member assigned by a unit director to coordinate academic appointments in that unit.

**Academic Appointment Council:** An advisory body made up of Academic Appointment Coordinators and other SI staff that support SI Academic Appointments.

**Appointee:** The newly appointed or reappointed RA.

**Appointment Letter:** A letter that the Office of Fellowships and Internships (OFI) sends each newly appointed or reappointed RA, containing information that sets forth the terms of the appointment between the SI and the RA.

**Grant Sponsor:** A Smithsonian employee who accepts responsibility for the management of a grant or contract, in cases where the RA who is designated as the principal investigator (PI) cannot be hired as a Smithsonian employee. For example, while RAs may be awarded a grant

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## 2. DEFINITIONS (continued)

for which they have applied as a PI, in some cases that grant may not include funding for the RA to be hired as a Smithsonian employee. In such a case, the grant sponsor would assume responsibility for managing the grant on behalf of the Smithsonian while the RA remained an academic appointee but not an employee of the Smithsonian.

**Host Unit:** The unit to which the sponsor, and any RAs nominated, is assigned.

**Research Associate Appointment:** The academic appointment title of RA confers a formal, scholarly SI affiliation to a researcher who is not an employee of the Smithsonian. The designation of RA is distinct from the other types of academic appointments such as Fellow and Intern (see the [Academic Appointment Type Differences Chart](#) on the [OFI website](#)).

RAs:

- have professional status (usually a terminal degree or equivalent experience) in the occupational field related to their appointment;
- may not also be Smithsonian employees during the period of their appointment;
- are not eligible to receive stipend payments through their status as RAs;
- do not hold another type of Smithsonian academic appointment (e.g., Fellowship or Internship) during their appointment as RAs. However, with approval from OFI, appointees may put their RA appointment on hiatus in order to accept a Fellowship appointment (and all the responsibilities that come with it). After the Fellowship concludes, appointees may resume their status as RAs; and
- are in residence to conduct scholarly research and/or collaborate with Smithsonian staff and/or are otherwise regularly engaged in the scholarly activities of the Smithsonian.

**RA Appointment Form:** This is a standardized form that sponsors send to OFI through their respective unit's academic appointment coordinator, along with the appointee's current curriculum vitae (CV), to complete the RA appointment process. This form may include agreements related to various terms of appointment (e.g., media release, intellectual property [see the "Policy" section on pages 4–6], and Equal Employment Opportunity [EEO] rights and responsibilities) that appointees must sign.

**Research Staff Member:** A Smithsonian employee engaged in research.

**Sponsors:** Smithsonian research staff members who, with their unit director's approval,

## 2. DEFINITIONS (continued)

nominate an outside researcher for appointment as an RA. This term is distinct from an RA “grant sponsor” in that all RAs have sponsors, but only RAs who apply for grants under certain circumstances have grant sponsors (see definition of “Grant Sponsor”). In those special circumstances, the roles of sponsor and grant sponsor may be filled by the same Smithsonian employee or by two Smithsonian employees. Sponsors should be aware of the statutory prohibitions against appointing, employing, promoting, or advancing a relative or advocating such actions for a relative (5 *United States Code* [U.S.C.] § 3110). See SD 103, *Smithsonian Institution Standards of Conduct*, [Appendix 2](#).

## 3. APPOINTMENT PROCEDURES

Smithsonian research staff members may nominate an outside researcher for the title of RA by submitting an RA nomination form that has been approved by their unit director, along with a copy of the prospective appointee’s current CV, to OFI.

New RA appointments are made for a period of no more than three years but not less than one year, and may be renewed for an indefinite number of additional three-year terms.

Unit directors may approve the use of titles other than “Research Associate” for RAs within their units, as appropriate.

RA appointments are official when they are approved by OFI, which prepares and sends an appointment letter to all new RA appointees, along with an information packet that includes the “Research Associate Standards of Conduct” from this directive and the [Equal Opportunity Rights and Responsibilities Packet](#).

OFI maintains a database of all RAs and reminds each host unit’s administrative staff when an appointment is nearing completion.

RAs may be reappointed for an additional term of one (1) to three (3) year(s) when sponsors resubmit to OFI an RA Appointment Form that has been approved by their unit director, along with a copy of the appointee’s current CV. With the necessary approvals, RAs may be reappointed without any limit on the number of reappointments made. RA reappointments are official when OFI approves them and prepares and sends a reappointment letter to all renewed RA appointees, along with an information packet that includes “Research Associate Standards of Conduct” from this directive and the [Equal Opportunity Rights and Responsibilities Packet](#).

## 4. POLICY

### General Principles

An RA is not an employee of the Smithsonian. Specific terms of each appointment are governed by the appointment letter, which sets forth terms and conditions of the relationship between the Institution and the appointee.

Except where specific programs require otherwise, SI RAs may hold any citizenship.

There are generally three (3) circumstances under which an RA appointment may end:

1. The host unit does not renew an RA appointment when it expires.
2. Host unit directors request in writing to OFI that an RA appointment end because they have determined that an appointee has breached the RA Standards of Conduct (see the “Research Associates Standards of Conduct” section) or other applicable SI policies.
3. The RA is either unable or unwilling to continue an appointment, including situations in which the RA becomes an SI employee (or accepts another SI affiliation not compatible with having the status of a Research Associate).

RAs may simultaneously be sponsored by two host units. In this case, one of the host units is designated as the principal host unit. The principal host unit assumes primary administrative responsibility (e.g., establishment of network accounts, credentials, setting a single set of tenure dates) for the RA. When an RA initially appointed by one host unit is subsequently appointed by another, the initial host unit remains the principal host unit. If the principal host unit of a dually appointed RA terminates or elects not to reappoint an RA, the secondary host unit may reappoint the RA as the principal host unit.

At the discretion of the host unit sponsor, an RA may respectively act as a co-advisor to an SI Fellow and/or a co-mentor to an SI Intern, provided an SI staff member also serves as the advisor/mentor.

At the discretion of their principal host unit, RAs may simultaneously serve as Smithsonian volunteers during the period of their appointment so long as the volunteer position is hosted by a different department or unit than the one(s) hosting the RA appointment.

## 4. POLICY (continued)

### Contractors

RAs may be engaged as contractors to the Smithsonian. In the event an RA assumes the role of a contractor, the terms of the contract supersede those of the RA appointment, which will be suspended for the duration of the contract. When such a contract concludes, the RA appointment automatically resumes with its original end tenure date.

Contract awards must be in accordance with [SD 314, Contracting](#), and the applicable parts of the *Procurement and Contracting Procedures Manual*, which ensure appropriate protections for SI property, including but not limited to intellectual property, and include the appropriate language for protecting personally identifiable information as defined in [SD 118, Privacy Policy](#).

### Sponsored Projects

With written approval from the department chair (or equivalent position), the host unit director, and the Office of Sponsored Projects (OSP), or the Smithsonian Astrophysical Observatory (SAO) Sponsored Programs and Procurement Department (SPPD) in cases involving SAO, an RA may apply as a PI for external grants and contracts, using the Smithsonian as a home institution. If the RA has a paid position at another organization while serving as a Smithsonian RA, the RA must discuss with the department chair, unit director, and OSP (at SAO, with the SPPD) whether it would be more appropriate to submit the grant/contract proposal through the RA's employer and include a subaward to the Smithsonian in the proposal budget for the work that would be done at the Smithsonian.

RAs awarded an external grant that is intended to pay their salary and benefits at SI will become trust employees of the Smithsonian until that funding is exhausted. As trust employees, they will no longer hold the title of Research Associate. In cases where the RA does not become an employee, the SI employee who is the grant sponsor for the RA appointment will assume responsibility for proper management of the grant or contract award.

If serving as a PI or a Co-PI on an award granted to the Smithsonian, an RA is required to complete an annual Financial Disclosure statement ([SI Form 1085](#)) that is available on the [OGC Financial Disclosure webpage](#).

Contact the OSP or, in the case of the SAO, the SPPD for assistance or with questions regarding RAs applying for external sponsored funding.

## 4. POLICY (continued)

### Intellectual Property Rights

RAs retain copyright ownership of their original research and related content (e.g., text, photographs, illustrations, audio, video, research, graphs, recordings, databases, etc.) that they generate during their appointments as RAs at the Smithsonian, including research that is based on and/or derived from the collections, resources, equipment, facilities and staff expertise (“Smithsonian Content”). However, RAs shall confirm that Smithsonian Content is not subject to Smithsonian and/or third-party rights or restrictions before they use, reproduce or publish such Smithsonian Content. RAs retain the Right of First Publication of articles and related data based on research conducted during the appointment for a period not to exceed three years from the completion of that appointment. Thereafter, the Smithsonian reserves the right to make such research based on Smithsonian Content available to the public, in any manner, to read, analyze and download in accordance with applicable Smithsonian policy. Rights to inventions or discoveries, which may be patentable or commercially licensable, are governed by [SD 102, \*Disclosing, Protecting and Commercializing Inventions\*](#).

When federal funding, collections, or labs and equipment are provided by the Smithsonian for an RA’s research, publications and data resulting from the research may be subject to the [“\*Smithsonian’s Plan for Increased Public Access to Results of Federally Funded Research\*.”](#) When publishing those federally supported research results in journals or as book chapters, the RA should ensure the publisher will make or permit the author to make the publication available to the public, in any manner, to read, analyze, and download in accordance with that plan.

Under the terms of their appointments, RAs are required to enter into an RA Intellectual Property Agreement developed by the Office of General Counsel (OGC), in which, among other things, they grant the Smithsonian permission to use and reproduce research generated by the RA, to the extent it includes Smithsonian Content, for educational, research, museum and non-commercial purposes, subject to the RA’s Right of First Publication.

## 5. RESPONSIBILITIES

**Smithsonian Research Staff** are responsible for:

- complying with this directive when sponsoring RAs and serving as a liaison between the RA and other offices within the Smithsonian to ensure that the RA is acting consistently with the appointment letter, complying with the standards of conduct for RAs (see Section 6), and is otherwise adhering to applicable Smithsonian policies; and

## 5. RESPONSIBILITIES (continued)

- agreeing to accept responsibility, when acting as a grant sponsor, for managing an RA's grant or contract in cases where the RA is designated as the PI but cannot be hired as a Smithsonian employee.

**Unit Directors** are responsible for:

- complying with this directive;
- reviewing and approving/denying nominations; and
- approving the renewal of an RA's appointment in their units.

**Academic Appointment Coordinators** are responsible for:

- complying with this directive;
- sending appointments (and supplementary documentation) to OFI for appointments to be registered;
- completing all required procedures to allow for appropriate access for all RAs to SI facilities and systems;
- working with OFI to coordinate the reappointment of an RA;
- developing and disseminating information about RA programs at the unit;
- authorizing the issuance of SI identification credentials in accordance with policies and procedures established by the Office of Protection Services (OPS) (see [SD 224, Identity Management Program](#), for details); and
- collecting and maintaining current emergency contact information for every RA at the unit.

The **Office of Fellowships and Internships** (OFI) is responsible for:

- issuing, updating, and complying with this directive;
- maintaining a database of all RAs;
- confirming new and renewed appointments with unit staff;

## 5. RESPONSIBILITIES (continued)

- sending appointment letters and information packets to newly appointed and reappointed RAs;
- collecting and retaining all agreements associated with RA appointments and/or reappointments;
- determining the propriety, approval, and awarding of academic appointments;
- developing, administering, publicizing, and tracking academic appointments across the Smithsonian;
- ensuring that all RAs are made aware of their obligation to comply with Smithsonian policies applicable to RAs, such as, but not limited to, Research Associate Standards of Conduct and policies prohibiting discrimination and workplace harassment;
- advising senior leadership, directors, and the Smithsonian community on matters of Smithsonian policy related to academic appointments;
- convening regular meetings of the Smithsonian Academic Appointment Council; and
- sending reminders to each host unit's academic appointment coordinators when appointments are nearing completion.

## 6. RESEARCH ASSOCIATE STANDARDS OF CONDUCT

RAs must comply with these standards of conduct. If there is any doubt that an activity or planned activity is in compliance, the RA should immediately seek the advice of the Host Unit director or the director's designee.

Failure to comply with the following standards is cause for revoking the RA appointment.

An RA must:

- follow standards for conducting research in the discipline, such as those for collecting and import permits and using live animals or human subjects (see [SD 604](#), *Misconduct in Research*; [SD 605](#), *Animal Care and Use*; [SD 606](#), *Research Involving Human Subjects*; [SD 607](#), *Responsible Conduct of Research Training*; [SD 608](#), *Financial Conflict of Interest for National Science Foundation [NSF]- and Public Health Service [PHS]-Sponsored Projects*); and [SD 611](#), *Export Compliance and Trade Sanctions Related to Research, Export and Museum Activities*

## 6. RESEARCH ASSOCIATE STANDARDS OF CONDUCT (continued)

- adhere to the funding source disclosure requirements otherwise applicable to SI staff in [SD 103](#), *Smithsonian Institution Standards of Conduct*, Section 9(b), when the RA is publishing research findings under the Smithsonian RA affiliation;
- adhere to [SD 103](#), *Smithsonian Institution Standards of Conduct*, Section 13(c), and provide an annual and any ongoing disclosures required by the [SI Form 1085](#) if the RA is a PI or co-PI on an SI grant;
- adhere to applicable Smithsonian policy and/or written agreements between the RA and the Smithsonian regarding ownership and use of intellectual property generated as a result of the RA's position, and be familiar with the provisions and processes set forth in all applicable directives, such as [SD 102](#), *Disclosing, Protecting, and Commercializing Inventions*, and [SD 609](#), *Digital Asset Access and Use*;
- adhere to [SD 118](#), *Privacy Policy*, to ensure the protection of personally identifiable information (PII) and [SD 119](#), *Privacy Breach Notification Policy*, when reporting any suspected or confirmed breaches of PII;
- adhere to the rules set by the Smithsonian Institution Libraries and unit libraries when using their resources and facilities;
- be aware of and guided by the generally accepted professional standards and codes of ethics applicable in the RA's professional field(s);
- exhibit appropriate professional conduct and behavior, respect others, and cooperate in the enforcement of the prevention of workplace harassment as set forth in [SD 214](#), *Equal Opportunity Handbook*; and
- adhere to the SI *Scientific Diving Policy* ([SD 120](#)) when applicable.

RAs must not:

- misrepresent their relationship with the Smithsonian, particularly in any way representing themselves as employees of the Smithsonian;
- directly or indirectly profit from, or permit others to profit from, information obtained through their Smithsonian appointment, which is or would be unavailable to external scholars or the general public;

## 6. RESEARCH ASSOCIATE STANDARDS OF CONDUCT (continued)

- solicit or accept any gift that is or appears to be offered because the RA holds a Smithsonian academic appointment or may have influence within the Smithsonian;
- use official Smithsonian letterhead and similar materials, mailing privileges, or equipment, or supplies for anything not related to official SI business;
- solicit or promote the sale of any goods or services on Smithsonian premises through the use of Smithsonian resources or facilities, including email;
- operate Smithsonian motor vehicles or off-road equipment unless the host unit determines that such use qualifies as official Smithsonian business as described in [SD 421](#), *Mobile Asset Fleet Management*, which provides that authorized operators may drive a motor vehicle or off-road equipment on Smithsonian official business only;
- reproduce copyrighted material (owned by the Smithsonian or a third party) in the absence of specific approval to do so from the rights-holder(s) unless permitted by fair use; and
- receive, spend or commit funds, such as grants or contracts to the Institution or grants from within the Smithsonian, without the approval and active fund management of the host unit's administrative staff.

An individual with access to collections should be aware of the issues addressed in the respective unit's collections management policy and [SD 600](#), *Collections Management*. Access to and use of collections must be approved in advance by the appropriate unit staff member in accordance with established policy and procedures. An RA working directly with Smithsonian collections must disclose any personal activity that may create or seem to create conflicts of interest, such as collecting or dealing in similar objects, materials, or specimens.

## 7. CONTACT INFORMATION

Please contact the OFI [website](#) for more information and answers to questions about RAs.

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<b>SUPERSEDES:</b>	SD 205, August 31, 2016
<b>INQUIRIES:</b>	Office of Fellowships and Internships (OFI)
<b>RETENTION:</b>	Indefinite. Subject to review for currency 36 months from date of issue.

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