



Title: Accounting for Unallowable Costs

Purpose and Scope:

To provide guidance for identifying and accounting for unallowable expenses or activities to ensure compliance with federal requirements for treatment of specific costs.

Unallowable costs are those that are deemed unallowable by federal regulations. As a result, the university must ensure that these costs are not recovered on grants or contracts as direct charges or in any other manner, such as through the Facilities and Administrative (F&A) cost rates. There are four broad categories: 1) unallowable activities; 2) mutually agreed upon unallowable costs; 3) explicitly unallowable costs; and 4) cost disallowances.

General:

All university expenditures must comply with Board of Regent's Policy and Regulation in addition to state regulations. The university's procurement and cost accounting practices must also enable the university to comply with federal requirements under OMB Circulars A-21 and A-110. In addition, sponsored project expenditures must be allowable under the specific terms and conditions of the sponsored project.

The university's acceptance of funding from external sources brings with it the responsibility to be a prudent steward of the external funds. By accepting government sponsored projects, the university also accepts the responsibility for stewardship of federal taxpayer's dollars. These responsibilities lead to a high level of audit scrutiny. Any financial transaction incurred by the university may be subject to review by both internal and external audit agencies including:

- University of Alaska Internal Audit Department,
- External independent auditors, and
- Defense Contract Audit Agency (DCAA) as the auditing arm of university's cognizant government agency, Office of Naval Research.

Definitions:

Allocable – A cost is considered to be allocable if the goods or services involved provide a benefit to the sponsored project. Factors to consider if a cost is allocable are: 1) if the cost is incurred solely to advance the work under the sponsored project; 2) if it benefits both the sponsored agreement and other work of the institution, in proportions that can be approximated through reasonable



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methods; 3) if it is necessary to the overall operation of the institution and is deemed to be assignable in part to sponsored projects; 4) if equipment or capital assets are authorized, they are assignable to the sponsored agreement regardless of the use that may subsequently be made of the equipment or other capital items involved (see Circular A-110, section 34 for more information)

Consistent treatment of costs – A cost is treated consistently when the costs are estimated in the proposal development stage using the same method as they are accumulated and reported on during the post-award phase of the sponsored agreement. In addition, the university must be consistent in the treatment of direct type expenses and Facilities & Administrative (F&A) type expenses.

Cost disallowance – Costs, incurred for grants or contracts, which are disallowed pursuant to a written decision by the sponsor or the university's federal audit agency. In some cases, university management can deem a cost as disallowed. This includes pre-award costs, costs that fall outside the award period, and costs of supporting personnel and other expenditures if ultimately rejected by the sponsor. These expenses charged to a sponsored project may be removed from the sponsored project in order to ensure that the sponsor is not billed for these expenses through the use of account code 8651 or by moving the specific expense out of the sponsored project fund. See SW Accounting Manual Procedure P- 41 for information on writing off unrecoverable costs on sponsored projects that are the result of unallowable expenses.

Direct costs - Direct costs are those that can be assigned with relative ease and a high degree of accuracy to a particular sponsored project, instructional activity or another institutional activity.

Directly associated costs – any cost which is generated solely as a result of the incurrence of another cost, and which would not have been incurred had the other cost not been incurred.

Explicitly unallowable costs – Costs that are specifically identified as unallowable under OMB Circular A-21 unless specified as allowable under the terms and conditions of the award. They include individual items of expense such as alcoholic beverages, entertainment costs, and dues for commercial, civic, or social clubs.

Facilities and administrative costs – F&A type costs are those that are incurred for common or joint objectives or activities. These costs typically cannot be clearly identified with a particular sponsored project, instructional activity or any other institutional activity. The university is not permitted to move between direct



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and F&A cost pools without cognizant agency approval. Facilities costs include depreciation, interest on debt associated with certain assets, operations and maintenance costs, and library expenses. Administration costs include general administration and general expenses, departmental administration, sponsored projects administration, and student administration and services.

Indirect costs – Indirect costs are synonymous with F&A costs.

Mutually agreed upon unallowable costs – Costs that are agreed upon unallowable under the terms of a grant, contract, or cooperative agreement, but which are allowable under normal circumstances. Assuming that the amount was not used as cost sharing, the costs are considered unallowable and must be accounted for as such in unallowable account codes or organization codes with unallowable type default program codes.

Reasonable – A cost is considered to be reasonable if the nature and amount of the goods or services acquired are an amount that a prudent person would have paid at the point in time that the transaction occurred. Factors to consider when evaluating whether a cost is reasonable are: 1) whether the cost would generally be recognized as necessary for the operation of the institution or the performance of a sponsored agreement; 2) the restraints or requirements imposed by such factors as arms length bargaining, federal and state laws and regulations, and sponsored agreement terms and conditions; 3) whether pertinent individuals acted with due prudence under the circumstances, considering their responsibilities to the institution, its employees, its students, the federal government, and the public at large; and 4) whether the actions are consistent with the university's policies and practices.

Unallowable activities – OMB Circular A-21 has identified four specific activities whose costs have been determined to be entirely unallowable by the federal government. The activities are: 1) advertising/public relations designed solely to promote the university's offices, colleges, or units and their programs and services; 2) alumni activity; 3) fund raising and cash management; and 4) lobbying, including costs of a legislative liaison.

Federal Requirements:

The university must comply with the principles for expenditure of federal funds that are set forth by the federal government in the Office of Management and Budget (OMB) Circular A-21 "Cost Principles for Educational Institutions." This circular states that allowable costs must (a) be reasonable; (b) be allocable to



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sponsored agreements under the cost principles; (c) be given consistent treatment throughout the application of the generally accepted accounting principles appropriate to the circumstances; and (d) conform to any limitations or exclusions included in the cost principles or the sponsored agreement with respect to types or amounts of the items. Unallowable costs, for the purpose of this procedure, are defined as costs that cannot be charged as direct costs to a sponsored agreement or included in the university's F&A cost rate according to OMB's Circular A-21. These costs may be allowable costs under Board of Regent's policy or regulation. The university is not prohibited from incurring unallowable costs, but cannot recover these costs from federally sponsored directly or indirectly. Unallowable expenses or activities along with any directly associated costs must be appropriately identified on all documentation and in the accounting system.

OMB Circular A-21 Section J contains general provisions for selected items of cost. The principles included in this section enable the university to establish the allowability of certain items of cost, regardless of whether the cost is an F&A or direct cost. This list is not all inclusive. If a particular type of expense or activity is not included, the determination of allowability is based on treatment of similar or related expenses or activities. The information contained in this procedure is not a substitute for the information provided in OMB Circular A-21 and the specific language in the circular should be reviewed in conjunction with this procedure when trying to determine if a particular cost is unallowable. Provisions of a particular sponsored agreement govern when there is a discrepancy in the treatment of a particular cost.

Costs that are identified as unallowable must be excluded from proposals for funding and billings to agencies for costs incurred. If the sponsor has already reimbursed the cost, it must be refunded to the sponsor, including interest in accordance with federal agency regulations. If the sponsor is a non-federal entity, the interest rule may not apply.

Accounting:

All university expenditures must be analyzed and grouped into pools to calculate the university's facilities and administrative costs through the use of fund codes, account codes, organization codes, and program codes associated with each transaction.



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Proper identification of unallowable activities and expenses ensures that these costs are not charged directly to federally sponsored agreements or indirectly through appropriate treatment in the computation of F&A cost rates.

The university identifies unallowable costs and activities either by using specific account codes, organization codes with unallowable type program codes, or thru information provided by specific departments. Unallowable type program codes include program codes that end with a 'Z' including AZ, GZ, IZ, OZ, PZ, RZ, SZ, and UZ. Contact the appropriate Major Administrative Unit (MAU) business office or financial services department to establish an organization code with an unallowable type program code, if needed.

It is the responsibility of the principal investigator in conjunction with the department support staff to ensure that proposals do not include unallowable costs or activities unless necessary for the project and that expenditures are captured in the correct account code or organization code to enable proper identification of unallowable costs and activities. Review of transactions for unallowable costs or activities are the responsibility of MAU personnel including department executive or fiscal officer, purchasing staff, accounts payable staff, financial services or business office staff, and grants and contracts personnel to ensure that transactions have been accounted for properly.

Specific Items of Cost:

In accordance with OMB Circular A-21, the following costs or activities require special treatment by the university. In case of a discrepancy between the provisions of a specific sponsored agreement and the provisions in section J of OMB Circular A-21, the agreement should govern. The costs must be provided for in the agreement and approved in writing by the federally sponsored agency. Attachment #1 may be used as a quick reference list that contains the most common unallowable costs along with basic explanations.

Additional faculty compensation as a direct charge for work on a federally sponsored project by an academic employee is unallowable, except in unusual cases where consultation is across departmental lines or involves a separate or remote operation, and the work performed by the consultant is in addition to a faculty member's regular departmental workload. Any charges for such work representing extra compensation above the base salary are allowable provided that such consulting arrangements are specifically approved by the university, provided for in the agreement or approved in writing by the federally sponsoring agency. See OMB Circular A-21, Section J.10.d.



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Advertising is unallowable except for recruiting of personnel, procurement of goods and services, and disposition of surplus/scrap materials purchased with federal funds unless the university is reimbursed for disposal costs. Unallowable advertising should be recorded in account code 3501 "Other Advertising/Publicity" or be recorded in an organization code with a 'Z' type unallowable default program code. See OMB Circular A-21, Section J.1.

Alcoholic beverage costs are unallowable for federally sponsored programs under OMB Circular A-21, Section J.3. However, for university purposes alcoholic beverage costs are not reimbursable from public funds, but may be reimbursable if allowed with a non-federally sponsored program, agency fund or private funds and if the costs are "ordinary and necessary" for university business. See University Regulation R05.02.E.5.c for a more complete description. Generally, expenditures for alcoholic beverages should be recorded using account code 8115 "Entertainment."

Alumni activity costs are unallowable under OMB Circular A-21, and must be charged to appropriate organization codes with a 'Z' type unallowable default program code. See OMB Circular A-21, Section J.4.

Applicable credits must be used to offset or reduce direct or F&A cost items (for example, purchase discounts, rebates, allowances, proceeds from the sale of animals, etc.) and must be applied to the source of funds that originally incurred the expenditure. See OMB Circular A-21, Section C.5.

Bad debts arising from uncollectible accounts, related collection costs, and related legal costs are unallowable as a direct charge to a federally sponsored project. Bad debts charged to non-federal funds are excluded from the F&A cost calculation by virtue of being charged to object codes 8235 "Bad Debts." See OMB Circular A-21, Section J.6.

Business meals and meeting costs, although not explicitly prohibited under OMB Circular A-21, are the subject of a great deal of scrutiny, and in conformance with National Science Foundation and National Institutes for Health (NIH) policies, the university does not permit them to be charged to a federal or federal pass thru project, except for awards in support of symposia, conferences, or other business related meetings. However, in cases where a federal or federal pass thru project has routine visits from individuals such as project advisory board members, the cost of meeting expenses is allowable if provided for in the approved budget or approved in advance by the funding agency. The account



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codes 3018 "Restricted Fund Catering" and 4018 "Restricted Fund Self-catered" is used. Any business meal/meeting costs that are charged to a sponsored agreement must have prior university approval via the representational allowance process.

Meals and/or receptions are allowable when charged to non-federally sponsored projects or the unrestricted funds where "there is a substantial and bona fide business discussion during, directly preceding or directly following the meal" (from IRS guidelines defining "business meal"). A copy of the meeting agenda must be attached to the representational allowance form. These functions might be part of workshops or conferences, Board of Trustees meetings, committee meetings that are part of a sponsored agreement, advisory committee meetings, and faculty and staff recruiting and recognition. See OMB Circular A-21, Section J.17. , University Policy P05.02.07 and University Regulation R05.02.07.

Commencement and convocation costs incurred other than for the purpose of student services and in organization codes with program codes other than student services type program codes are unallowable and must be recorded in an organization code with a 'Z' type unallowable default program code. See OMB Circular A-21, Section J.8.

Communication costs for monthly telephone service are unallowable as a direct charge to a federal agreement. If the service is installed specifically for the sponsored project or the project is located in a remote or dedicated location, then the service may be allowable. Telegrams, electronic mail accounts, postage, telephone toll charges, etc. are allowable as a direct charge only when they can be specifically identified with the project. If the service is at all allocable to other activities it must be charged to institutional funds using an organization code with an F&A type program code and not to sponsored projects or to institutional funds using an organization code with an organized research, instruction, or other institutional activities type program code. For the personal use of car telephone costs see "Goods and services for personal use" in this section. See OMB Circular A-21, Section J.9.

Contingency reserves are unallowable; except for pensions, severance, post-retirement health costs and self-insurance reserves monitored by the SW Office of Risk Management (see "Insurance" in this section). Contingency reserves must be approved by SW Fund Accounting and recorded using account code 8453 "Transfers Other." See OMB Circular A-21, Section J.11.



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Defense and prosecution costs for criminal and civil proceedings, claims, appeals and patent infringement, including penalties, are normally unallowable. These costs would be identified through information provided by the SW General Counsel Office. See OMB Circular A-21, Section J.13.

Depreciation of equipment and buildings is unallowable as a component of the F&A cost rate if the asset is not in use or not usable. It is also important to assign depreciation costs to the activities that the equipment/building is used for. Department heads are responsible for maintaining current information in the Fixed Asset System for all equipment purchased by the department through submission of the appropriate forms to the campus property coordinator. Department heads are also responsible for accurate completion of the functional use space survey used to identify the various activities occurring within university buildings. See OMB Circular A-21, Section J.14.

Direct cost transfers between or to sponsored agreements to eliminate overruns, to avoid restriction imposed by law, or for other reasons of convenience are not permitted. Account code 8661 must be used to move cost overruns to an unrestricted funding source. See SW Accounting Manual Procedure P-41 for guidance on writing off cost overruns. See OMB Circular A-21, Section C.4.b.

Donations and contributions made by the institution, regardless of the recipient, are unallowable under OMB Circular A-21 and because of the nature of the university environment, not normally done. If these types of expenditures are incurred, they should be coded in account codes 8502 'Disbursements to Agency Funds' or 8115 "Entertainment." Although the value of donated property is not reimbursable as a direct or F&A cost, depreciation on assets donated to the university is permitted in accordance with Section J.14. See OMB Circular A-21, Section J.15.

Employee morale costs such as awards, recognition dinners, retirement and other such functions are allowable on institutional accounts to the extent they are incurred in accordance with established university practice and policy. By contrast, see "Entertainment" and "Alcoholic Beverages" in this section. See OMB Circular A-21, Section J.16.

Entertainment, defined as amusement, diversion, and social activities and associated costs such as tickets to shows or sports events, meals, lodging, etc., is unallowable, and furthermore, university policy prohibits such charges to institutional funds. These costs may be charged only to university Foundation



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funds unless the sponsoring agency has approved that the costs are appropriate under the program. Business meals are distinguished from entertainment by the fact that they take place in connection with university business (see "Business meals and meeting costs" in this section). Use account code 8115 "Entertainment" to record these types of expenses. See OMB Circular A-21, Section J.17.

Equipment and other capital expenditures of \$5,000 or more charged as a direct cost to a federally sponsored agreement must have the prior approval of the sponsor. Such approvals may be provided in the award document, approved budget, or in correspondence from the grants/contracting officer. Certain federal agencies have authorized the university to exercise expanded authority and approve these equipment acquisitions charged to some research contracts, grants or cooperative agreements.

Expenditures for general purpose equipment (defined as equipment which is not limited to research, medical, scientific or other technical activities) on federal projects are unallowable unless the equipment is primarily or exclusively used in the actual conduct of the project and specifically approved by the sponsor. Acquisition of used university equipment is not permitted from federal funds unless specifically approved in writing by the sponsor. Department heads are to have appropriate safeguards in place to prevent loss, damage, and/or theft of equipment. Any loss, damage, or theft is investigated, fully documented, and reported to the campus Property Office. Equipment stolen or destroyed during the term of a federally sponsored agreement for which it was purchased must be replaced by the unit if the equipment is needed to complete the performance of work, unless specific approval is obtained from the sponsor to charge the replacement cost to the sponsored agreement. Equipment purchased during the last six months of a federal project should be reviewed and approved by the principal investigator and the department head. See OMB Circular A-21, Section J.18.

Fines and penalties resulting from violations of federal, state, local, or foreign laws and regulations are unallowable. Should any such payments be made, they should be recorded in account 3967 "Fines and Penalties" or be recorded in an organization code with a 'Z' type unallowable program code. See OMB Circular A-21, Section J.19.

Foreign or non-federally sponsored projects cannot be subsidized by federal funds (see "Losses on Sponsored Projects" and "Direct Cost Transfers" in this section). See OMB Circular A-21, Section C.4.c.



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Fund raising costs including financial campaigns, endowment drives, solicitations of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions, are unallowable. Expenses for established development offices, whether departmental or for the institution as a whole, should be recorded in an organization code with a 'Z' type unallowable default program code. If a unit without a formal development office has an individual whose duties officially include fund raising, that effort should be recorded in an organization code with a 'Z' type default unallowable program code. The effort of department heads, deans, and directors should not be charged to this account unless fund raising is an individual's sole responsibility. Catering services and commodities expenses related to fund raising events should be recorded in account codes 3038 "Catering for Fund Raising Events" and 4038 "Food/Decorations for Fund Raising Events," respectively. See OMB Circular A-21, Section J.20.

Goods and services for the personal use of university employees are unallowable. In the case where a particular good or service is for both business and personal use, the proportion of personal use is determined, and the imputed value of such use is reported as personal income to the individual. Account code 3119 "Personal Use – Auto/Other" is used to record costs associated with institutional goods and services for personal use. See "Housing allowance and personal living expenses" and "Institutional-Furnished Automobiles" in this section for additional information. See OMB Circular A-21, Section J.10.g. and J.22.

Housing allowances and personal living expenses for current and past university/campus officers are unallowable under A-21. Costs associated with housing furnished for personal use do not need to be recorded in account code 3119 "Personal Use – Auto/Other" if they are isolated in a discrete organization code. This information is requested from each MAU's Chief Financial Officer for the F&A cost proposal to ensure proper treatment of any unallowable costs. See "Goods and services for personal use of University employees" section for additional information. See OMB Circular A-21, Section J.23.

Idle facilities costs are unallowable unless necessary to meet fluctuations in workload; were necessary when acquired and are now idle because of specific changes which are described in A-21; or they are a normal cost of business and are a factor in the normal fluctuations of usage or F&A cost rates from period to period.



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Institution-furnished automobiles used for personal use is an unallowable cost. The portion of the cost related to personal use including transportation to and from work is unallowable and must be reported as taxable income to the employee. Account code 3119 "Personal Use – Auto/Other" is used to record costs associated with institutional furnished automobiles for personal use. See OMB Circular A-21, Section J.10.g.

Insurance costs for government-owned property unless specifically required and approved by the federal government, insurance against defects, and insurance on officers' and trustees' lives (in excess of the standard fringe benefits package) are unallowable. This information is requested from SW Risk Management for the F&A cost proposal to ensure proper treatment of any unallowable costs. Other insurance, including self-insurance reserves, provided the cost and extent of coverage is in accordance with sound institutional practice, is allowable. See OMB Circular A-21, Section J.25.

Interest expense on borrowed capital or temporary use of endowment funds is unallowable with the exception of interest expense associated with acquisition of buildings, major reconstruction, and acquisition or fabrication of capital equipment costing \$10,000 or more, if agreed to by the federal government. In order for the interest to be allowable the capital asset acquisition must meet specific criteria. Determination of allowability is made by SW Cost Analysis in conjunction with the SW Controller. Late payment penalties, though not specifically addressed under OMB Circular A-21, are treated as unallowable. All late payment penalties or interest charges associated with overdue invoices should be charged to account code 8340 "Interest/Fees on Late Payments" to ensure that they are excluded from the F&A cost rate calculation. In the case of a federal project, the late payment charge must be assessed against a departmental fund. Interest expense on debt should be recorded in account code 8341 "Interest on Debt" and principal payments on long-term debt should be recorded in account code 8342 "Retirement of Indebtedness." See OMB Circular A-21, Section J.26.

Investment management costs incurred to enhance income from investments are unallowable. These activities must be charged to an organization code with a 'Z' type unallowable default program code. The costs associated with the activities of the SW Cash Management department are excluded from the F&A cost rate proposal. See OMB Circular A-21, Section J.20.b.

Lobbying costs are unallowable. Expenditures for the university public relations offices must be captured in an organization code with a 'Z' type unallowable



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default program code. These activities are excluded from the F&A cost calculation. The salary and expenses of other individuals who, in the course of their university duties, attempt to influence the outcomes of any federal, state, or local election, legislation, or award, must be accounted for in a separate account with a organization code with a 'Z' type unallowable default program code so that they can be specifically identified as unallowable in the F&A cost rate proposal as required by OMB Circular A-21. Travel costs associated with lobbying activities must be recorded in account code 2090 "Alaska Lobbying Travel" and 2190 "US Lobbying Travel." Costs incurred for services provided by lobbyists who attempt to influence legislation for the benefit of the university must be charged to account code 3040 "Lobbying Services." Testifying before Congress, providing technical and factual presentations, analyzing the impact of proposed legislation, and similar activities are allowable. Traditional interactions among investigators and federal agency program officials are also allowable. See OMB Circular A-21, Section J.28.

Losses on sponsored projects, including cost sharing and under-recovery of F&A costs, cannot be allocated to another sponsored agreement (see "Direct cost transfers" in this section). See OMB Circular A-21, Section J.29.

Membership costs in a civic or community organization, country club, or social or dining club/organization are unallowable unless specifically approved by the sponsoring agency. They must be recorded in account code 3663 "Civic or Community Dues/Memberships". Memberships in professional, technical and business organizations are allowable under OMB Circular A-21. Periodical subscriptions to professional, technical and business organizations are also allowable. See OMB Circular A-21, Section J.33.

Overtime costs for non-exempt employees, as a direct charge to a federal project, can be charged for activities such as experiments that are continuous in nature and cannot be reasonably interrupted or where such overtime results in lower overall costs to the sponsor. Overtime must be prorated to each fund and organization code from which an employee is paid unless the overtime is clearly necessitated by demands placed on that employee on behalf of a specific project (see "Additional compensation" in this section). See OMB Circular A-21, Section J.10.

Patent costs, including costs of preparing disclosures, reports, and other documents are allowable, as are costs of patent application filing and patent infringement proceedings and similar legal costs for patents in which title vests with the federal government. These costs are unallowable in the large majority of



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the cases where the university retains the patent. The cost of the university intellectual property office continues to be unallowable and must be accounted for as unallowable activity using an organization code with a 'Z' type unallowable default program code. See OMB Circular A-21, Section J.34.

Pre-agreement costs are unallowable unless provided for in a sponsored agreement and agreed to by the sponsoring agency. Certain federal agencies have authorized universities to exercise expanded authority and incur pre-award costs up to 90 days before the official starting date of a research grant or cooperative agreement. See OMB Circular A-21, Section J.36.

Gains and losses on disposition of capital assets are allowable costs or credits in development of the F&A cost rate. See OMB Circular A-21, Section J.21.

Proposal costs are allowable as charges to institutional funds, but cannot be charged to federally sponsored projects **except** for continuation or renewal proposals that are submitted as a requirement of the existing contract, grant or cooperative agreement. These costs are allowable as a direct cost to the existing sponsored project. All other proposal costs must be charged to an organization code with 'D' type administrative default program code. See OMB Circular A-21, Section J.38. and Appendix A. CAS 9905.502. Interpretation c.

Public/Community relations are efforts dedicated to maintaining the image of the institution or maintaining or promoting understanding and favorable relations with the community or public at large. Expenses associated with such activities, which include convocations, open houses, and non-technical displays and exhibits, are unallowable under OMB Circular A-21. These costs should be recorded in 3501 "Other Advertising/Publicity" or charged to organization codes with a 'Z' type unallowable default program code. The costs of communicating accomplishments and results of sponsored activity are allowable, including the costs of conducting general liaison with news media. See OMB Circular A-21, Section J.1.

Publication and printing costs including the costs of printing (the processes of composition, plate-making, press-work binding, and the end products produced by such processes), distribution, promotion, mailing, and general handling are unallowable as a direct charge to a federal program unless these costs are identifiable with a particular cost objective of the award. See OMB Circular A-21, section J.39.



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Rearrangement and alteration is defined as work required to change the interior arrangements or other physical characteristics of an existing facility. Alteration and rearrangement expenditures are allowable costs, but cannot be charged directly to a federal agreement unless the cost is included in the approved budget or specifically approved in advance by the sponsor. See OMB Circular A-21, Section J. 40.

Relocation costs for employees who stay less than 12 months are unallowable under OMB Circular A-21 and must be charged to 2451 'Relocation' using an organization code with a 'Z' type unallowable default program code. Some agencies impose additional restrictions on relocation costs charged directly to federal projects. (See agency grant administration manuals.) See OMB Circular A-21, Section J.42.d.

Royalties and other costs for use of patents that are necessary for the proper performance of the sponsored agreement and applicable to the tasks or process under taken as part of the agreement are allowable unless the Federal government has a license or right to free use of the patent, the patent has been adjudicated to be invalid or has been administratively determined invalid, the patent is unenforceable, or the patent has expired. There are specific requirements for royalties arrived at as a result of less-than-arms-length bargaining. See OMB Circular A-21, Section J.44.

Sabbatical and other similar paid leave is allowable as a direct cost to federally sponsored agreements through the leave benefit rate charged proportionate to labor on both sponsored agreements and institutional accounts. See OMB Circular A-21, Section J.10.f.4.

Scholarships and student aid costs are allowable as a direct charge to sponsored projects only when the purpose of the award is to provide training and the charge is approved by the sponsoring agency. Tuition remission and other forms of reasonable support that are associated with student status and provided to individuals participating in the necessary work of direct activities are allowable on sponsored awards provided 1) the individual is conducting activities necessary to the sponsored agreement; 2) tuition remission and other support are provided in accordance with established university policy and consistently provided to all students in return for similar activities conducted in non-sponsored as well as sponsored activities; and 3) during the academic period, the student is enrolled in an advanced degree program and the activities of the student in relation to the direct activities are related to the student's degree program. Charges for tuition remission and other forms of compensation paid to students as, or in lieu of,



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salaries and wages are subject to the reporting requirements of Circular A-21, J.10. or an equivalent method for documenting the individual's effort on a research project. These costs are allowable direct or F&A costs, depending on the actual work being performed. See OMB Circular A-21, Section J.45.

Selling and marketing costs of any products or services sold by the university are unallowable. Should any of these costs be incurred in institutional accounts (as contrasted to auxiliary accounts), they should be recorded in the items for resale account code range of 4501 – 4771 or in an organization code with a 'Z' type unallowable default program code. See OMB Circular A-21, Section J.46.

Severance pay which is in excess of regular university policy and practice is unallowable. Excess severance pay should be recorded in an organization code with a 'Z' type unallowable default program code. See OMB Circular A-21, Section J.10.h.

Student activity costs such as intramural activities, student publications, student clubs, and operation of the student union and similar types of costs for student activities are unallowable under OMB Circular A-21, and must be recorded in organization codes with 'SZ' type unallowable default program codes. See OMB Circular A-21, Section J.48.

Travel costs in excess of the university travel policy are unallowable according to OMB Circular A-21. Costs of travel by university-owned, leased, or chartered aircraft cannot exceed the cost of allowable commercial air travel. Airfare travel costs in excess of the lowest available commercial discount airfare or customary standard coach airfares are unallowable except in special circumstances. See OMB Circular A-21, Section J.53.

Domestic travel is defined as travel within the United States, its territories and possessions, and Canada. A-21 no longer requires specific approval for each foreign (outside of U.S., its territories and possessions, and Canada) trip, although the Department of Defense continues to require advance approval for each foreign trip. Air transportation to, from, between, or within a country other than the United States must be by a U.S. Flag Air Carrier if service by such a carrier is available. See the Fly America Act, 49 U.S.C. App. 1517.

Attachment #1 to P-117 Accounting for Unallowable Costs
 OMB Circular A-21 Listing of Costs that are Unallowable either as a Direct or Indirect Charge to Federally Sponsored Agreements
 Effective June 9, 2004

Unallowable cost means any cost which, under the provision of any pertinent law, regulation, or sponsored agreement, cannot be included in prices, cost reimbursements, or settlements under a government sponsored agreement to which is specifically identified. The federal government is unwilling to pay for any unallowable cost as a direct expense under a sponsored agreement or as an indirect expense through the F&A rate charged to each sponsored agreement. UA is not prohibited from incurring unallowable costs, but cannot recover them from federal sponsors directly or indirectly. It is critical that UA be able to identify unallowable costs and activities so that UA can assure the federal government that no unallowable costs or activities are included in the indirect costs allocated to the direct bases through the Facilities and Administrative Forward Pricing rate proposal development process.

The following information is from OMB Circular A-21. Section J. General provisions for selected items of cost. This section of the circular provides principles to be applied in establishing the allowability of certain items involved in determining cost. These principles apply regardless of whether the cost is indirect or direct. If a particular expense is not mentioned then determination of allowability is based on the treatment provided for similar or related items of cost. This information is not to be considered a substitute for the language in OMB Circular A-21. Employees should read the specific A-21 referenced section when trying to determine if a particular cost is unallowable.

The provisions of a particular sponsored agreement govern when there is a discrepancy in the treatment of a particular cost.

Acronyms:

F&A - Facilities and Administrative Cost (indirect, overhead)

OSA - Other Sponsored Activity

OIA - Other Institutional Activity

Method of Identification			A-21 Ref.	Type	Description	F&A Treatment for Unallowable Costs		
UA Acct Code	Program Code Type	Other				Pool Expenses	Pool Activities	Base Expenses and Activities
3501	All		J1	Advertising Expenses	Specifically unallowable, but allowable for recruitment of personnel required for the performance by the institution, if necessary to meet the requirements of the sponsored agreement.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
All	Z		J1	Public Relations Activities	Specifically unallowable except (1) costs specifically required by sponsored agreement; (2) costs of communicating with public and press pertaining to specific accomplishments which result from performance of sponsored agreements; (3) costs of conducting communication and liaison necessary to keep public informed on matters of public concern such as notices of awards, financial matters, etc..		OIA Base	Sponsored activities remain in Instruction, Research, OSA, or OIA base.
		Rely on MAU Grant & Contract Office	J2	Advisory Councils	Costs incurred by advisory councils are allowable if authorized by the sponsoring agency.			Expenses remain in the respective Instruction, Research, OSA, or OIA base.

Attachment #1 to P-117 Accounting for Unallowable Costs
 OMB Circular A-21 Listing of Costs that are Unallowable either as a Direct or Indirect Charge to Federally Sponsored Agreements
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Method of Identification			A-21 Ref.	Type	Description	F&A Treatment for Unallowable Costs		
UA Acct Code	Program Code Type	Other				Pool Expenses	Pool Activities	Base Expenses and Activities
8115	All		J3	Alcoholic Beverage Expenses	Specifically unallowable	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
All	Z		J4	Alumni Activity	Specifically unallowable		OIA Base	Sponsored activities remain in Instruction, Research, OSA, or OIA base.
8235	All		J6	Bad Debt Expense	Specifically unallowable	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
All	GS		J8	Commencement and Convocation Costs	Allowable cost if included in student services administration pool.		Student Services Admin Pool	Sponsored activities remain in Instruction, Research, OSA, or OIA base.
Assume None			J10f(3)(a)	Specific Pension Costs	Increases to normal and past service pension costs caused by a delay in funding the actuarial liability beyond 30 days after each quarter of the year to which such costs are assigned.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
1986 and 1987	All		J10f(2)	Dependent and Spouse Tuition Waivers	Specifically unallowable	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
		Rely on MAU HR & Grant & Contract Offices	J10f(4)	Sabbatical Leave Costs	Allowable provided the institution has a uniform policy on sabbatical leave for persons engaged in instruction and persons engaged in research.			Expenses remain in the respective Instruction, Research, OSA, or OIA base.
3119	All	W-2 Information	J10g	Personal Use of UA Vehicles	Institution furnished automobile costs for personal use are unallowable.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
Assume None			J10h	Severance Pay	Costs incurred in excess of the institution's normal severance pay policy applicable to all persons employed by the institution upon termination of employment are unallowable.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
Assume None			J11	Contingency Provisions	Specifically unallowable except for self-insurance, pensions, severance & post-retirement health costs according to A-21.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.

Attachment #1 to P-117 Accounting for Unallowable Costs
OMB Circular A-21 Listing of Costs that are Unallowable either as a Direct or Indirect Charge to Federally Sponsored Agreements
Effective June 9, 2004

Method of Identification			A-21 Ref.	Type	Description	F&A Treatment for Unallowable Costs		
UA Acct Code	Program Code Type	Other				Pool Expenses	Pool Activities	Base Expenses and Activities
		Letter to General Counsel	J13	Certain Legal Expenses	Defense and prosecution of criminal and civil proceedings, claims appeals and patent infringement. Costs incurred by the institution for defense of suits brought by its employees or ex-employees are unallowable if the institution was found liable or settled. Costs of legal, accounting, consultant services and related costs incurred with defense against government claims or appeals, or the prosecution of claims or appeals against the government are unallowable. Costs of legal, accounting, consultant and related costs, incurred in connection with patent infringement litigation, are unallowable unless otherwise provided for in the sponsored agreements.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
Does not Apply			J14h	Depreciation Reserves	Doesn't apply to UA since it only applies to the top 99 schools listed in OMB Circular A-21. Depreciation reserves: Institutions shall expend currently, or reserve for expenditure within the next five years, the portion of indirect cost payments made for depreciation under sponsored research agreements, to acquire, repair, renovate, or improve buildings or equipment directly used for organized research.	N/A		N/A
8502 and 8115	All		J15	Donations or Contributions	Unallowable regardless of recipient	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
8115	All		J17	Entertainment Expenses	Entertainment costs including amusement, diversion, social activities, and any costs directly associated with such costs are unallowable.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
5XXX	All		J18	Equipment	Pool capital expenditures are excluded since they are recovered through depreciation. All capital expenditures for general purpose equipment and special purpose equipment are unallowable as direct charges, except where approved in advance by the sponsoring agency. These costs are excluded from all MTDC bases.	Excluded		Excluded from MTDC

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OMB Circular A-21 Listing of Costs that are Unallowable either as a Direct or Indirect Charge to Federally Sponsored Agreements
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Method of Identification			A-21 Ref.	Type	Description	F&A Treatment for Unallowable Costs		
UA Acct Code	Program Code Type	Other				Pool Expenses	Pool Activities	Base Expenses and Activities
3967	All		J19	Fines and Penalties	Fines and penalties costs resulting from failure of the institution to comply with federal, state, local or foreign laws and regulations are unallowable unless specifically approved by a federal agency.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
3038 & 4038	Z		J20	Fund Raising and Investment Costs	Fund raising, and investment management costs are unallowable except for costs related to the physical custody and control of monies and securities.	Excluded	OIA Base	Expenses remain in the respective Instruction, Research, OSA, or OIA base.
3119	All		J22	Goods and Services for Personal Use	Cost of goods and services for personal use of the institution's employees are unallowable regardless of whether the cost is reported as taxable income to the employees.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
		Letter to CFOs	J23	Housing and Personal Living Expenses	Costs of housing (including utilities, depreciation, maintenance, etc.), housing allowances, and personal living expenses for the institution's current or past officers are unallowable regardless of whether the cost is reported as taxable income to the employees.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
		Letter to Space Mgmt.	J24	Idle Facilities & Idle Capacity	Costs of idle facilities are generally unallowable. See OMB Circular A-21, J24b for determining allowable idle facilities costs.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
		Letter to Risk Mgmt.	J25	Insurance and Indemnification Costs	Insurance costs to protect against defects in the institution's materials or workmanship are unallowable.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
8340, 8341 & 8342	Z	Lease Purchase Analysis and Cash Flow Analysis	J26	Interest	Interest costs are unallowable except for interest expenses paid to external parties for assets (buildings and equipment) used to support sponsored agreements. Additional specific criteria exist in OMB Circular A-21 section J.26.b that must be satisfied in order for interest expenses to be allowable.	Excluded	OIA Base	Expenses remain in the respective Instruction, Research, OSA, or OIA base.

Attachment #1 to P-117 Accounting for Unallowable Costs
 OMB Circular A-21 Listing of Costs that are Unallowable either as a Direct or Indirect Charge to Federally Sponsored Agreements
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Method of Identification			A-21 Ref.	Type	Description	F&A Treatment for Unallowable Costs		
UA Acct Code	Program Code Type	Other				Pool Expenses	Pool Activities	Base Expenses and Activities
2090, 2190 & 3040	Z		J28	Lobbying	Unallowable lobbying costs and activities are defined broadly to include costs associated with any attempt to influence governmental (federal, state, local, etc.) elections and legislation. Legislative liaison activities are unallowable if the activity is carried on in support of or in preparation of unallowable lobbying activities. Executive lobbying costs incurred in attempting to apply any influence that induces or tends to induce either directly, indirectly, an employee or officer of the Executive Branch of the Federal Government to give consideration or to act regarding a sponsored agreement or a regulatory matter on any basis other than the merits of the matter. In general, lobbying expenses may not be paid for with funds from sponsored agreements unless specifically authorized by statute.	Excluded	OIA Base	Expenses remain in the respective Instruction, Research, OSA, or OIA base.
8661		Rely on MAU Grant and Contract Office	J29	Losses on Other Sponsored Agreements or Contracts	Costs in excess of income (overruns) under any sponsored agreement or contract are unallowable.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
3663	All		J33	Memberships, Subscriptions, and Professional Activity Costs	Cost of membership in any civic, community, social, dining or country club or organization are unallowable.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
		Rely on MAU Grant and Contract Office	J36	Pre-agreement Costs	Cost incurred prior to the effective date of the sponsored agreement are unallowable unless approved by the sponsored agency.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
		Letter to General Counsel, Rely on MAU Procurement & GCS Offices	J37	Professional Services Costs	Determine allow ability for legal professional services costs in conjunction with OMB Circular A-21 section J.13. Other professional services are allowable if the criteria listed in OMB Circular A-21 section J37b are met.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.

Attachment #1 to P-117 Accounting for Unallowable Costs
OMB Circular A-21 Listing of Costs that are Unallowable either as a Direct or Indirect Charge to Federally Sponsored Agreements
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Method of Identification			A-21 Ref.	Type	Description	F&A Treatment for Unallowable Costs		
UA Acct Code	Program Code Type	Other				Pool Expenses	Pool Activities	Base Expenses and Activities
Assume None			J42	Recruiting Costs	Recruiting costs for help wanted advertising, special emoluments, fringe benefits, and salary allowances incurred to attract professional personnel from other institutions that do not conform with the established practices of the institution, are unallowable.			
Assume None			J43	Rental Cost of Buildings and Equipment	Allowable, in general, but there are specific rules to ensure that costs are fair and that capitalizable leases are not expensed.			
		Rely on MAU Intellectual Property & GCS Offices	J44	Royalties and Other Costs for Use of Patents	Costs must be necessary for proper performance of sponsored agreement and applicable to the tasks or processes undertaken as part of the agreement unless the Federal Government has a license or right to free use of the patent, patent is invalid, patent is unenforceable, or patent has expired. There is additional criteria in determining reasonableness where royalties may have been arrived at as a result of less-than-arm's-length bargaining, see OMB Circular A-21 section J44b.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
		Rely on MAU Grants & Contracts Office	J45	Scholarships and Student Aid Costs	Unallowable unless the purpose of the sponsored agreement is to provide training to selected participants and the charge is approved by the sponsoring agency.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.
3501	Z		J46	Selling and Marketing	Costs of selling and marketing any products or services of the institution are unallowable unless allowed under OMB Circular A-21 section J1c- Allowable Advertising or OMB Circular A-21 section J38 - Proposal Costs.		OIA Base	Sponsored activities remain in Instruction, Research, OSA, or OIA base.
		Recharge Policy P-112	J47	Specialized Service Facilities	Specialized service facilities charges should be designed to recover not more than the aggregate cost of the services over a long-term period agreed to by the institution and the cognizant federal agency.			
	Z		J48	Student Activity Costs	Costs incurred for intramural activities, student publications, student clubs and other student activities, are unallowable, unless specifically provided for in the sponsored agreement.		OIA Base	Sponsored activities remain in Instruction, Research, OSA, or OIA base.
		Rely on MAU Grant and Contract Office	J53	Travel Costs	Airfare travel costs in excess of the lowest available commercial discount airfare or customary standard coach airfares are unallowable except in special circumstances.	Excluded		Expenses remain in the respective Instruction, Research, OSA, or OIA base.

Attachment #1 to P-117 Accounting for Unallowable Costs
 OMB Circular A-21 Listing of Costs that are Unallowable either as a Direct or Indirect Charge to Federally Sponsored Agreements
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Method of Identification			A-21 Ref.	Type	Description	F&A Treatment for Unallowable Costs		
UA Acct Code	Program Code Type	Other				Pool Expenses	Pool Activities	Base Expenses and Activities
Assume None		Rely on MAU Grant and Contract Office	J50	Termination Costs	Termination of sponsored agreements generally lead to the incurrence of costs or to the special treatment of costs, which would not have occurred if the agreement has not been terminated. See this section of OMB Circular A-21 when terminating a sponsored project to determine the appropriate treatment of costs.			Expenses remain in the respective Instruction, Research, OSA, or OIA base.