



Office of Research

The City University of New York  
205 East 42<sup>nd</sup> Street  
New York NY 10017

## MEMORANDUM

To: Provosts, CARS Members, HRPP Coordinators, and Grants Officers

From: Office of Research

Date: June 14, 2022

Subject: Internal, external, and personal funds for research

The CUNY Office of Research, Division of Research Integrity and Compliance, kindly requests that you remind campus researchers about policies concerning the use of CUNY internal funding, externally secured funding, and personal funds for research. Please distribute the below to your college/school faculty and other researchers:

**Compensation** refers to anything given to subjects as remuneration for the time and effort related to participating in research. Compensation can be monetary or non-monetary, and can be offered in a variety of forms, including but not limited to cash, gift cards, vouchers, trinkets, partial course credit, and the opportunity to enter a drawing for a prize.

**Use of Personal Funds for Research Compensation.** Researchers shall not use personal funds to compensate individuals participating in CUNY research. The promise to pay an incentive in exchange for an individual's participation in CUNY research creates a contract between CUNY and the participant, and CUNY cannot require its researchers and other employees to be personally responsible for the payment of the University's contractual obligations, even if an employee wishes to pay for the incentive from their personal funds. Furthermore, federal tax and immigration laws require compliance with the rules and regulations pertaining to reporting and processing compensation for participants in research. A researcher's failure to comply with these procedures because payment was made informally using personal funds may result in CUNY being liable for the violation of federal law.

**Donation of CUNY tax levy or non-tax levy funds to charitable entities as research incentives.** Researchers shall not promise to make donations to charitable entities as a form of incentive to encourage participation in research. CUNY's tax-levy and non-tax levy funds (including external grant funds) are to be used for the support of CUNY's education, research and public service mission and the benefit of its students, faculty and staff in the fulfilment of that mission, and not for the direct support of other organizations, charitable or otherwise, which may have missions that are different and/or inconsistent with that of CUNY. Furthermore, a donation may be viewed as an endorsement by CUNY of the organization's mission, and researchers are generally not authorized to speak for CUNY.

**Use of Raffles for Remuneration of Research Participation.** Researchers may use raffles as a form of remuneration subject to compliance with applicable law. Raffles are highly regulated in New York City and New York State, as well as in other states. Guidance regarding the requirements for offering a raffle as an inducement is available [here](#). Inducement programs in which each research participant receives a prize and all prizes are of equal value (e.g., all participants receive a \$10 gift certificate to a bookstore) are also acceptable. These are not raffles nor illegal lotteries because they don't involve the element of chance.

**Partial Compensation.** Participants in CUNY research have the right to withdraw from continued participation in a research study without prejudice. If a participant who withdraws was being compensated for their participation, the participant's remuneration should be determined based on the amount of time the participant spent participating in research activities. For example, a participant who withdraws after completing 50% of the scheduled research activities for that participant should be compensated at 50% of the rate they would have received if they completed 100% of the activities.

**Subject Pool Compensation.** Researchers who engage subject pools to secure research participation must compensate subjects according to procedures approved by the CUNY UI IRB. If you have any questions regarding subject pool policies and procedures, please contact your [campus' HRPP Office](#). Guidance regarding the creation and operation of student subject pools can be found [here](#).