OP 34.28: International Agreements for Students, Faculty, and Researchers

DATE: June 24, 2016

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to establish procedures for creating agreements with international institutions in a way that:

1. Follows immigration regulations as promulgated by the U.S. Government.

2. Conforms with standards of safety and responsibility in study abroad as required by federal and state regulations such as those promulgated by the Texas Higher Education Coordinating Board; other applicable regulations of the Texas Administrative Code, as well as Texas Tech University (TTU) operating policies and procedures; and guidelines recognized by professional organizations such as NAFSA: Association for International Educators, and the Forum on Education Abroad.

3. Complies with all relevant accreditation standards.

4. Complies with all operational and program standards as set forth in OP 34.20, Study Abroad Programs.

REVIEW: This OP will be reviewed in June of each year. The Vice Provost for International Affairs (VPIA) and Associate Vice-Provost for International Program (AVPIP) will coordinate revisions with all other principals as well as the International Affairs Council and will forward recommended revisions to the Provost and Senior Vice President (PSVP), and the President for approval.

POLICY/PROCEDURE

This OP outlines procedures for establishing academic partnerships with international institutions that typically consist of two steps: (1) an initial Letter of Intent (LoI) to demonstrate the institutions’ interest to collaborate, and (2) a subsequent binding agreement describing the requirements and obligations, if any, of such collaboration.

1. International Agreements

   The Office of International Affairs (OIA) has the responsibility to coordinate, facilitate, maintain and advocate for initiatives to create international partnerships to foster the university’s strategic priorities. TTU seeks to establish partnerships with the highest caliber international institutions. OIA’s International Partnerships Administrator (IPA) provides guidance for the establishment of any new departmental, college, or university-wide agreements between TTU and international

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institutions or organizations. The IPA will work with faculty and administrators to create a workable agreement and will oversee the approval and signature processes.

While copies of an agreement may exist in multiple languages, the English language version should be signed by the appropriate university authority as noted below and will be considered the official version in case of any dispute. All agreements must use the appropriate template when applicable. Agreements that cannot be based on an approved template, or which have substantive modifications or additions to the pre-approved wording will be forwarded to Procurement Services by OIA for additional legal and contractual reviews. All international agreements must comply with these requirements in order to be recognized by the university. If there are binding elements, signature authority will be determined per Section 07.12, Regents’ Rules. OIA can accept physical or electronic fully-executed agreements as official.

a. Letter of Intent (LoI)–formerly Memorandum of Understanding (MoU)

An LoI is not a legally binding document or contract, but rather a symbolic or courtesy compact declaring the parties’ interest in pursuing further collaboration. The university template should be used.

Signature authority

(1) University-wide LoIs must be signed by the VPIA or the AVPIP and the international partner equivalent.
(2) College-to-college LoIs must be signed by the college dean, the VPIA or the AVPIP, and the international partner equivalent.
(3) Department-to-department LoIs must be signed by the department chair, the college dean, the VPIA or the AVPIP, and the international partner equivalent.

b. Study Abroad (SAB) Agreements

An SAB agreement allows TTU students to enroll at an international partner institution for up to an academic year while paying TTU tuition and fees. Students remain enrolled at TTU while participating in an academic program at the international institution. SAB agreements can take a variety of forms but all fall under this umbrella type. More specific details can be found at http://www.depts.ttu.edu/international/intlrsch/partnerships/agrType.php.

An SAB 2-Way program requires that TTU and the international institution balance the value provided by each institution to the other at least over a three-year period. Individual agreements will establish the values indicated for that agreement.

The university template should be used. If the international partner equivalent must use its own contract form, that form shall be routed through Procurement Services for review prior to signing.

The Senior Director of IEEM must review all SAB Agreements. The Director of ISSS must review all SAB Agreements that result in TTU receiving international students.
Signature authority

(1) University-wide SAB 2-Way agreements must be signed by the VPIA or the AVPIP, the PSVP, the TTU President, and the international partner equivalents.
(2) College-to-college SAB 2-Way agreements must be signed by the college dean, the VPIA or the AVPIP, the PSVP, and the international partner equivalents.
(3) Department-to-department SAB 2-Way agreements must be signed by the department chair, the college dean, the VPIA or the AVPIP, the PSVP, and the international partner equivalents.

c. Collaborative Agreements

Like Study Abroad Agreements, the Collaborative Agreements umbrella contains several different sub-types, each with a specific purpose. Specific details of different Collaborative Agreements can be found at http://www.depts.ttu.edu/international/intlrsch/partnerships/agrType.php.

Degree programs/agreements must meet the requirements set by the Southern Association of Colleges and Schools Commission on Colleges which can be found at the SACSCOC website (www.sacscoc.org). To ensure compliance, collaborative degree programs/agreements design must be coordinated through the Office of International Affairs, the TTU SACSCOC liaison, and the Office of the Provost.

The Director of International Grants Administration and Partnerships must review all Collaborative Agreements. The Director of ISSS must review all Collaborative Agreements that result in TTU receiving international students.

Signature authority

(1) University-wide Collaborative Agreements must be signed by the VPIA or the AVPIP, the PSVP, the TTU President, and the international partner equivalents.
(2) College-to-college Collaborative Agreements must be signed by the college dean, the VPIA or the AVPIP, the PSVP, the TTU President, and the international partner equivalents.
(3) Department-to-department Collaborative Agreements must be signed by the department chair, the college dean, the VPIA or the AVPIP, the PSVP, the TTU President, and the international partner equivalents.

d. Comprehensive Partnership Agreements

Comprehensive Partnership Agreements are to be used for TTU relationships with international institutions that fall outside the categories described above, or for relationships that include combinations of characteristics of the above types of agreements.

Given the unique aspects of such agreements, establishing a Comprehensive Partnership Agreement requires close collaboration among the initiating office and OIA.
Signature authority

(1) University-wide Comprehensive Partnership Agreements must be signed by the VPIA or the AVPIP, the PSVP, the TTU President, and the international partner equivalents.

(2) College-to-college Comprehensive Partnership Agreements must be signed by the college dean, the VPIA or the AVPIP, the PSVP, and the international partner equivalents.

(3) Department-to-department Comprehensive Partnership Agreements must be signed by the department chair, the college dean, the VPIA or the AVPIP, the PSVP, and the international partner equivalents.

2. Routing

This OP is designed to govern academic agreements between two or more institutions or departments.

a. OIA will route any agreements that contain an international research focus (i.e. the primary purpose is research) through the Office of the Vice-President for Research (OVPR) for review and coordinate with the Vice President for Research (or his designee) to assure that such agreements comply with the contracting policies of all relevant TTU offices.

b. OIA will route any agreements involving graduate students or that contain a graduate focus or component through the Graduate School for review and signature by the Vice Provost for Graduate and Postdoctoral Affairs/Dean of the Graduate School (or his designee) to assure that such agreements comply with the contracting policies of all relevant TTU offices.

c. OIA will coordinate with the Office of Community College and Transfer Relations for any agreements involving international students and domestic higher education institutions.

3. Duration

In accordance with Section 07.12.3, Regents’ Rules, an agreement (including all options to renew) may not exceed four years unless the contract contains a provision allowing TTU to terminate the agreement without cause with notice of 120 days or less or the agreement has been approved by the Board of Regents.

4. Renewals of Agreements

The VPIA or the AVPIP will approve renewals of any other existing agreements that do not modify the original provisions after obtaining written notification from the originating department/college that they wish to continue the agreement in force. When an agreement requires significant changes to the original provisions, it will require signatures as if it were a new agreement.

5. Archiving

Signed originals of all agreements will be archived in the Office of Procurement Services. Scanned copies of agreements will be held in the OIA and the originating college/department and listed on the OIA website at http://www.iaff.ttu.edu/main/Partnerships.asp.