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

DATE: September 14, 2015

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 and other applicable regulations of the Texas Administrative Code, as well as 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; and

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) will coordinate revisions with offices across campus, including the vice president for administration and finance and chief financial officer; the managing director of Procurement Services; the vice president for research; the vice provost for graduate & postdoctoral affairs & dean of the Graduate School (VPGPA/DGS); the International Affairs Council; and the provost and senior vice president (PSVP) and will forward substantive revisions to the president for approval.

POLICY/PROCEDURE

This OP outlines procedures for establishing formalized agreements 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.

An accompanying handbook contains details about these procedures on the Office of International Affairs website at http://www.iaff.ttu.edu/main/Partnerships.asp. If the handbook conflicts with this OP, this OP will prevail.
1. **International Agreements**

To promote standardization in the management of international agreements, the international agreements administrator in the Office of International Affairs (OIA) oversees the creation of the various types of international agreements described in this policy. In support of Texas Tech University’s (TTU) mission statement, the Office of International Affairs seeks to establish agreements with the highest caliber international institutions. The international agreements administrator will work with faculty and administrators to create a workable agreement and will oversee the approval and signature processes. The international agreements administrator is available to offer guidance for the establishment of any new departmental, college, or university-wide agreements between TTU and international institutions or organizations.

While agreements may exist in multiple languages, the English language version should be signed by the university, and it will be considered the official version in case of any dispute. All agreements must use the appropriate template (obtained from OIA). Any substantive modifications or additions to the pre-approved wording will require additional legal and contractual reviews. All international agreements must comply with the appropriate requirements in order to be recognized by the university.

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 shall be used.

Signature authority—As long as the university LoI template is used, the following individuals may sign an LoI:

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

If the international partner equivalent must use its own LoI form, that form must be routed through Procurement Services for review before TTU signature. If there are binding elements, signature authority will be determined in accordance with Section 07.12, *Regents’ Rules*.

b. **Reciprocal Exchange Agreement**

A reciprocal exchange 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.

A reciprocal exchange program requires that TTU and the international institution balance the value provided by each institution to the other over at least a three-year period. Individual agreements will establish the values indicated for that agreement.
The university template should be used (see Attachment B). If the international partner equivalent must use its own contract form, that form should be routed through Procurement Services for review prior to signature.

Approval–Both the senior director of International Education and Enrollment Management (IEEM) and the director of International Student and Scholar Services (ISSS) must review and approve all reciprocal exchange agreements. If the agreement involves the exchange of graduate students, then the VPGPA/DGS must review such reciprocal agreements.

Signature authority

(1) University-wide reciprocal exchange agreements should be signed by the VPIA or the AVPIP, the PSVP, the TTU president, and the international partner equivalents.
(2) College-to-college reciprocal exchange agreements should be signed by the college dean, the VPIA or the AVPIP, the PSVP, and the international partner equivalents.
(3) Department-to-department reciprocal exchange agreements should be signed by the department chair, the college dean, the VPIA or the AVPIP, the PSVP, and the international partner equivalents.

c. Affiliation Agreement

An affiliation agreement allows TTU students to enroll in an international program at an international institution and pay tuition directly to that institution/provider. Similarly, non-degree seeking students from the international institution may enroll directly in and pay tuition and fees to TTU. The receiving international institution/provider must agree to consider TTU applicants for participation in its program as it would any other applicant.

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.

Approval– The senior director of IEEM must review and approve all affiliation agreements that will result in TTU students studying abroad. The director of ISSS must review and approve all affiliation agreements that result in TTU receiving international students. The VPGPA/DGS must review and approve all affiliation agreements involving graduate students.

Signature authority

(1) University-wide affiliation agreements should be signed by the VPIA or the AVPIP, the PSVP, the TTU president, and the international partner equivalents.
(2) College-to-college affiliation agreements should be signed by the college dean, the VPIA or the AVPIP, the PSVP, and the international partner equivalents.
(3) Department-to-department affiliation agreements should be signed by the department chair, the college dean, the VPIA or the AVPIP, the PSVP, and the international partner equivalents.
d. Dual and Joint Degree Agreements

Dual and joint degree agreements allow for TTU and an international institution to design programs that will offer students either one degree certified by both institutions (joint) or a separate degree from each institution (two degrees resulting) upon completion of studies at both institutions (dual).

Contract and Approval—All dual and joint degree programs must meet the requirements set by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), which can be found at the SACSCOC website (www.sacscoc.org). To ensure compliance, dual and joint degrees must coordinate the program design and all contracting matters with Procurement Services, the Office of the Provost and the TTU SACSCOC liaison. Additionally, any dual or joint graduate degree program must coordinate with, and be reviewed by, the Office of the VPGPA/DGS. More specific requirements and guidelines can be found in the International Agreements Handbook (see attachment). The director of ISSS must review and approve all dual and joint degree agreements.

Signature authority

(1) University-wide dual and joint degree agreements should be signed by the VPIA or the AVPIP, the PSVP, the TTU president, and the international partner equivalents.
(2) College-to-college dual/joint degree agreements should be signed by the college dean, the VPIA or the AVPIP, the PSVP, the TTU president, and the international partner equivalents.
(c) Department-to-department dual/joint degree agreements should be signed by the department chair, the college dean, the VPIA or the AVPIP, the PSVP, the TTU president, and the international partner equivalents.

e. Consortium Agreements

Consortium agreements are agreements between two or more participating institutions that allow for registration of a student at his or her home institution for tuition and financial aid purposes while that student attends classes at a participating institution. TTU requires that consortia in which TTU becomes a participating institution should provide programs that lead to an international study or research experience for the students involved.

Contract and Approval—Given the highly specific and individual aspects of such agreements, establishing a consortium agreement requires close collaboration among the initiating institution office, the international agreements administrator in OIA, and TTU’s Office of Procurement Services.

Signature authority

(1) University-wide consortium agreements should be signed by the VPIA or the AVPIP, the PSVP, the TTU president, and the international partner equivalents.
(2) College-to-college consortium agreements should be signed by the college dean, the VPIA or the AVPIP, the PSVP, and the international partner equivalents.
(3) Department-to-department consortium agreements should be signed by the department chair, the college dean, the VPIA or the AVPIP, the PSVP, and the international partner equivalents.
f. Academic or Research Collaboration Agreements

This type of agreement is 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.

Contract and Approval–Given the unique aspects of such agreements, establishing an academic or research collaboration agreement requires close collaboration among the initiating institution office, the international agreements administrator in OIA, TTU’s Office of Procurement Services, and Office of Research Services (ORS).

Signature authority

1. University-wide academic or research collaboration agreements should be signed by the VPIA or the AVPIP, the PSVP, the TTU president, and the international partner equivalents.

2. College-to-college academic or research collaboration agreements should be signed by the college dean, the VPIA or the AVPIP, the PSVP, and the international partner equivalents.

3. Department-to-department academic or research collaboration agreements should be signed by the department chair, the college dean, the VPIA or the AVPIP, the PSVP, and the international partner equivalents.

This OP is designed to govern academic agreements between two or more institutions or departments. 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 for review and will coordinate with the vice president for research or designee to assure that such agreements comply with the contracting policies of all relevant TTU offices.

2. Duration

In accordance with Section 07.12.2(e), 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. In addition, unless approved by the Board of Regents, agreements may not contain automatic renewals that cumulatively extend beyond four years.

3. Renewals of Agreements

Letters of intent may not be renewed unless required by the international partner. Interested parties should be working toward one of the other agreement types during the term of the LoI. 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.
4. **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](http://www.iaff.ttu.edu/main/Partnerships.asp).

*Attachment: Handbook for International Agreements*