

## **PROCESS FOR ESTABLISHING INTERNATIONAL AFFILIATIONS**

The University of Houston (UH) is committed to strategically positioning itself as a global university. One fundamental pillar in that vision is to build a portfolio of selective institutional affiliations around the world which:

- corresponds with its institutional strategic priorities,
- reflects the country of origin of its international students, visiting scholars, and alumni,
- strengthens the teaching, research, and service activities of its core academic disciplines, and
- allows for the expansion of learning abroad and foreign language opportunities.

UH encourages its faculty and administrators to interact with representatives from foreign institutions of higher education. UH considers it appropriate that they engage in informal conversations towards the development of potentially beneficial affiliations; however, any formal collaboration between UH and a foreign institution requires the endorsement of UH Global, the Office of the Provost and, if necessary, the Office of the General Counsel (including its Office of Contract Administration) before it can be implemented.

The following steps have been adopted for use by the various colleges, schools, centers, or departments in developing sustainable and mutually beneficial international relationships, and are intended to provide their stakeholders with a clear and transparent process for establishing qualitatively meaningful opportunities for collaboration and to ensure a concerted alignment with the university-wide efforts to extent its global reach.

Agreements in general include topics such as student mobility; faculty, scholar, and staff exchanges; research collaboration; library and scientific materials exchanges; training and technical assistance; and collaborations between degree granting programs. They are to be signed only for a time period that will not exceed 5 years. This renewal requirement provides ample time for those involved in developing and implementing collaborative relationships to periodically monitor and review the value of these relationships. Once a formal conversation has been established, the UH faculty responsible for initiating, developing, and monitoring the collaboration will reach out to the Vice Provost for UH Global to discuss the level of involvement in terms of scope, duration, and outcomes.

### **I. Assessment**

There must be a proper assessment of the foreign institution by the college, school, center, or department before entering into a formal collaboration. The overall implications and risks involved in establishing, renewing, or terminating an affiliation with a foreign institution compel and require a UH faculty or

administrator to exert due diligence and to conduct a thorough assessment of the importance of the prospective institution *for the benefit of UH*. Such an assessment must include the following criteria:

**Reputation:** It seeks to engage UH with institutions of similar academic standing and equivalent research stature in order to ensure that the collaboration will be a good fit. The intended affiliate institution must be officially accredited by its relevant certifying bodies, including discipline-specific national and/or international professional accreditation certifications.

**Benefits and Costs:** It attempts to identify the benefits (advantages) and costs (disadvantages) that the relationship with the foreign institution brings to the students, faculty, and staff of UH.

**Compliance:** It addresses the need for compliance with U.S. federal laws related to immigration processes, export/import procedures, trademarks and patent regulations, with the laws of the government of the proposed affiliate institution, and with the rules and regulations of all institutions. Special clauses may also be needed for research confidentiality, intellectual property, and brand protection purposes.

**Support:** It focuses on the financial support that has been pledged or secured from the college, school, center, or department, the type of support coming from the foreign institution and the logistical arrangements such as office space, clerical assistance, or need for course releases during the affiliation.

**Liaison:** At least one individual from the foreign institution must be identified as a liaison at the time of initiating any collaboration. This person must have the authority to conduct business on behalf the affiliate institution and be fluent in English. He/she will work closely with his/her counterpart liaison at UH to facilitate the development of the collaboration.

## II. Memorandum of Understanding

A Memorandum of Understanding (MOU) simply acknowledges the willingness to collaborate at the widest and most general university level with a foreign institution. If establishing an MOU is approved, the Vice Provost for UH GLOBAL will fill out the [standard MOU template](#) issued by the Office of the General Counsel.

- Any provisions that differ from those in the standard MOU template will be included in an Addendum, provided that the college, school, center, or department requesting such revisions must provide written justification for such revisions to the Vice Provost for UH Global.

*Only if* the agreement differs from the standard MOU template will such documentation be filled by the Vice Provost for UH Global and forwarded to the Office of the General Counsel to be cataloged and assigned a document number. In these cases, a Contract Coversheet and a Recommendation for Award Form are still required and will state that there was no procurement method because it is an academic affiliation.

- There is no particular order in terms of which institution signs the agreement first. UH Global will coordinate the official signing if representatives of the foreign delegation wish to visit UH for that purpose.
- If required, the foreign affiliate institution will keep one signed original while UH Global will keep a second signed original, however one master document held by UH is acceptable.

Each college, school, center, or department involved in the agreement will be required to maintain a signed copy. Additional copies of the signed original may be made as a courtesy to other colleges, schools, centers, or departments as needed.

If the MOU is not approved, the Vice Provost for UH Global will inform the UH individual who submitted it with recommendations and/or request additional information, program audits, or an institutional visit regarding the purpose and benefit of the collaboration for establishing, renewing, or terminating the affiliation.

### **III. Articulation Agreement**

An Articulation Agreement (AA) involves a discipline-focused joint academic or research program between an individual college, school, center, or department and a foreign institution and provides the specific details for implementing the program. A MOU is not required prior to or along with the submission of an AA to a foreign affiliate institution.

It is anticipated that extensions or modifications of existing joint academic or research degree programs may not require the approval of either the Texas Higher Education Coordinating Board or the Southern Association of Colleges and Schools - Commission on Colleges, as they are not entirely brand new. In this case, only approvals at the University level are necessary.

New academic or research degree programs require the approval of the appropriate University Committees and Provost. In general, these new programs will be extensions or modifications of existing programs, and therefore, may not require approval from either the Texas Higher Education Coordinating Board or the Southern Association of Colleges and Schools - Commission on Colleges. However, such external approval will be sought via the Office of the Provost if such approval necessary.

- There is no standard AA template, as this type of document spells out the detailed aspects of collaborative arrangements made with a foreign affiliate institution. Therefore, the college, school, center, or department should work in collaboration with the foreign institution to develop a draft of the AA.
- Once the draft has been agreed upon by both parties, the proposal is submitted to the Associate Deans for Undergraduate Studies, Graduate Studies, or Research for the appropriate college, school, center or department.
- The Associate Dean for Undergraduate Studies, Graduate Studies, or Research will e-mail a draft of the AA to the Vice Provost and Deans of Undergraduate Student Success or Graduate School for their review.
- The Associate Deans for Undergraduate Studies, Graduate Studies, or Research will obtain the approval of the appropriate College Committee and then forward the proposal to the appropriate University Committee (Undergraduate or Graduate Committee of the Faculty Senate) and the Vice Provost for Academic Programs for approval of the new program.
- Once the University Committee has approved the new program, it forwards the proposal to the Vice Provost for UH Global who will insert placeholder signatures of the Senior Vice President for Academic Affairs and Provost, the Vice Provost for UH Global, and the Dean of the appropriate

College. The AA may be sent by the Office of the Vice Provost for UH Global to the Office of Contract Administration for approval if it contains obligations that UH must fulfill other than simple acceptance of academic transfer credits.

- Once signed by UH, the AA is mailed to the foreign affiliate institution for their signatures.
- Upon receipt of an approved contract signed by both UH and the foreign institution, UH Global provides a digital copy to the Associate Deans for Undergraduate, Graduate Studies, or Research for their records and keeps the original.

#### **IV. Contract**

A contract is required for a college, school, center, or department to provide technical assistance or consulting services to a foreign institution. *A MOU and/or an AA are required prior to or along with the submission of a contract with a foreign institution.*

- A draft of the contract will likely be exchanged with the foreign affiliate institution several times to make sure that they agree with its content.
- The Associate Deans for Undergraduate, Graduate Studies, or Research together with the applicable college's Business Office complete the [Contract Coversheet](#) as well as the [Recommendation for Award Form](#) and obtain the appropriate initials and signatures from the initiating Department to show that the necessary entities have reviewed and approved the document.
- The college's Business Office submits the contract, the Contract Coversheet and Approval Form and the Recommendation for Award Form to the Office of the Vice Provost for UH Global who then routes it to the Office of Contract Administration for approval. If approved, the Provost Business Office is responsible for gathering signatures.
- The signed contract is returned to the college's Business Office who will then furnish a copy to the Associate Deans for Undergraduate, Graduate Studies, or Research for their records, and will return it to the initiating college, school, center, or department.
- The initiating college, school, center or department mails the signed and approved contract to the foreign institution for their signatures.
- Once the signed contract has been received from the foreign institution by the college, school, center, or department, the latter provides a digital copy to the Associate Deans for Undergraduate, Graduate Studies, or Research and the Office of Contract Administration for their records and sends the original to the Vice Provost for UH Global.

#### **V. Foreign Language Documents and Translations of Legal Documents**

UH conducts its legal business in English. Foreign language documents or translations of agreements are considered as supplementary documents to assist in facilitating comprehension of the legal documents or contracts in English, but wording in those foreign language documents and the English language version of such documents must explicitly state that the English language version will prevail.

The Office of the General Counsel does not approve foreign language documents and does not consider a foreign language translation of a document to be a binding legal document.

Foreign language documents or translations of agreements may be signed as a formality by both parties on the basis of “good will” but there exists personal individual liability for those affixing their signature to a non-university approved foreign language document.

Signatures should only be applied to a foreign language document or translation if a UH faculty, administrator, or staff has translated it and can certify in writing that it is a verbatim translation of the English language version. Such certification should be kept in the records with the agreement.

Deans of the colleges, schools, or centers supporting an agreement should only sign a foreign language document or translation of a legal document if they are confident that the language proficiency of the faculty, administrator, or staff member who translated the document is adequate to verify a verbatim translation and that the faculty, administrator, or staff member has been listed as the official translator for the specified document.

Prior to initiating the facilitation of foreign language documents, the foreign institution must be notified that the English language documents will govern the operations. If a foreign institution requires a signed-legal foreign language copy to conduct business with UH, the Office of General Counsel may:

- Reassess the involvement of UH with such institution;
- Construct a university supported foreign language document/translation, which will be done at the discretion of the Senior Vice President for Academic Affairs and Provost, Associate VC/VP of General Counsel, and/or the Vice Provost of UH Global;
- Draft the documents with the appropriate wording and language;
- Appoint a faculty, administrator, or staff member to provide an accurate and verbatim translation;
- Decide who has the authority to sign the official copies of a binding foreign language document or translation of a legal document.

## **VI. Required Formal Signatures**

Agreements seeking international institutional affiliations must bear all required signatures. The individuals authorized to sign them:

- Dr. Paula Myrick Short, Senior Vice President for Academic Affairs and Provost;
- Dr. Jaime Ortiz, Vice Provost for UH Global;
- Dean of the College/School/Center hosting the agreement; and
- Those designated by the foreign institution in advance of the document creation such as but not limited to their Chancellor, President, Rector, or others as determined acceptable by the VP for UH Global

## **VII. Timelines**

The routing of documents through the aforementioned process is time consuming. In order to ensure that documents are prepared prior to a formal signing, campus visit, or signing trip, it is advised that a minimum of four weeks be allowed between finalizing the draft copies and receipt of the final documents. Not having the appropriate documents available for a formal signing, campus visit, or signing trip can seriously tarnish the reputation of UH and in any event review and execution of such documents should not take place on a rushed basis. It is recommended that the following be considered:

- Each document (even those considered to be extensions of current agreements) requires careful attention to certain specific wording stated in initial letters of intent and other preliminary documents;
- Documents submitted last minute will not be signed until a written approval has been issued;
- Documents that do not require a formal signing or formal inked copies to be fully executed could be routed electronically or using a postal service.

## **VIII. Clearinghouse**

UH Global maintains a database of all extant agreements. It will periodically follow up with the designated UH liaison about the progresses being made to evaluate the need for continuing or terminating an agreement. It will also send a reminder to the college, center, department, or unit, and the designated UH liaison for each agreement about six months before its expiration.

Any official documents received by the colleges, schools, centers, or departments from foreign institutions prior to expiration should be forwarded to the Vice Provost of UH Global for review before decisions about renewal or termination are made.