

Cal Poly Pomona International Agreement Proposal and Approval Process

To promote international cooperation in teaching, research, and student and faculty mobility, CPP has partnerships with many universities, government agencies, and other organizations operating outside the United States.

This procedure is designed for faculty members interested in embarking on a collaboration with an international university partner, but which do not involve the commitment of university resources or binding contract provisions for purposes of protecting or utilizing intellectual property. Please refer to the Frequently Asked Questions portion of this document for more detailed information regarding the appropriate offices to address different types of international agreements.

The International Center intends for this procedure to simplify the process and decrease the time involved for faculty sponsors of proposed international partnerships to go from concept to completion. The proposal form collects all the information needed for the International Center to process such an agreement, and this procedure provides a step by step process for interested faculty. By transferring the burdens of ensuring (a) that all relevant campus offices have been consulted, and (b) that the language of the agreement is acceptable to the campus to the International Center and CSU Chancellors Office, and by having a single processing unit for international agreements of collaboration, the campus' process for entering into such agreements becomes much more user-friendly for faculty and more systematic and efficient for campus administration.

If you have any questions or are uncertain about the following procedures, please contact Matthew Walters, Director of the International Center for assistance.

International Agreement Proposal Form and Approval

Follow this process when initiating new agreements to ensure appropriate support for the planned activity.

STEP 1

- Contact the International Center at mwalters@cpp.edu to determine if there are already existing agreements with the proposed international partner(s).
- Discuss the initiative with your Department Chair, and Dean to learn about any applicable internal department, college, and/or school policies for international collaborations and confirm departmental/college/school support for the initiative.

STEP 2

- Submit the draft agreement proposal form to International Center at mwalters@cpp.edu using the [International Agreement Proposal Form](#).
- Include as attachments any information that will be helpful to the IA reviewer, such as draft agreements or documents provided to you by the proposed international partner. Please note that we require the use of the CPP agreement templates only. Using alternate formats will significantly increase the amount of time required to conclude the agreement. For copies of CPP templates, please contact the International Center at international@cpp.edu.
- Incomplete agreement proposals will be returned to the agreement sponsor for completion. The International Center will respond within 10 business days. Some forms of agreements have additional requirements and may require input from various campus stakeholders as part of the approval process. In these cases, the International Center will provide additional instructions to the agreement sponsor.

STEP 3

- The International Center reviews the draft agreement, coordinates agreement content with relevant stakeholders (if necessary), and returns a draft agreement to the CPP agreement sponsor using a CPP agreement template approved by the Office of the General Counsel.
- The CPP agreement sponsor may now share the draft agreement with the collaborating institution, which may propose edits. If the proposed edits are not acceptable a negotiation of the relevant terms will occur.
- Changes to the CPP agreement templates should be clearly marked in the draft agreement and must be approved by the International Center, in coordination with Office of the General Counsel as needed, **before signing**.
- It is required that English be the controlling language for all International Agreements.

STEP 4

- Following approval of the draft (by OGC and the International Center), the International Center prepares two original copies of the agreement for institutional authorities named in the agreement to sign. *(Scanned copies of the original agreement in PDF may be considered originals so long as all signatures appear on a single document.)*
- One copy of the fully executed agreement remains with the partner institution; one copy is retained by the International Center for its records.

STEP 5

- The International Center will upload a scanned copy of the fully executed agreement to the CSU Chancellor's Office Share Point system, and to CPP's central agreements database.

Types of International Agreements Subject to this Procedure

Memorandums of Understanding

MOUs are signed on behalf of the campus and are often ceremonial in nature. At CPP, the President has delegated authority to enter into an MOU.

MOUs are general statements of mutual interest to explore opportunities for collaboration. The CPP MOU template agreement is explicitly non-binding, meaning that it does not commit university funds, staff, facilities, or other resources.

On this campus, MOUs can be at the university, college, department, center, or unit level and the international partner and most often set forth general plans for collaboration. The International Center will determine the appropriate institutional authority to sign the MOU based on the content and the scope of the intended activity.

Whether an MOU is needed or desired is a decision that should be made in consultation with the International Center, as indicated in Step 1 of the Procedure.

Other Legally-Binding Agreements

There is a limited set of legally binding international agreements that are subject to this procedure. A binding agreement is appropriate whenever either CPP or the international partner is required to undertake specific and identifiable activities, or to expend resources, in support of the partnership. Whereas international agreements involving the expenditure of funds by either party would need to be submitted to Contract Services, where the agreement commits the university to provide other types of resources, such as specific amounts of faculty or staff time, or facilities, the agreement should be processed by the International Center according to this procedure.

Once again, the International Center will determine the appropriate institutional authority to sign the Contractual Agreement based on the content of the agreement and the scope of the intended activity.

Types of MOUs/Agreements

- **Memorandum of Understanding**
 - Explained above
- **Articulation Agreement**
 - This Agreement sets forth the terms and conditions to collaborate to provide a quality education to students with an overseas university and assist them to successfully matriculate to CPP through a "1+3 or 3+1 Program."
- **Exchange Agreement**
 - This Agreement sets forth the terms and conditions to establish a bilateral exchange program with an overseas university. Typically, exchange refers to a "one-for-one exchange"
- **Study Abroad Agreement**
 - This Agreement sets forth the terms and conditions to establish a study abroad program allowing students from a partner institution to attend either institutions as Visiting Student (non-degree seeking) who registers and pays the normal tuition fees to their Home Institution when attending the Host Institution.

FAQs

Why must this approval process be followed?

International agreements can be complex and often require multiple stakeholders to provide necessary expertise and input. International Center will triage the agreements and route the agreements to the necessary stakeholders for their input. Additionally, input from the Office of the General Counsel, and International Center is required for all international agreements provided to the President for signature.

How long will the agreement negotiation and approval process take?

The time required to conclude an agreement depends on its complexity, whether or not CPP templates are used, and the number and significance of changes proposed by the partner institution. In general, the average turnaround time for agreements is:

- When CPP templates are used with minimal changes to terms: 2 - 4 months
- When CPP templates are used with significant changes proposed: 4 - 12 months

What if the collaborating institution wants to use its template instead of the CPP template?

The CSU Chancellor's Office and Office of General Counsel requires use of its templates for all international agreements. Proposed MOUs and Agreements using CPP templates, may or may not be acceptable without significant revision. All proposals must be closely reviewed, commented on, and approved by the Office of the General Counsel and other campus stakeholders. This can result in significant delays.

Can an MOU be binding?

Yes. Although the CPP MOU template is explicitly non-binding, other MOUs can and often do include binding language which might unknowingly obligate CPP and lead to unintended consequences. For this reason, it is imperative that all MOUs receive OGC approval prior to signing.

Who is eligible to submit a partnership agreement proposal to the International Center through this process?

Agreement proposals can be submitted by any CPP faculty, departmental administrator, or Center/Institute Director, with the support of their Chair, and Dean.

How long are agreements valid?

Agreements are valid for up to 5 years. Each agreement must explicitly state how long it is intended to last.

What is the process for renewing or terminating a partnership?

To renew a partnership, complete the agreement proposal form and submit to the International Center. The renewal proposal process is the same as that for new agreements. If the partnership has worked well and the terms of the original agreement remain current with limited or no revisions required, the time-line for approval is fairly short.

Each agreement has a termination clause which specifies the process and notification requirements for termination. If there is a decision to terminate an active agreement prior to its natural expiration, contact the Director of the International Center for guidance at mwalters@cpp.edu.

What if there is a dispute about the terms of agreement?

If there is a dispute about the terms agreement or a breach of contract, contact the Director of the International Center to discuss options for recourse. The Director will determine with the Office of General Counsel the appropriate steps.