

UNT'S GUIDE TO ESTABLISHING AGREEMENTS/CONTRACTS WITH INTERNATIONAL OBJECTIVES

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I. Overview of Agreements/Contracts

a. Basic Definition of Agreements/Contracts

A contract is any form of agreement between two or more parties who intend to be legally bound. At a basic level, the terms of the contract state the parties' agreement, setting forth what the parties have agreed to exchange. Goods or services will often be purchased for payment of money. Educational institutions enter into a number of additional types of contracts, such as internship and affiliation agreements, in which money may not be paid, but in which different institutions exchange obligations. (Reference: [UNT System Contract Management Handbook](#))

b. Contracting Parties

Contracting parties may be an individual, business, organization, government agency, university, or any other legal entity. The UNT System is an agency of the State of Texas, and can enter into contracts, as can UNT, UNTHSC, and UNTD. Campus colleges, departments, divisions, centers, and institutes cannot be party to a contract, as they are not individual legal entities. Instead, the System, UNT, UNTHSC, or UNTD must enter into contracts on behalf of their respective departments. (Reference: [UNT System Contract Management Handbook](#))

c. Need for Agreements/Contracts

There are several collaborative activities involving international activities that do not require an agreement/contract. For UNT's purposes, an agreement/contract is required when the collaborative activities involve issues, such as: (a) THECB requirements, (b) SACSCOC requirements, (c) UNT policy and procedures, (d) state and/or federal regulations, (e) immigration regulations, (f) IP and/or export control laws, (g) tax implications, (h) financial/resource exchanges, (i) UNT study abroad programs in which UNT students earn credit at an institution abroad and transfer the credit to the UNT degree, (j) collaborative academic programs, and/or (k) other issues.

d. Types of Agreements/Contracts

There are standard agreements/contracts that UNT enters into with institutions. Many of these agreements/contracts are in a template approved by the UNT System Office of General Counsel. The types of agreements/contracts are included below.

- 1. Letter of Intent:** A Letter of Intent (LOI) is a statement indicating UNT's intent to explore areas of potential collaboration with the other institution over a short period of time. LOIs signal both institutions' commitment to exploring opportunities for potential collaborative activities that may be set forth in a separate agreement. LOIs are appropriate when UNT is first establishing a relationship with the other institution and/or in the early stages of exploring potential areas of collaboration.
- 2. Memorandum of Agreement:** A Memorandum of Agreement (MOA) is a general agreement between UNT and the other institution that provides a framework for collaboration. MOAs identify areas of potential collaborative activities. Specific collaborative activities may be set forth in a separate agreement. MOAs are appropriate once a relationship is established with the other institution and the institutions are developing collaborative activities. Memorandum of Understanding,

Cooperative Agreement, and other terms are sometimes used in reference to a general agreement.

3. **Collaborative Academic Agreement:** A Collaborative Academic Agreement is an agreement between UNT and another institution that enables students to pursue a degree at UNT. A Collaborative Academic Agreement is subject to UNT policy and procedures as well as THECB and SACSCOC requirements.
 - **Undergraduate Transfer/Articulation Agreement:** An Undergraduate Transfer/Articulation Agreement (e.g. 1+3, 2+2, etc.) enables international students to transfer to UNT as undergraduate degree seeking students. UNT policy along with THECB and SACSCOC requirements determine the courses and number of academic credit hours that may transfer into the UNT degree plan. Students who successfully complete UNT's degree program requirements will receive a UNT bachelor's degree conferred by UNT.
 - **Graduate Transfer/Articulation Agreement:** A Graduate Transfer/Articulation Agreement (1+1) enables students to transfer to UNT as master-level degree seeking students. UNT policy along with THECB and SACSCOC requirements determine the courses and number of academic credit hours that may transfer into the UNT degree plan. Students who successfully complete UNT's degree program requirements will receive a UNT master's degree conferred by UNT.
 - **Grad Track (3+2) Agreement:** A Grad Track (3+2) Agreement enables students to complete an accelerated master's degree program at UNT. Students receive a bachelor's degree conferred by the institution abroad and a UNT master's degree conferred by UNT.
 - **Dual/Joint Degree Agreement:** Dual/Joint Degrees are complex agreements and subject to the SACSCOC Agreements Involving Joint and Dual Academic Awards policy as well as UNT policy and procedure.
4. **Reciprocal Student Exchange Agreement (Study Abroad):** A Reciprocal Student Exchange Agreement is an agreement between UNT and an institution abroad to establish a student exchange program. UNT students enroll and earn academic credit at the institution abroad, transfer the academic credit hours to the UNT degree, and pay UNT tuition and fees while students from the other institution enroll and earn academic credit at UNT, transfer the UNT academic credit hours to their institution's degree, and pay their institution's tuition and fees. Reciprocal Student Exchange Agreements are subject to approval by the UNT Study Abroad Office, subject to SACSCOC and THECB policies, and require completion of the UNT's Course Articulation Site Evaluation forms.
5. **One-way/Affiliate Agreement:** A One-way/Affiliate Agreement allows UNT students to direct enroll at an institution abroad where they earn academic credit and transfer the academic credit hours to the UNT degree. UNT students are charged and pay the institution's tuition and fees. One-way/Affiliate Agreements are subject to approval by the UNT Study Abroad Office, subject to SACSCOC and THECB policies, and require, if requested, completion of UNT's Course Articulation and Site Evaluation forms.
6. **Other:** UNT can develop agreements/contracts to align with different collaborative activities and programs that have been approved by UNT.

II. Agreement/Contract Process

a. Overview of the Process

The process to establish an agreement/contract involves several phases.

Phase I: Planning and Proposal Development

- **Pre-Agreement/Contract Planning:** UNT Sponsors should utilize the benchmark questions noted above, develop the anticipated measurable outcomes, and identify any compliance issues. The UNT Sponsor should also seek initial approval from the sponsoring UNT Sponsor's College and Department before beginning discussions with the partner.
- **UNT International Agreement Proposal Form:** The UNT Sponsor will complete and submit the signed UNT International Agreement Proposal Form.
 - **NOTE:** UNT Sponsors requesting a **Collaborative Academic Agreement** must first meet with UNT International prior to routing the UNT International Agreement Proposal Form for approval signatures. To schedule a meeting with UNT International, the UNT Sponsor should email the UNT International Agreement Proposal Form to Amanda.White@unt.edu.
- **Proposal Review and Approval:** UNT International will review the proposal. UNT International may request a meeting and/or additional information from the UNT Sponsor. Depending on the type of collaborative activity, UNT International may seek feedback from UNT stakeholders as part of the approval process.

Phase II: Developing the Agreement/Contract

- **Drafting the Agreement/Contract:** UNT International will use an existing agreement/contract template that has been approved by the UNT System Office of General Counsel, modify an existing template to address the specific collaborative activities, or develop a new agreement/contract based on the specific collaborative activities. While UNT will review and modify an institution's agreement/contract, it is UNT's preference to use UNT templates.
- **UNT Feedback:** UNT International will share the draft agreement with the UNT Sponsor and UNT Sponsor's College and Department for review and feedback.
- **Institution's Review and Approval:** UNT International will email the institution the draft agreement/contract for their review and approval. The institution may request amendments to the agreement/contract. UNT International will work with the institution to negotiate the agreement/contract and seek the institution's approval.
- **UNT System Office of General Counsel's Review and Approval:** UNT International will provide the UNT System Office of General Counsel with the agreement/contract for their review and approval. There may be an iterative process between both institutions in terms of approving the agreement/contract. UNT International oversees the process for seeking approval from the institution and the UNT System Office of General Counsel. The UNT System Office of General Counsel is not required to review and approve agreements/contracts that are in a UNT approved template, as long as no changes are made to the template.

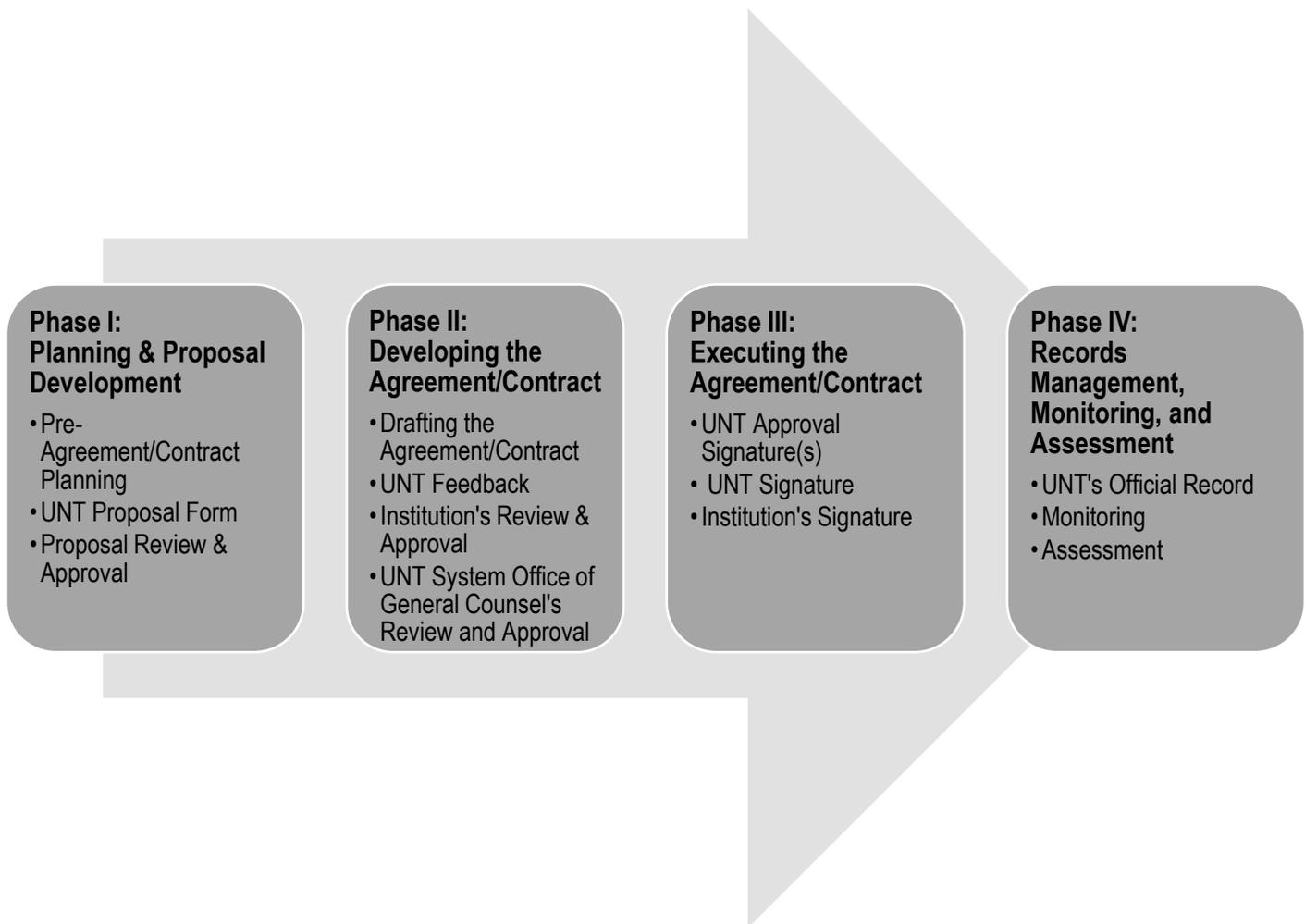
Phase III: Executing the Agreement/Contract

- **UNT Approval Signature(s):** UNT International will route copies of the agreement/contract to the UNT Sponsoring College for the College Dean's approval signature. If necessary, the agreement/contract will be routed to other UNT academic units/offices (e.g. Study Abroad Office for a program involving study abroad). Generally, two (2) copies of the agreement/contract are routed for signature. In some instances, additional copies may be routed per the request of the institution or needs of the program.
- **UNT Signature:** UNT International will route the agreement/contract to the UNT Provost for signature. The UNT President and UNT Provost and Vice President for Academic Affairs have delegated authority to sign agreements/contracts involving international objectives. UNT administrators, faculty, staff, and students do not have delegated authority and cannot sign an agreement/contract on behalf of UNT.
- **Institution's Signature:** UNT International will email a PDF copy or mail original copies of the agreement/contract to the institution for their signature. Once signed, the institution emails UNT International a PDF copy or mails UNT's official paper copy of the agreement/contract to the attention of UNT International.

Phase IV: Records Management, Monitoring, and Assessment

- **UNT's Official Record:** UNT International is responsible for maintaining UNT's official record of the agreement/contract. UNT International provides a PDF version of the agreement/contract to the UNT Sponsor and UNT Sponsor's College and Department. UNT maintains an electronic copy in the UNT database (Perceptive Content) for agreements/contracts involving international objectives and files the paper copy.
- **Monitoring:** The UNT Sponsor is responsible for maintaining the institutional relationship with the institution and monitoring the outcomes from the collaborative activities.
- **Assessment:** UNT International will request assessments from the UNT Sponsor about the status of the collaborative activities and outcomes.

b. Workflow of the Process



c. Timeline

The timeline varies by agreement/contract type and by each institution due to the institution's internal processes and requirements. An estimated timeline includes:

- Letter of Intent: one (1) month
- Memorandum of Agreement: one (1) to three (3) months
- Other types of agreements: minimum three (3) months

III. Pre-Agreement/Contract Planning

a. Benchmark Questions

There are several issues that should be considered prior to UNT discussing collaborations with the institution.

1. Reputation and Ranking

Accreditation: Is the institution accredited? If yes, which entities accredit the institution?

- **Ranking:** Is the institution globally ranked (e.g. U.S. News & World Report Best Global Universities Rankings, QS World University Rankings, Times Higher Education World University Rankings, etc.) or regionally/nationally ranked (e.g. U.S. News & World Report Country Ranking, QS Regional University Rankings, Times Higher Education Regional Rankings, etc.)?
- **Reputation:** Is the institution ranked within its home country and/or have a good reputation within its home country or globally?
What existing collaborative activities does the institution have with U.S. universities or other universities around the world and which universities?
- **Overall Fit:** How will the institution elevate UNT's global ranking and reputation?

2. Research and/or Academics

- **Program Value:** How do the institution's academic and/or research programs complement and add value to UNT's academic and/or research programs?
- **Faculty and/or Student Experience:** How do the collaborative activities with the institution enhance the academic and/or research experience of UNT faculty and/or students?
- **Program Alignment:** What is the current level of UNT faculty and/or student interest in the collaborative activities with the institution? Is the level of interest sufficient to sustain the collaborative activities?
- **Overall Fit:** How will the collaborative activities with the institution advance UNT's academic and/or research programs, contribute to faculty excellence, and provide students with global competencies to excel in their academic and professional careers?

3. Revenue and/or Return-on-Investment

- **Revenue:** How do the collaborative activities with the institution lead to increased revenue for UNT?
- **Return-on-Investment:** What is the expected Return-on-Investment to UNT for collaborating with this institution?
- **Sustainability:** How will UNT sustain the collaborative activities over the duration of the agreement/contract?
What is UNT's plan for expanding the collaborative activities with the institution?
What are the mutual benefits for UNT and for the institution?
- **Overall Fit:** How will the collaborative activities with the institution contribute to revenue and/or a Return-on-Investment and ensure sustainability?

b. Anticipated Measurable Outcomes

UNT should identify expected outcomes from the collaborative activities prior to discussing collaborations with the institution. During discussions with the institution about collaborative activities, UNT and the institution should develop a list of anticipated measurable outcomes that will result from the agreement/contract. The outcomes should be measurable and allow for annual assessment. A plan for ensuring that the measurable outcomes are reached should also be developed.

For example, a Collaborative Academic Agreement for a transfer program should identify the expected number of students who will transfer to UNT each year as well as identify the marketing and recruitment plan and the responsibilities of both UNT and the institution in marketing the program and recruiting students for the program.

c. Compliance Issues

When developing collaborative activities with another institution, UNT should consider any types of compliance issues, such as: (a) THECB requirements, (b) SACSCOC requirements, (c) UNT policy and procedures, (d) state and/or federal regulations, (e) immigration regulations, (f) IP and/or export control laws, (g) tax implications, and/or (h) other issues.

UNT International works with the UNT Sponsor and appropriate UNT stakeholders to review potential compliance issues prior to UNT entering into agreement/contract negotiations with the institution.

IV. Approvals, Signature Authority, and Contract Language

a. Approvals

The institution must review and approve the agreement/contract per the institution's standard operating procedures. The UNT System Office of General Counsel must review and approve the agreement/contract prior to either party signing the agreement/contract. Any changes to approved UNT templates for agreements/contracts must be reviewed and approved by the UNT System Office of General Counsel.

b. Signature Authority

The UNT President and UNT Provost and Vice President for Academic Affairs have delegated authority to sign agreements/contracts involving international objectives. UNT administrators, faculty, and staff do not have delegated authority and cannot sign an agreement/contract on behalf of UNT.

The signature authority varies by institution to institution. It is the responsibility of the institution to identify the person who has authority to sign the agreement/contract on behalf of the institution.

c. Contract Language

UNT's preference is to execute agreements/contracts in English-only. In the event that the institution requires a non-English version of the agreement, then UNT will accept the following:

- Signed version of the agreement/contract with the contract language in English and an unsigned non-controlling translation of the agreement/contract;
- Signed version of the agreement/contract with the contract language in English and non-English that states that the English version of the agreement/contract is the controlling version;
- Signed version of the agreement/contract with the contract language in both English and non-English. The non-English version must include a certified translation. The UNT college/department sponsoring the collaboration is responsible for covering the costs for the certified translation. UNT International submits the agreement/contract to an outside company that provides a certified translation.

V. Responsibilities of the UNT Sponsor

a. **UNT Liaison with the Institution**

The UNT Sponsor serves as a liaison between UNT and the institution in terms of developing and managing the collaborative activities.

UNT International serves as a liaison between UNT and the institution in terms of establishing the agreement/contract.

b. **UNT International Agreement Proposal Form**

The UNT Sponsor is responsible for completing the UNT International Agreement Proposal Form, obtaining requisite approval signatures, and submitting the form to UNT International.

The UNT Sponsor may be asked to submit additional information to complement the form and/or to assist with UNT's review of the collaborative activities and development of the program and agreement/contract.

c. **Reporting and Assessment**

The UNT Sponsor is responsible for managing the collaborative activities with the institution and assessing the status of the agreement/contract in terms of the anticipated measurable outcomes. The UNT Sponsor may be required to submit an annual assessment, an assessment when the agreement/contract hits its term limits, and/or additional information related to UNT Accreditation and other reporting requirements.

UNT International will contact the UNT Sponsor to request assessments and/or additional information.

VI. Responsibilities of UNT International

a. **Manages the agreement/contract process**

UNT International manages UNT's process for establishing agreements/contracts with international objectives. As such, UNT International consults with the UNT Sponsor and Sponsoring UNT College and Department on the collaborative activities and appropriate program model; drafts the agreement/contract; negotiates the terms of the agreement/contract with the institution; ensures UNT System Office of General Counsel review and approval of the agreement/contract; routes the agreement/contract for signature at UNT; mails copies of the agreement/contract to the institution for signature; and maintains UNT's official record of the agreement/contract.

b. **Consults on the development of collaborative activities**

UNT International consults with the UNT Sponsor and UNT Sponsor's College and Department on the collaborative activities, appropriate program models, and the development of agreements/contracts. When necessary, UNT International collaborates with appropriate UNT stakeholders to discuss specific collaborative activities and program models and to address compliance-related issues.

c. **Collaborates with the institution**

UNT International serves as the main UNT contact with the institution during the agreement/contract process, including negotiations, approvals, and signatures. UNT International clarifies questions about the agreement/contract clauses and ensures both parties approve the terms of the agreement/contract prior to signature.

VII. Contact Information

Inquiries about UNT's agreements/contracts involving international objectives or UNT's process for establishing agreements/contracts involving international objectives may be directed to:

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