

Academic Agreement Process Manual

Prepared by the Office of Academic Affairs
Eastern Kentucky University

This Academic Agreement Process Manual provides the process at Eastern Kentucky University for writing, approving, and implementing Memorandum of Agreements or other academic Agreements.

Effective August 1, 2014

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Eastern Kentucky University is an Equal Opportunity/Affirmative Action employer and educational institution and does not discriminate on the basis of age (40 and over), race, color, religion, sex, sexual orientation, disability, national origin, veteran status, or genetic information in the admission to, or participation in, any educational program or activity (e.g., athletics, academics and housing) which it conducts, or in any employment policy or practice.

Any complaint arising by reason of alleged discrimination should be directed to the Equal Opportunity Office, Eastern Kentucky University, Jones Building, Room 106, Coates CPO 37A, Richmond, Kentucky 40475-3102, (859) 622-8020, or the Assistant Secretary for Civil Rights, U.S. Department of Education, Office for Civil Rights, Lyndon Baines Johnson Department of Education Building, 400 Maryland Avenue, SW, Washington, DC. 20202 1-800-421-3481(V), 1-800-877-8339(TDD)

I. Purpose

- All academic Agreements (including Institutional, Transfer, Articulation, Collaborative, Consortial, or Joint Curricular Arrangements) must be reviewed by the Office of the Executive Assistant to the Provost and all academic Agreements initiated by Eastern Kentucky University must have a written Agreement using the approved format(s) that is reviewed and approved through the appropriate university channels outlined in this document.
- Only the President, the Senior Vice President for Academics and Provost, or their designees may execute Agreements covered by this procedure.
- This Academic Agreement Process Manual primarily defines/outlines the process to be used for drafting, approving, and implementing Agreements between Eastern Kentucky University and any Partner Organization or Entity, particularly Agreements leading to the awarding of academic credit by or with Eastern Kentucky University.

II. Criteria for Selecting/Approving Agreement Partners

Initially, Eastern Kentucky University will use these criteria to determine whether or not to enter into an Agreement with another Organization (not all will be applicable at once):

- Financial resources available at Eastern Kentucky University
- Faculty/staff availability at Eastern Kentucky University
- SACSCOC (Southern Association of Colleges and Schools Commission on Colleges) accreditation
- Student interest within both Organizations
- Financial advantage to Eastern Kentucky University or its students
- English language proficiency of partner students and/or faculty

III. Procedures

The following procedures shall be followed for all academic agreements except clinical site agreements and internship agreements for individual students. When in doubt, contact the Office of the Executive Assistant to the Provost. Academic Agreements should be sent to the Office of the Executive Assistant to the Provost prior to being sent to University Counsel.

Drafting Phase

The Agreement will be drafted and developed based on the following guidelines.

- Eastern Kentucky University's Academic Agreement Process Manual
- Eastern Kentucky University's Agreement format(s)*
- SACSCOC Policy for Agreements Involving Joint and Dual Academic Awards, when applicable
- EKU policies

*The Office of the Executive Assistant to the Provost will accept similar Agreement formats providing that all pertinent information is also included, but the Office may deem it appropriate to make formatting revisions.

Creating a Draft Agreement

1. An initial draft of an Agreement may be created by the originating unit in EKU or in collaboration with the Office of the Executive Assistant to the Provost.
2. All draft agreements must be sent to the Executive Assistant to the Provost for review.

3. Depending on the content of the Agreement, the draft may need to be reviewed by the following units or entities:
 - Admissions
 - Financial Aid
 - Financial Affairs
 - Graduate School
 - Institutional/External Partner
 - International Education
 - Registrar
 - University Counsel
4. Once a draft is finalized, a final draft of the Agreement will be prepared by the Office of the Executive Assistant to the Provost.
5. Agreements originating from a potential Partner will be reviewed by the Office of the Executive Assistant to the Provost and may need to be reviewed by other EKU units prior to approval.

Approval Phase

Prior to signatures, Agreements resulting in the awarding of academic credit by EKU may require approval by the Council on Academic Affairs and the Faculty Senate.

The Office of the Executive Assistant to the Provost will facilitate the signing of the Agreement. The only persons authorized to sign an academic agreement on behalf of the University are the President, the Provost, or their designees. The University Counsel may sign an Agreement if needed to indicate that the Counsel has reviewed the Agreement. Other signatures may be added as deemed necessary.

Two copies of the Agreement will be sent to the Agreement Partner(s) involved in the Agreement. One copy will be signed by the Agreement Partner(s) and returned to the Office of the Executive Assistant to the Provost to be distributed as such:

- The original signed copy will remain in the Provost's office
- Copies will be sent to the appropriate departments, colleges, and any other pertinent office/party

If, after final Agreement approval, the Partner Institution desires changes to the Agreement, the Agreement may undergo an expedited review instead of passing through the entire Agreement process. All requests for minor changes must first be sent to the Office of the Executive Assistant to the Provost.

Management Phase

Once a fully executed (signed by all parties) Agreement is received, the Office of the Executive Assistant to the Provost will facilitate management of the Agreement. Management of the Agreement includes, but is not limited to, monitoring review dates, facilitating renewal or renegotiation, and facilitating termination.

If an Agreement stipulates that the Agreement be **reviewed periodically**, the University must make every effort to ensure that review takes place. It is recommended that review periods be no less than three years and no more than five years.

Renegotiation of an Agreement may occur if changes occur in the University's mission, in affected academic programs, in federal or state regulations, in policies or requirements of the accrediting bodies for the Institution, or in circumstances within the Agreement Partner's organization.

If no changes are needed at the time of **renewal**, a new signature page with updated signatures must be attached to the existing Agreement.

Either Eastern Kentucky University or the Agreement Partner may **terminate** the Agreement with adequate notice. An Agreement may be terminated for any number of reasons, particularly if changes in any of the conditions for Renewal and Renegotiation of the Agreement make it impossible to continue. After an Agreement is terminated, the Affected Students Agreement will begin operating if the Agreement involves students seeking academic credit.

IV. General Principles When Developing Academic Agreements

It is the responsibility of ECU employees to ensure that an agreement is in the best interest of students and the University and that the University is following best practices. The following principles should be used when developing academic agreements.

1. Agreements should align with the mission/goals of the Department, the College, and the University.
2. Agreements must comply with SACSCOC policy as well as ECU policies. Relevant ECU policies may include, but are not limited to:
 - a. Policy 4.2.1, Credit for Non-Collegiate Instruction
 - b. Policy 4.6.1, Determining Qualifications for Faculty Teaching Credit-Bearing Courses
 - c. Policy 4.4.2, Intellectual Property
 - d. Policies 4.4.3 – 4.4.10 (externally sponsored projects)
 - e. Policy 4.7.3, Faculty Workload
3. Agreements must comply with the requirements of federal and state laws.
4. Agreements should use best practices in higher education.
5. The use of University resources (personnel, facilities, money, etc.) should be considered carefully to ensure that the University is not overextending its commitments.
6. Funds generated through Agreements must be handled through the processes established by the University.
7. Special conditions—such as a different tuition model, changes to admissions policies, etc.—must be approved by the appropriate University responsible authority.

V. Expired or Terminated Agreements

Expired Agreements or Terminated Agreements and all of their supporting documents will be kept in the Office of Academic Affairs, in compliance with record retention policy.

VI. Non-Adherence to Agreement Procedure

This section describes the consequences of not complying with the Agreement procedure outlined in this manual. These consequences may range from mild to severe and from internal to external.

- An Agreement signed without following Eastern Kentucky University's Agreement procedure may result in Termination of the Agreement.
- Any missing signatures on the final copy of the Agreement, housed in the Office of Executive Assistant to the Provost, will result in the Agreement being deemed incomplete and not in effect.
- If the office responsible for implementing the Agreement (designated by the President upon final approval) does not abide by the dates of Renewal/Renegotiation stated in the Agreement (or review within a maximum of 5 years), the Provosts and /or the President will determine appropriate action, including, but not limited to, termination of the Agreement.

Appendix A: Academic Agreement Flowchart

Drafting Phase

Academic Affairs facilitates the initial drafting and determines which offices need to review the draft. Offices may include:

- Admissions
- Council on Academic Affairs
- Financial Aid
- Financial Affairs
- Graduate School
- International Education
- Registrar
- University Counsel

When a satisfactory draft is ready, the draft may be sent to the agreement partner for additional input. If additional input is given, the Office of the Executive Assistant to the Provost must review the Agreement again before it is ready for signatures.

Approval Phase

Academic Affairs will facilitate the signing of the Agreement. The only persons authorized to sign an academic agreement on behalf of the University are the President, the Provost, or their designees. The University Counsel may sign an Agreement, if needed, to indicate that the Counsel has reviewed the Agreement.

Other signatures may be added as deemed necessary.

Management Phase

Once a fully executed (signed by all parties) Agreement is received, the Office of the Executive Assistant to the Provost will facilitate management of the Agreement. Management of the Agreement includes, but is not limited to, monitoring review dates, facilitating renewal or renegotiation, and facilitating termination.

Appendix B: Definitions

- *2 + 2 Agreement* – an Agreement by which one Institution provides all instruction for the first two years of a program (which may or may not result in a degree), and a second Institution provides instruction for the remaining two years of a program.
- *Academic Agreement* – an Agreement that involves faculty, academic staff, an Academic Affairs unit, and/or the awarding of Academic credit.
- *Academic Credit* – any credit that appears on a student’s transcript. This credit may not necessarily be applied toward a degree.
- *Affected Students Agreement* – a stipulation in an Agreement on how to accommodate students affected by the termination of an Agreement.
- *Agreement Partner* – any Organization involved in an Agreement with Eastern Kentucky University.
- *Articulation Agreement* – an Agreement with another institution which lists the courses taught by each institution and how those courses transfer to the partner institution, including classroom hours, credit hours, course prefixes, and course names.
- *Collaborative Agreement* – an Agreement between organizations for the purposes of a venture which may or may not award Academic Credit. For example, a Collaborative Agreement could be student and faculty exchange, research, international programs, shared finance, etc.
- *Exchange Agreement* – any Agreement with an Agreement Partner outside of or within the United States for the exchange of faculty, students, and/or resources.
- *Institutional Agreement* – any Agreement between offices/programs at Eastern Kentucky University for any reason, including, but not limited to: financial agreements, committee agreements, joint faculty appointment agreements, and event agreements.
- *Joint Curricular Agreement* – an Agreement involving Academic Credit with another Institution that establishes guidelines for a program already existing at either Institution or that establishes guidelines for a new program utilizing both Institutions’ resources.
- *Memoranda of Agreement* – any existing or potential Agreement entered into between Eastern Kentucky University and an Agreement Partner that commits University resources.
- *Memoranda of Understanding* – a largely ceremonial Agreement used to establish a relationship with a potential Memoranda of Agreement partner.
- *Scholarship/Endowment Agreement* – an Agreement between Eastern Kentucky University and a program/individual that outlines the monetary values, conditions, and dates of a scholarship or endowment at Eastern Kentucky University.
- *Transfer Agreement* – an Agreement with another Institution which states the terms and conditions of student transfer between Institutions, particularly as it regards the transfer of credit.