



# **Davis Division Academic Senate**

## **Request for Consultation Responses**

### **UC Davis International Agreement Proposal and Approval Process**

**February 22, 2017**

A campus working group formed procedures for handling international affiliation agreements. They include issues of international cooperation, collaboration, and related activities, but not formal, sponsored research. The group had two important goals: to streamline the process for obtaining review and signature of the agreements, and to ensure that all campus business offices implicated by each unique agreement would have a timely opportunity for review. The working group consisted of those involved with international activities at both the Davis and Sacramento campuses, and included representatives from CAES' International Programs Office, the Academic Senate, the Office of Research, Risk Management, Real Estate, Business & Revenue Contracts, University Extension, Campus Counsel, and Global Affairs.

Global Affairs is now requesting a formal Academic Senate review of these procedures prior to implementation.

# **Academic Freedom & Responsibility**

**February 23, 2017 8:43 AM**

*Response continued on next page.*

February 22, 2017

**RFC: UC Davis International Agreement Proposal and Approval Process**

The committee on Academic Freedom and Responsibility (CAFR) has thoroughly discussed the UC Davis International Agreement Proposal and Approval Process. Even though CAFR approves of the proposal in terms of academic freedom, the committee would like to request clarification on exactly under what circumstances someone would need approval from the Global Affairs Office. An example or a narrative would be helpful in understanding when to process through Global Affairs as opposed to the Office of Research or the Sponsored Programs Office.

# **Faculty Welfare**

**February 22, 2017 10:14 AM**

*Response continued on next page.*

February 22, 2017

**RFC: UC Davis International Agreement Proposal and Approval Process**

The committee on Faculty Welfare reviewed the UC Davis International Agreement Proposal and Approval Process and has no comment at this time.

# **FEC: College of Agricultural and Environmental Sciences**

**March 1, 2017 8:47 AM**

*Response continued on next 2 pages.*

## Comments on UC Davis International Agreement Proposal and Approval Process

The C&ES Faculty Executive Committee (FEC) reviewed the draft UC Davis International Agreement Proposal and Agreement Process. The FEC in consultation with the CA&ES International Programs Office (IPO) and the college International Programs Committee submits its response. The FEC notes there are certainly benefits for UC Davis to formally document international activities through these various MOUs; however, the draft document could benefit from additional clarification to better define the different types of international collaborations and the paperwork and formal reporting processes that are being suggested. How will such documentation enhance support of these activities?

In the CA&ES, the IPO is currently filtering many of the agreement requests and works with CA&ES faculty and host institutions towards developing effective mobility/working agreements. In this way, CA&ES is pro-active, and prepares the agreement so it is ready for approval by Global Affairs. In the draft proposal and approval process, it appears all the front work will be done through Global Affairs, and IPO/CA&ES will be involved later.

### Page 1, Step 1

**“Discuss the initiative with your Department Chair, Dean, and international/global programs office to learn about any applicable internal departmental, college, and/or school policies for international collaborations and confirm departmental/college/school support for the initiative.**

- Is it necessary to discuss the initiative with a department chair, dean and international/global program officer when CA&ES has an international programs associate dean?

### Page 1, Step 2

**“Submit the draft agreement proposal form to Global Affairs (GA)...”**

- The CA&ES FEC suggests that a cc of the draft agreement proposal form be sent to the international programs office (such as in CA&ES).

### Page 2, Step 3

**“GA reviews the draft agreement...and returns a draft agreement to the UC Davis agreement sponsor using a UC Davis agreement template approved by the Office of the Campus Counsel.”**

- The CA&ES FEC suggests that the UC Davis agreement template should be approved by the International Programs Office, instead of the Office of the Campus Counsel.

## Page 2, Types of International Agreements

### **“Memorandums of Understanding (MOUs)”**

- Insert a sentence in this section that summarizes the basic types of agreements. Currently it appears that MOUs are the only types, and that AOCs and Contractual Agreements are types or subparts of MOUs. It is not clear if one can use one or the other or if everything falls through/under the “main MOUs.”

## Page 3, top paragraph

### **“Generally speaking, non-binding MOUs are signed on behalf of a college, school, department, center, or unit. The content of the MOU and the profile of its activity will assist in determining the level of delegated authority needed to sign an MOU.”**

- The CA&ES FEC suggests that the CA&ES Dean also be included for signature on non-binding MOUs of the college.

## Page 3,

### **“Agreements of Cooperation (AOC’s)”**

- This section under Agreement of Cooperation needs to be clarified. There needs to be distinction between the non-binding agreements (Agreement of Cooperation-AOC and Working Agreement-WA) and the binding agreements-Contracts). Clarify when an AOC is required; if needed for binding agreements only, then just state that. The wording in the section on nonbinding agreements should include the mobility agreements.

## Page 4, top paragraph:

### **“Additionally, input from the Office of the Campus Counsel, Office of Research, and Global Affairs is required for all international agreements provided to the Chancellor, or the Chancellor’s designee, for signature.”**

- This is not true. If templates are used, such as for AOC or Mobility agreements, there is no need for Campus Counsel.

## Page 4

### **“How long will the agreement negotiation and approval process take?”**

- The time for approval process, 5 months, referring to “Other templates are used or significant changes proposed: 6-20 weeks” is quite long when partners want to explore research programs together.

Page 4,

**Can a MOU be binding?**

**“The UC Davis MOU template is explicitly non-binding...”**

- This section is not clear on what constitutes a MOU. Is a contractual agreement a MOU? Those that are binding? The definition of MOU must be clarified.

Page 5, bulleted items

**“If any of the following appear in an agreement, it should be routed to the Office of Research or the Sponsored Programs Office (SPO), with a copy provided to GA for coordination purposes only:**

- **Intellectual Property ownership or licensing terms**
  - **Confidentiality terms which infers there is sharing of information, data, technology, business proprietary, human subjects or other sensitive data**
  - **Risk Management clauses, related to insurance, indemnification or warranties: This represents a liability and responsibility that the University may be taking on, which infers some type of activity or specific project is being carried out**
  - **Pricing or payment terms**
  - **Deliverables required, including technical reports**
  - **A specific scope of work is included**
  - **Publication limitations**
  - **Extramural funded research”**
- There should be clear guidance as to whom the agreements should be sent (referring to the agreements noted in the bulleted items). Perhaps insert generic contact emails for the referenced offices. Perhaps this routing may best be done by Global Affairs.

# **FEC: College of Letters and Science**

**February 7, 2017 12:05 PM**

The L & S FEC discussed the International Agreement Proposal and Approval Process on February 6, 2017. Members raised that it would be helpful for this document to include a more detailed definition of what constitutes an international agreement, including scope (e.g., Do all collaborations with international scholars count? Is this document just concerned with international agreements on an institutional level?), as well as to provide more clarity on whether faculty are required to go through Global Affairs for all international collaborations. Further questions included the following: (1) If all international collaborations are required to go through Global Affairs, what outreach/information channels will be used to make sure faculty are aware of this?; and (2) What about existing international collaborations, will they have to file as well with Global Affairs?

# **International Education**

**February 6, 2017 10:43 AM**

*Response continued on next page.*

UC DAVIS: ACADEMIC SENATE  
COMMITTEE ON INTERNATIONAL EDUCATION

February 6, 2017

**RFC: UC Davis International Agreement Proposal and Approval Process**

The committee on International Education approves of the UC Davis International Agreement Proposal and Approval Process.

# Research

**February 16, 2017 9:04 AM**

The Committee on Research has reviewed the proposed International Agreement Proposal and Approval Process. The committee recognizes the need to create a framework for international agreements, but we highly recommend that the introduction to the proposal make more clear which kinds of agreements this process will impact and explain the benefits of this new process to faculty and the university. It should also make more clear the impacts on faculty time and how the process will limit the reporting burden for faculty. The committee is wary of instituting a double reporting burden (to Global Affairs and SPO) and would like clarification on this aspect.