



THE GEORGE  
WASHINGTON  
UNIVERSITY  
WASHINGTON DC

**Responsible University Official:**  
Executive Vice President for  
Academic Affairs  
**Responsible Office:** Academic  
Affairs  
**Origination Date:** January 31, 2005

## APPROVAL OF ACADEMIC AGREEMENTS POLICY

### Policy Statement

Any academic department, center, office or other University entity that desires to enter into any written agreement with one or more entities or individuals outside the University (including those overseas) for academic purposes must first submit the agreement to the appropriate University official(s) for required review and approval. There are separate procedures for approval of academic agreements in the Medical Center, which can be obtained from the Office of the Provost and Vice President for Health Affairs.

### Reason for Policy/Purpose

The purpose of this policy is to inform faculty and staff of the required approval and signature process for entering into written academic agreements with outside entities on behalf of the University, and to prevent the imposition of legally binding duties and liabilities on the University as a result of unapproved agreements.

### Who Needs to Know This Policy

Faculty and staff

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Policy/Procedures

This policy on obtaining appropriate approvals for academic agreements (AA) describes the agreements subject to this policy and the approval process currently in effect when a University academic department, center, office or other University entity desires to enter any written agreement with one or more outside entities or individuals, including those overseas, for academic purposes. Procedures for approval of academic agreements in the Medical Center can be obtained from the Office of the Provost and Vice President for Health Affairs. Agreements between departments within the University are not covered under this policy. For such internal agreements, appropriate departmental procedures should be followed.

This policy addresses AAs at the point of final approval and signature. For assistance in the development of agreements, consult the appropriate Dean or Vice President’s office. For international AAs, consult the Office of International Programs.

Written agreements may be called by different names (e.g. Letter of Intent (LOI), Memorandum of Understanding (MOU), Memorandum of Agreement (MOA)), yet all are usually legally binding contracts that impose duties and liabilities on the University. Accordingly, this policy clarifies that no written agreement may be executed on behalf of the University--or any subdivision of the University--without full compliance with this policy.

If the Executive Vice President for Academic Affairs (EVPAA) determines, or the AA originator is already aware, that an AA has substantial financial implications for the University, the Executive Vice President and Treasurer (EVP&T) also must approve and sign the AA.

Please use the transmittal form at the end of this policy to obtain the following approvals:

Step One: Dean’s Approval. If the agreement originates from a School, the first step toward approval of an AA is written approval from the Dean, or from his/her designee. If more than one University school is entering the agreement, the Deans of both or all schools must approve the AA. The Dean’s signature certifies that the school’s Finance Director has reviewed the AA and that compliance with U.S. law has been assessed (see Related Information section, below).

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**Step Two: Collateral Review.** Any AA involving one or more of the following elements also must be reviewed by the appropriate department(s):

- (a) Any AA involving research must be reviewed by the VP for Research;
- (b) Any AA involving a domestic state or federal government agency must be reviewed by the VP for Research and the VP for External Relations;
- (c) Any AA involving the delivery of academic certificates (whether credit or non-credit) and degrees must be reviewed by the Associate Vice President for Graduate Studies and Academic Affairs;
- (d) Any AA involving a commitment of resources from one or more departments other than the originating department must be reviewed by such other department(s).

**Step Three: Approval by the Office of International Programs.** All AAs with international or foreign organizations or institutions must be reviewed and approved by the Office of International Programs. Please also refer to the University's *Checklist for Preparing Cooperative Academic Memoranda of Understanding or Agreements with Foreign Institutions* located at [http://www.gwu.edu/~vpgc/pdf/checklist\\_mou.pdf](http://www.gwu.edu/~vpgc/pdf/checklist_mou.pdf) for guidance on particular terms to include, and consult the Office of the Senior Vice President and General Counsel (OGC) for any questions regarding such terms.

**Special Note on International AAs:** Faculty, staff or other University employees who enter into AAs with entities or individuals outside the U.S. on behalf of GW also must consult and comply with University policies describing U.S. laws that apply to the University's overseas activities, including but not limited to those on the following topics: Economic sanctions; export controls; anti-bribery, anti-terrorism and anti-boycott laws and regulations; and GW policies on international travel (see Related Information section, below).

**Step Four: General Counsel Review.** The draft AA, the departmental approval, and any collateral review comments then must be submitted to OGC for legal review.

**Step Five: Academic Affairs Approval.** The draft AA, the departmental approval, collateral review comments, and approval from OGC for legal content then must be submitted to the EVPAA for final approval and signature on the AA. Every AA must be approved by the EVPAA. If the EVPAA determines that an AA has substantial financial implications for the University, the EVPAA will forward it to the EVP&T. Once this process is complete, the Office of the EVPAA will contact the originating office to pick up the agreement so outside signatures can be obtained.

**Step Six:** The original AA, once fully approved and signed by the requisite individuals, should be sent to the Office of Academic Affairs.

**Criteria for Review by Academic Affairs:** Review of each AA shall include (but not be limited to) the following factors:

- (a) Consistency with the education and research mission of the University;
- (b) Consistency with current academic priorities;

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- (c) Consistency with University Policies;
- (d) Avoidance of conflict of interest;
- (e) Comparison of long term costs and benefits;
- (f) Character of the other party to the AA;
- (g) Coverage of indirect costs; and
- (h) Detailed specification of responsibilities.

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### Website Addresses for This Policy

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[GW University Policies](#)

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### Contacts

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<b>Subject</b>	<b>Contact</b>	<b>Telephone</b>
Academic Agreements (University)	Academic Affairs	(202) 994-6510
(Medical Center)	Office of the Provost and Vice President for Health Affairs, The George Washington University Medical Center 2300 Eye Street N.W. Washington DC 20037 <a href="http://www.gwumc.edu/medctr/contact.cfm">http://www.gwumc.edu/medctr/contact.cfm</a>	(202) 994-3727
Agreements involving research	Vice President for Research	(202) 994-7315
International Agreements	Office of International Programs	(202) 994-0470

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### Definitions

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**Academic Agreements** An academic agreement may be a Letter of Intent, Memorandum of Understanding, Memorandum of Agreement, or any other agreement that contemplates or promises the delivery or sharing of University academic programs, personnel and/or resources.

**Letters of Intent** A letter of intent is typically a nonbinding agreement to agree, generally used to obligate a party to negotiate exclusively with one party for a specified period of time at the end of which a binding contract will be executed, or the parties will part ways with no further obligation to one

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another. A letter of intent may contain some or all of the following: a) A description of the objective of the ultimate agreement; b) a statement of the most fundamental rights and obligations of the parties that the ultimate agreement will contain; c) a statement that the parties will negotiate in good faith for a set period of time or until a particular event occurs; and d) a statement that at the end of the negotiation the letter of intent will merge into the ultimate agreement or that it will expire.

### **Memorandum of Understanding**

Sometimes called a Memorandum of Agreement (MOA), an MOU/MOA is a more detailed letter of intent setting forth the material terms of the agreement. For academic agreements, this means details concerning the academic program, financial and logistical arrangements, and legal terms. An MOU/MOA may or may not contemplate further negotiations or execution of additional agreements.

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### **Related Information**

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[A Brief Primer on Doing Business Abroad: U.S. Laws that Affect GW's International Activities](#)  
[Compliance with Laws when Conducting University Activities Overseas](#)  
[Export Control Policy](#)  
[International Travel Approval Policy](#)  
[International Travel Insurance Policy](#)  
[Signing of Contracts and Agreements Policy](#)

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### **Who Approved This Policy**

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Louis H. Katz, Executive Vice President and Treasurer  
Donald R. Lehman, Executive Vice President for Academic Affairs  
Beth Nolan, Senior Vice President and General Counsel  
John F. Williams, Provost and Vice President for Health Affairs

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### **History/Revision Dates**

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**Origination Date:** January 31, 2005  
**Last Amended Date:** September 28, 2009  
**Next Review Date:** November 1, 2010

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**EXECUTIVE VICE PRESIDENT FOR ACADEMIC AFFAIRS**  
**Transmittal Form for Approval of Academic Agreements**  
*Pursuant to the Approval of Academic Agreements Policy*

Title of Agreement: \_\_\_\_\_ between  
 GW Department/School: \_\_\_\_\_ and  
 Other Party's Name: \_\_\_\_\_  
 For the Purpose of: \_\_\_\_\_

**Department/School Contact Person:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

1. **Dean of School (or Designee) Approval** (certifying Finance Director review)  
 If two or more GW schools jointly enter an AA, written approval here from both or all GW schools is required.

\_\_\_\_\_  
 Dean Date

2. **Collateral Review Approval** (if applicable, otherwise write N/A in the signatory line)

Office of Risk Management: \_\_\_\_\_  
 Director Date

Office of Research: \_\_\_\_\_  
 VP for Research Date  
*Signature is required for research related agreements*

International Programs: \_\_\_\_\_  
 Associate VP for International Programs Date  
*Signature is required for international AAs*

4. **Office of General Counsel Approval**

\_\_\_\_\_  
 OGC attorney Date

5.  **EVPAA (or Designee) Approval**

\_\_\_\_\_  
 Donald R. Lehman Date

6. **EVPT (or Designee) Approval** (If the EVPAA determines there are substantial financial implications for GW, EVPT must sign contract)

\_\_\_\_\_  
 Louis H. Katz Date

**\*Last Signing Party (EVPAA or EVPT), please e-mail a copy of the signed agreement back to the OGC attorney and return the original agreement to the originating department.**

*This transmittal form is designed as the last step in gaining the signature of the President or Executive Vice President for Academic Affairs (EVPAA) for a fully-finished Academic Agreement (AA). The form, with all required signatures, should accompany all AAs. The Department originating the AA must:*

- Obtain the written approval of the required persons;
- Attach the completed transmittal form to 2 originals of the AA and send to the EVPAA, who will sign both originals of the AA;
- Once this process is complete, the Office of the EVPAA will contact the originating office to pick up the agreement so outside signatures can be obtained.

*When outside signatures are completed, provide one original of the final AA signed by all Parties to the Office of the EVPAA, Rice Hall, Suite 813, 2121 I St, NW, Washington, DC 20052.*