

Procedures Pertaining to International Exchange Agreements

PURPOSE

Overview

To promote international education at the University of North Carolina at Charlotte (UNC Charlotte), the University has a network of relationships with partner institutions abroad facilitated by the Office of International Programs. These exchange relationships encourage our students to study abroad, attract international students and faculty members to our campus, and enable our faculty to teach and conduct collaborative and individual research at institutions abroad. Our desire is to develop and cultivate relationships that support our broad institutional and international mission through creating and maintaining a worldwide set of partners that will be utilized by our campus community. While we actively pursue additional international exchange agreements to promote these objectives, such agreements are carefully approached. It is more beneficial to support quality programs than to maintain a long list of inactive partnerships.

The following document describes procedures for the development of exchange agreements between any unit at UNC Charlotte and an institutional partner located outside of the United States regardless of the nature of the exchange. Specifically, this document will delineate UNC Charlotte procedures regarding the establishment of international exchange agreements through an examination of guiding considerations, applicability determinants, and clarification of types of agreements. Procedural steps will be outlined including the role of the Office of International Programs, guidelines for drafting an international exchange agreement, and steps for approval and authorization. A procedural checklist and an exchange agreement worksheet are included to facilitate process negotiation and understanding. Finally, these procedures do not replace the authorities established by UNC Charlotte Policy #35 regarding contracts and agreements related to technology transfer and research

PROCEDURES

Considerations

Before pursuing the development of an exchange agreement, the potential for exchange and program compatibility should be considered in order to establish the feasibility and appropriateness of the desired agreement.

The potential for exchange will be determined based on the ability to fulfill the following requirements:

- Significant exchange possibilities should exist in at least one of the following areas: student, faculty, or research;
- The initiative should have significant support from at least one academic department;
- If funding comes initially from external sources, e.g. federal grants, the institutional commitment should continue beyond the life of the grant unless explicitly stated that the relationship is active only during the administration of that grant;
- For student exchanges, potential should exist for long-term interest and activity; and
- A benefit to UNC Charlotte must be demonstrated.

The compatibility of the proposed exchange agreement with the mission and objectives of UNC Charlotte will also be scrutinized. To that end, the following requirements should be fulfilled:

- If the proposed agreement is in a region or country where UNC Charlotte already has similar programmatic exchange relationships, there must be a strong rationale for the establishment of the proposed agreement and a demonstrated benefit to the University;
- Proposing departments at both institutions should possess comparable strengths and should show a strong willingness to sustain an on-going relationship;
- The proposed partner institution should offer comparable levels of study (undergraduate, graduate, and doctoral);
- There should be an expectation that academic credits earned at the host institution will be recognized at the home institution;
- Academic calendars of the two institutions should be taken into consideration; and
- An infrastructure to administer the exchange at the host institution must be identified.

Applicability

Whenever any unit of UNC Charlotte enters into an exchange relationship with a university or other institution located outside the territorial boundaries of the United States of America that involves, or might lead to, commitments of university resources of any kind, UNC Charlotte must sign a written agreement with the partner university. Such agreements are referred to as “Exchange Agreements.” These procedures apply to all Memoranda of Understanding (MOU), Faculty Exchange Agreements, and Student Exchange Agreements coordinated at UNC Charlotte. An exchange relationship should be formalized under an Exchange Agreement if it involves any of the following components:

- The assignment of administrative staff, faculty, or graduate student (research assistant or project assistant) support on an ongoing basis;
- The commitment of institutional funds (departmental, school, or college funding) on an ongoing basis;
- The exchange of faculty, staff, or students; or
- Extramural funding for research collaborations that presume/require specific institution-to-institution agreements.

These procedures are intended to govern Exchange Agreements only. They are not intended to include the following types of arrangements:

- Development of projects for assistance and technical assistance related to research;
- Relationships described and approved in their entirety through another campus agency, e.g., grant funded projects;
- Visiting professorships and lectureships, e.g., Fulbright program;
- Brief visiting lectureships or informal exchanges, e.g. guest departmental lectures even if an honorarium is provided to the visiting speaker; or
- Relationships in which departments/units do not commit more than hospitality or the volunteer efforts of faculty or staff.

Questions about the applicability of these procedures to specific proposals or projects that are not exchange agreements should be addressed to the Office of International Programs (OIP).

Types of International Agreements

An **International Exchange Agreement** is a written document outlining the terms and conditions providing for an exchange of faculty, staff, or research activity between UNC

Charlotte and a university or other institution located outside the territorial boundaries of the United States of America.

Exchange Agreements may be negotiated department to department, college to college, or in a broad-based institutional capacity. An agreement that stipulates an actual exchange of students, faculty, and/or research initiatives requires a formal Exchange Agreement. An agreement that reflects general collaboration without specific exchange components does not need an Exchange Agreement to establish the relationship. Formal Exchange Agreements stipulate the details and implementation procedures for a specific program of exchange or collaboration and may in some cases involve a commitment of resources.

The academic population targeted in the Exchange Agreement determines whether a Student Exchange Agreement or a Faculty Exchange Agreement is appropriate.

A **Student Exchange Agreement** is an international exchange agreement designed to benefit and include a mutual exchange of students between institutions for a term exceeding two years.

A **Faculty Exchange Agreement** is an international exchange agreement designed to benefit and include a mutual exchange of faculty or research initiatives between institutions for a term exceeding two years.

A **Pilot Exchange Agreement** usually lasts for two years and allows both institutions to review their involvement before making a more substantial time commitment. In many cases, a Pilot Exchange Agreement will be implemented prior to a long-term Student or Faculty Exchange Agreement.

A **Memorandum of Understanding (MOU)** recognizes a shared interest between parties in exploring together potential projects, funding, or other arrangements that may lead to specific projects in the future; no clear projects or plans are delineated. MOUs are preliminary ceremonial documents drafted to reflect or promote good will between the parties and the intention to solidify specific obligations and commitments in an Exchange Agreement at a later date. However, an MOU is still a legally binding contract subject to the same authorization and campus approval procedures as a more specific Exchange Agreement.

Specific Exchange Agreements that implement an actual exchange specify the obligations and commitments of each party. Thus, a well-written, specific Exchange Agreement is always preferable to an MOU because it reflects a genuine relationship, implements a real collaboration, and tends not to generate unrealistic expectations or misunderstandings between the parties.

Role of the Office of International Programs

The Office of International Programs (OIP) provides consulting, review, and authorization services for any UNC Charlotte unit seeking to formalize an exchange relationship with an international counterpart. The exchange process is a collaborative effort among various academic entities of UNC Charlotte, individual faculty and staff, research groups, departments, schools, and colleges. Such entities are the engines that drive the establishment of relationships and that support them both intellectually and in terms of sustained interest.

Specifically, OIP provides the following assistance regarding the drafting and procurement of international Exchange Agreements:

- Consults with academic entities on the establishment and terms of international agreements;
- Provides assistance in drafting agreements and in developing negotiation strategies;
- Assesses proposals to protect the proposing unit and the institution from unforeseen financial and administrative consequences; and
- As the Chancellor's and Provost's designee, serves as the main review and approval authority for international Exchange Agreements.

Guidelines for Drafting Exchange Agreements

The issues that must be addressed in every Exchange Agreement and guidelines for their inclusion are provided below.

- **Home institution:** UNC Charlotte
- **Host institution:** Institution with which a unit of UNC Charlotte seeks to establish an international Exchange Agreement.
- **Parties:** The agreement must accurately reflect the parties to be bound by the agreement. The parties should be listed by their official titles.
- **Exchange officers:** OIP is noted as the official representative of UNC Charlotte when Student Exchange Agreements are involved; however, a college representative or faculty member may also be identified to assist with the administration of the specific exchange. In the role of "exchange officer" OIP serves as the first point of contact for the institution in terms of official correspondence, managing quota balances, and compliance with university regulations affecting the exchange. A college representative or "faculty champion" also has a strong relationship with the exchange but does not have final authority to authorize a renewal agreement or a modification to an existing agreement. All proposed agreements and modifications must be approved by OIP.
- **Admission to UNC Charlotte:** Students inbound to UNC Charlotte must be admitted as exchange students.
- **Housing:** The most common and preferred housing option for exchange students is on-campus housing. Typically exchange students must search for and pay for their own accommodations.
- **Quotas:** For student and faculty exchanges, the agreement should provide a specific range or "quota" for the number of participants expected. The agreement should describe the quota in terms of the academic calendar and be qualified with specific language concerning the number of semester-long exchanges involved.
- **Balance of quotas:** The agreement must specify that the exchange will balance in terms of numbers of participants. In most cases, each partner institution should host and send the equivalent numbers of participants each year. If this is not possible, the relationship must balance over its term. Every agreement should include language addressing the mechanism whereby an imbalanced exchange will be brought back into balance. It should be noted that the authorizing college has an obligation to UNC Charlotte to ensure reciprocity over the term of the agreement.
- **Duration:** Agreements must be of a finite duration. Most agreements are made for a term of five years and pilot agreements for a term of two years.
- **Degree status:** Generally, exchange visitors do not have the right to earn a degree at the host institution. The agreement should clearly state that participation in the exchange does not in itself entitle the participant to enter a degree program at the host institution. Typically, the visiting exchange students will have the same rights and responsibilities as a regular student in the home institution. In addition, UNC Charlotte students who participate in international exchange programs are required to agree to comply with all University rules, standards, and instructions for student behavior including but not limited to those set forth in the UNC

Charlotte Code of Student Responsibility and the UNC Charlotte Code of Student Academic Integrity.

- **Work plans:** The agreement should address the parties' expectations concerning the submission of a statement of the participants' academic plans. Relevant components might include information regarding the individual's previous background and training for work in a particular field, course work, the individual's goal while on the exchange, curriculum vitae, transcripts, and so forth.
- **Language ability:** The agreement must state the partner institutions' expectations concerning language preparation. In student exchanges, students inbound to UNC Charlotte must meet our minimum language proficiency requirements. Further, if the proposed partner represents an institution where English is not the language of instruction, then it will need to be clearly stated what the language of instruction is and what the expectation of the language proficiency must be.
- **Tuition:** For student exchanges, regular UNC Charlotte tuition must be paid by one outgoing UNC Charlotte student to cover the cost of one incoming visitor. The UNC Charlotte student pays based upon full-time regular tuition and/or registration fees. If the student is a North Carolina resident, then he/she will pay in-state tuition, and if the student is not a North Carolina resident, he/she will pay out-of-state tuition. UNC Charlotte tuition paid for one student (regardless of the student's academic level and tuition category) covers the instruction costs for one international visitor. All student exchanges are based on semester tuition. Special fees must be paid by the student to the host institution.
- **Access to university resources:** The agreement should describe any rights or limitations presented to participants while at the host institution. In general, "university-wide" agreements limit an exchange student's access to certain departments and/or classes as would be the case for regular UNC Charlotte students, including access to graduate courses (if an undergraduate student), upper division courses (if exchange student's level is equivalent to lower-division), and access to courses only when the student has met all prerequisites. An individual entity developing an exchange should not draft an agreement that allows or encourages inbound participants to concentrate on high demand, or impacted, academic course sequences without the express permission of the UNC Charlotte department involved.
- **Limitation of financial commitment:** Each agreement should include language limiting the institutions' financial commitment to available funding and to the agreement's specific terms.
- **Stipends/salary:** If any compensation for participants is involved, such provisions must be stated clearly in the agreement. For faculty exchanges, the responsibility for salary support must be addressed as well as the terms of any additional compensation (such as summer salary, funding of fringe benefits, honoraria, or displacement allowance).
- **Travel:** Regardless of whether or not travel is provided as part of the exchange, the question of responsibility for participant travel must be addressed. If any portion of travel (for students or faculty) is to be provided by UNC Charlotte, the provider must follow normal travel regulations and purchasing guidelines.
- **Insurance:** All participants, including incoming and outgoing students, researchers, and faculty, must have adequate health insurance that will be active while the exchange takes place.

In negotiating Exchange Agreements, institutional procedures, policies, or other special considerations that might affect or shape the exchange's terms should be taken into account. Several of these considerations are presented below.

- **Immigration issues:** Both incoming and outgoing participants typically need visas issued by the host country in order to participate in an exchange program. Visa application procedures can be detailed and often require significant lead time that might affect application deadlines

and scheduling. For participants inbound to UNC Charlotte, appropriate documentation will be issued. All questions regarding immigration issues should be directed to the International Students and Scholars Office (ISSO) for inbound students and the Office of Education Abroad (OEA) for outbound students.

- **Administrative support:** The unit or units developing an Exchange Agreement are responsible for some administrative support necessary to sustain the relationship. Examples of responsibilities include identifying UNC Charlotte students interested in taking part in the exchange and providing advising to both incoming and outgoing students regarding academic options. OIP will provide administrative support in the form of processing of applications and providing general assistance, including the coordination of information sessions, pre-departure preparation, and assistance in dissemination of program availability.
- **Review:** The agreement must address the parties' plans for a review of the exchange program at appropriate intervals to assess the extent to which the program has met its academic and fiscal goals, the desirability of continuing the program, and whether amendments are advisable.

Authorization and Approval Process

Exchange Agreements must be approved at the college level and authorized at the campus level before the Chancellor or his designee signs them. As described below, agreements must first be approved at the college, institute, or center level because of the potential commitment of that unit's resources. All agreements must then be authorized at the campus level. Agreements signed by authorized representatives of UNC Charlotte and a party or parties abroad represent legally binding contracts.

The following are the steps involved in the approval and authorization process:

- The Originating Unit receives a signed letter from the appropriate Dean and completes the Exchange Agreement Worksheet in preparation for a consultation with OIP
- OIP then assists in the development of a draft agreement. Suggestions will be made regarding interpretation of campus procedures and the most appropriate type of agreement depending on the circumstance. Often, an initial pilot agreement is developed that commits the University to a two year program after which time it is determined whether or not to continue.
- After review of the draft agreement, the Originating Unit presents the document to the respective Dean for his/her approval.
- The Executive Director of OIP reviews the agreement on UNC Charlotte's behalf and recommends it for signing to the Provost and/or Chancellor.
- The signed agreement is forwarded to the parties and the original copy is filed within OIP.

OIP will keep signed copies of agreements in a master file and will serve as the repository for all UNC Charlotte Exchange Agreements.

PROCEDURAL CHECKLIST

- ___ Review criteria for establishing feasibility and compatibility of proposed agreement, and applicability determinants as outlined in this document.
- ___ Complete Exchange Agreement Worksheet
- ___ Request a letter from respective Dean approving development of the relationship
- ___ Bring letter of approval and completed Exchange Agreement Worksheet to OIP and begin consultation process for exchange agreement draft development
- ___ Work with OIP in developing a draft agreement
- ___ Present document draft to respective Dean for his/her approval
- ___ After receiving approval from appropriate Dean, return document to OIP for finalization and authorization from OIP and UNC Charlotte

Authorization Signatures

College Dean Signature

Date

Office of International Programs
Assistant Provost

Date

UNC Charlotte
Chancellor/Provost/or Authorized Designee

Date

EXCHANGE AGREEMENT WORKSHEET

This questionnaire is to be used to obtain the information to prepare the formal Exchange Agreement. Please answer the following questions and return the form to the Office of International Programs.

1. Complete name of foreign institution (to be entered on all Exchange Agreement documents):
2. Institutional website URL:
3. Proposed types of exchange with the foreign partner institution (check all that apply):
 - reciprocal exchange of students
 - reciprocal exchange of staff and faculty
(Include detailed terms and conditions of the exchange, e.g. how many faculty/staff will be exchanged, what activities will occur, and duration of stay for each individual)
 - collaborative research projects
(Include a description of the collaborative research that will be conducted, specify resources needed, and who will pay for costs associated with the research, e.g. employee salary, computer resources, lab equipment, etc.)
 - exchange of publications, reports, or other academic information
 - professional development
 - other activities such as conferences, symposia, and workshops, as mutually agreed
4. List any specific sub-unit(s) (schools, colleges, faculties, departments, centers, institutes, etc.) in the foreign institution with which the agreement is to be made, unless the exchange applies to the entire overseas institution. Please include any relevant websites for those units.
5. Name and title of chief executive officer authorized to sign the exchange agreement on behalf of the cooperating institution:
6. Cooperating institution contact information:

Exchange Academic Coordinator:

Name

Title

Mailing Address

Telephone

Fax
Email Address
Web Address

In the case of a program agreement that includes student exchange, please provide the following information:

Advisor for Outgoing Students (i.e. students coming to UNC Charlotte)
Name
Title
Mailing Address

Telephone
Fax
Email Address
Web Address

Advisor for Incoming Students (i.e. students enrolling at the cooperating institution)
Name
Title
Mailing Address

Telephone
Fax
Email Address
Web Address

For program agreements related to other exchange activities, list appropriate contact individuals; for example, exchange of faculty and staff, collaborative research projects, exchange of publications, collaborative professional development, other activities as mutually agreed (add extra sheets if necessary):

Name
Title
Mailing Address
Telephone
Fax
Email Address
Web Address

7. Please describe the rationale for the proposed exchange agreement; attach extra pages if necessary. Consider the following questions:
- a. How is the activity with the proposed partner of mutual benefit to both institutions?
 - b. For student exchanges, how does this benefit our UNC Charlotte students, and what is the probability of attaining an appropriate level of reciprocity?
 - c. If UNC Charlotte already has agreements to provide students an opportunity to study in the proposed country or site, what new possibilities does this partnership offer?

- d. What are the enhancements/attractions of this exchange within the broader UNC Charlotte community?
8. UNC Charlotte Academic Coordinator, i.e. faculty member responsible for administering the proposed agreement:

Name

Title

Mailing Address

Telephone

Fax

Email Address

Web Address