

# International Agreements Review and Approval Process

## Overview

This document outlines the steps required to engage in binding agreements that include an international component (e.g., international collaborator, international sponsor, activities conducted outside of the United States) (See also the [CSU International Agreement Policy](#)).

CSU executive orders allow for international activities to occur when they are connected to the university mission. Employees requesting approval of an international agreement are accountable for ensuring there is a clear benefit to the CSU and that the activities are a part of the university's overall mission to educate the citizens of California.

As prescribed in the CSU International Agreement Policy at the link above, except for auxiliary agreements for sponsored research that do not include student international travel, all international agreements, whether issued by the university or a university auxiliary, must be reviewed and approved by the university president and the CSU Office of the Chancellor at the draft stage of the binding agreement. Once approved, an international agreement issued by the university must include the signature of the president.

Failure to follow these steps may lead to a delay in processing of the agreement.

### *Note:*

*Per the CSU Policy, agreements that are solely travel arrangements and hotel accommodation agreements do not need to be reviewed, but if an overarching international agreement funds the activity, the funding agreement requires review.*

## Procedure

1. Prior to attempting to engage in an agreement that includes an international component, carefully consider the engagement and commitments:
  - If you are a faculty, review your plans with your chair and dean; non-faculty review your plans with your supervisor or appropriate administrator.
  - Review the resources you will need to carry out the activity and determine whether those resources are available for the activity you propose.
  - Evaluate or work with your supervisor or appropriate administrator to evaluate the risk of the proposed activity and determine whether the benefits of the activity outweigh potential risks, if any. (Identify potential risks as you design your activity or plans.)
  - Review the host or collaborating country legal requirements.
  - Review the CSU and university insurance requirements.
  - Ensure the agreement has an end date no farther out than 5 years.

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2. After careful consideration of the engagement and commitments, if you and your appropriate administrator concur that it is in the best interest of the university and CSU to move forward, then to seek approval **take one of the following actions based on the type of agreement you are considering:**

<p style="text-align: center;"><b>Continuing Education/University Extension Program (CE/UE) with an international component</b></p>	<p style="text-align: center;"><b>Sponsored Program</b></p> <p style="text-align: center;">You will receive funding from a non-CE/UE external agreement, plan to issue a subaward or contract to a third party from a non-CE/UE externally funded agreement, or will enter into an agreement to conduct research. <i>(Except when the agreement is a research agreement through an auxiliary , but it does not include student international travel)</i></p>	<p style="text-align: center;"><b>Memorandum of Understanding (MOU)</b></p> <p style="text-align: center;">An MOU without an exchange of funds, with or without a commitment of campus resources.</p>
<p>Contact and work with <a href="#">CE/UE</a></p>	<p>Contact and work with the <a href="#">Office of Research and Sponsored Programs (ORSP)</a>. <i>(Note - This includes IRB and IRB Reliance Agreements with international components received through the IRB review process.)</i></p>	<p>Contact and work with <a href="#">Procurement Services</a>.</p>

3. The appropriate responsible unit (ARU) (i.e., CE/UE, ORSP, Procurement Services) will work with you and your appropriate administrator(s) to review the request, the activity, and the resulting agreement draft. Common negotiation steps for the ARU to follow include discussions with the other party or sending the edited agreement draft as a pdf with a “DRAFT” watermark to the other party by email for review and to make additional revisions or to accept clauses.
4. Once the draft of the agreement is received or negotiated and prepared, the ARU (CE/UE, ORSP, or Procurement Services) will route the agreement to [Risk Management](#) for review. Risk Management will forward to additional university counsel as needed. If edits are required, the appropriate unit will route the agreement back to the collaborator for approval of the revised draft.
5. The ARU will then route the ‘Final Draft’ to the President for review and approval without signing using the AdobeSign workflow.

6. Once the President has indicated approval within AdobeSign the ARU will route the agreement to the CSU Office of the Chancellor review and approval using the CSU Sharepoint process. (See also the *CSU SharePoint International Agreements Submission and Approval Process*.)
7. Once the Office of the Chancellor approval is received through Sharepoint, the ARU will print out the Sharepoint checklist and all documents and route them and the final approved agreement to the President for signing using the AdobeSign workflow.
8. Once the President has signed the agreement the workflow will automatically return the signed agreement to the ARU (CE/UE, ORSP, Procurement Services) for completion of the ARU's established processes for providing the final signed agreement to the collaborating entity for signing or to provide them with the fully executed copy if already signed by both parties.

## Frequently Asked Questions

- All international agreements?
  - Almost–this includes all international agreements at the draft stage of the binding agreement under consideration except for auxiliary agreements for sponsored research that do not include a student international travel.
  - “The policy does not apply to auxiliary agreements for sponsored research that do not include student international travel.”
- What are additional examples of International Agreements?
  - Please see also the [CSU International Agreement Policy](#), but some additional examples include the following:
    - Agreements with agents to recruit international students
    - Amendments to and renewals of previously approved fully executed international agreements
    - Articulation agreements with an international component
    - Degree programs offered abroad
    - International Field trips to, or sponsored by, the campus
    - Independent Contractor agreements, except for auxiliary sponsored research agreements without international travel is involved
    - Memorandum of Understanding (MOUs) (non-monetary agreements) when university resources will be committed
    - Research Agreements, including IRB Reliance Agreements and Consent forms with international participants
    - Sponsored program funding, except for auxiliary agreements for sponsored research that do not included student international travel

- Student, staff and faculty exchange
  - Study abroad program agreements
  - Subawards that include student international travel
  - Vendor service agreements with an international component, except for sponsored research that does not include student international travel
- Do amendments and renewing international agreements need to be approved as well?
    - Yes, this includes all international agreements including amendments and renewal agreements at the draft stage of the binding agreement.
  - Do grant proposals with an international element being submitted for sponsored funding need to be submitted for review before submitting the proposal?
    - No. But if the resulting grant award or funding agreement will be an auxiliary agreement for sponsored research and includes student international travel, then it must be reviewed under the International Agreement policy and procedures.
  - How long will the review and approval by the Chancellor's Office and Cal State East Bay President take?
    - The timing may be less, but expect at least 14 business days for each approval step.
  - How do I document that the approvals occurred for potential future process audits?
    - The president's signature will be on the final agreement.
    - While AdobeSign and Sharepoint keep audit records online, keep a copy of the Office of the Chancellor approval documents for your records.
    - CE/UE, ORSP, or Procurement Services will retain copies according to their unit procedures.
    - As required under the CSU International Agreements policy, the designated central campus contact will retain copies for no less than four years after the date of the agreement expiration/termination.

**Questions about international agreements may be directed to the following as applicable:**

**Continuing Education/University Extension (CE/UE)**

Brian Cook  
 AVP, University Extension  
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**Office of Research and Sponsored Programs (ORSP)**

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