

PROCEDURE FOR INITIATING REVIEW OF AGREEMENTS BY THE OFFICE OF THE PROVOST, GENERAL COUNSEL, VICE PRESIDENT OF BUSINESS & FINANCE AND OTHER UNIVERSITY UNITS

West Virginia State University (University), its schools, departments, and units frequently enter into signed agreements with domestic and in some instances, international partners, in various areas, which can be of benefit to the University if aligned with the University's mission and strategic goals.

This Procedure for the review of agreements establishes the process for approval to ensure consistency with the University's mission and strategic goals.

SCOPE

This Procedure applies to all members of the University's community, including departments, schools, and other applicable University units involved in the creation and submission of agreements. This Procedure also applies to all University agreements with other educational institutions, non-profit organizations, and non-University entities meeting any one of the following criteria:

- Involving University students, staff, scholars, or faculty exchange
- Agreements involving the spending of University funds
- With for-profit educational institutions
- Affiliation agreements and memoranda of understanding with partners or institutions
- With other institutions of higher education, including institutions of higher education located outside the United States
- University, department or school-wide agreements extending beyond an individual faculty member
- Involving new degrees, joint degrees, certificates, or continuing education programs
- Agreements to exchange information pertaining to developments in teaching, student development and research at the University or another institution, including agreements to create internship programs, related to joint research funding applications, and acceptance of University students
- Involving a for-profit university, public or private research institution, or non-profit organization of higher education
- Requires commitment by the University or one of its schools or departments, e.g. conferences, the creation of any consortium or cooperative with the University as a member or agreements to host joint meetings or conferences

SUBMISSION PROCESS AND PROCEDURES

All agreements falling within the scope of this Procedure must undergo the process outlined below:

1. **Drafting Process:** Agreements may be initiated and drafted internally by the University employee who has the most knowledge about the subject matter of the proposed agreement, or will be intimately involved with the implementation of the agreement. All agreements must have a definite start date and end date. Agreements involving international visitors to the University may require additional careful consideration by the University due to requirements by outside organizations. Agreements in a language other than English must be accompanied by an English translation created by a certified translator. Agreements shall be drafted in consultation with the Director of Purchasing by a University employee who has the most knowledge about the subject matter, or will be intimately involved with the implementation of the agreement. Agreements

cannot be approved until reviewed by the University's General Counsel. Agreements can only be signed by the University CFO.

- 2. Initial Submission:** All agreements, including related attachments and materials, must be carefully reviewed and appropriate edits made prior to submission, and transmitted at least four to six weeks prior to any internal deadlines. Regardless of an agreement's origin, the agreement must be accompanied by a fully-completed routing form prior to submission for review. All initial submissions should be sent to the university's agreement approval email.
- 3. Revision and final approval:** Agreements should be routed, as appropriate, to all applicable University offices for review. Following the final approval of an agreement, the agreement will be returned to the requestor from either the Office of the Provost or the Vice President of Business & Finance.
- 4. Final execution:** After revisions and final approval, the agreement must be signed by an authorized University official. A duly-authorized representative of the affiliate or partner will also have to sign the agreement. Within one day of acquiring complete signature, the signed original agreement must be sent to either the Office of the Provost or the Vice President for Business & Finance for filing within one day of acquiring complete signature.
- 5. Post-execution, modification, completion, termination and renewal:** Requestors are responsible for monitoring expiration and other agreement dates, and must re-submit documents to the General Counsel's office, Office of the Provost or the Vice President for Business & Finance in the event of termination, a sub-agreement, extension or renewal.

REVIEW PROCESS BY OFFICE OF THE PROVOST, GENERAL COUNSEL OR VICE PRESIDENT OF BUSINESS & FINANCE

All University agreements falling within the scope of this Procedure must go through the internal review process outlined in this Procedure to ensure compliance with University policies, objectives, and to confirm institutional approval and support.

NONCOMPLIANCE

Failure to comply with the requirements of this Procedure could result in unnecessary delays in agreement processing, loss to the University, violations of federal law and resulting penalties.