



## **Partnership Agreement Review and Approval Process**

### **Introduction**

The purpose of institutional alliances and partnerships is to create and facilitate new recruitment opportunities for Eastern University (EU) programs. Partnerships also provide opportunities for Eastern University to achieve missional objectives aligning with its strategic plan. Alliances and partnerships help Eastern University and its external corporate, non-profit, and community-based partners to achieve their respective missions. This document contains an overview of the Agreement review and approval process, the logic of the process, a detailed description of the 4-Step Approval process, and a typical timeline.

### **Overview of the Agreement Review and Approval Process**

The EU Office of Strategic Alliances and Partnerships has established a 4-step review and approval process that guides the development of the most common agreement types, from inception to signing. The purpose of the approval process is to ensure that all interested EU internal and external stakeholders have an opportunity to review, modify, and approve an agreement before the signing phase.

### **Most Common Agreement Types**

- Tuition Discount Agreements with corporations, non-profit organizations, community-based organizations, government agencies, and public and private entities;
- Program to Program Credit Articulation Agreements with colleges and universities, secondary schools, and other educational providers and programs;
- Dual Admission Agreements with community colleges and universities.

### **Logic of the 4-Step Review and Approval Process**

The process will help streamline the development of Partnership Agreements. Ultimately the Provost approves all Partnership Agreements. The process involves four steps,

Step-1: Identifying the opportunity;

Step-2 : Developing a draft agreement;

Step-3: External negotiation and review; and

Step-4: Signing the agreement.

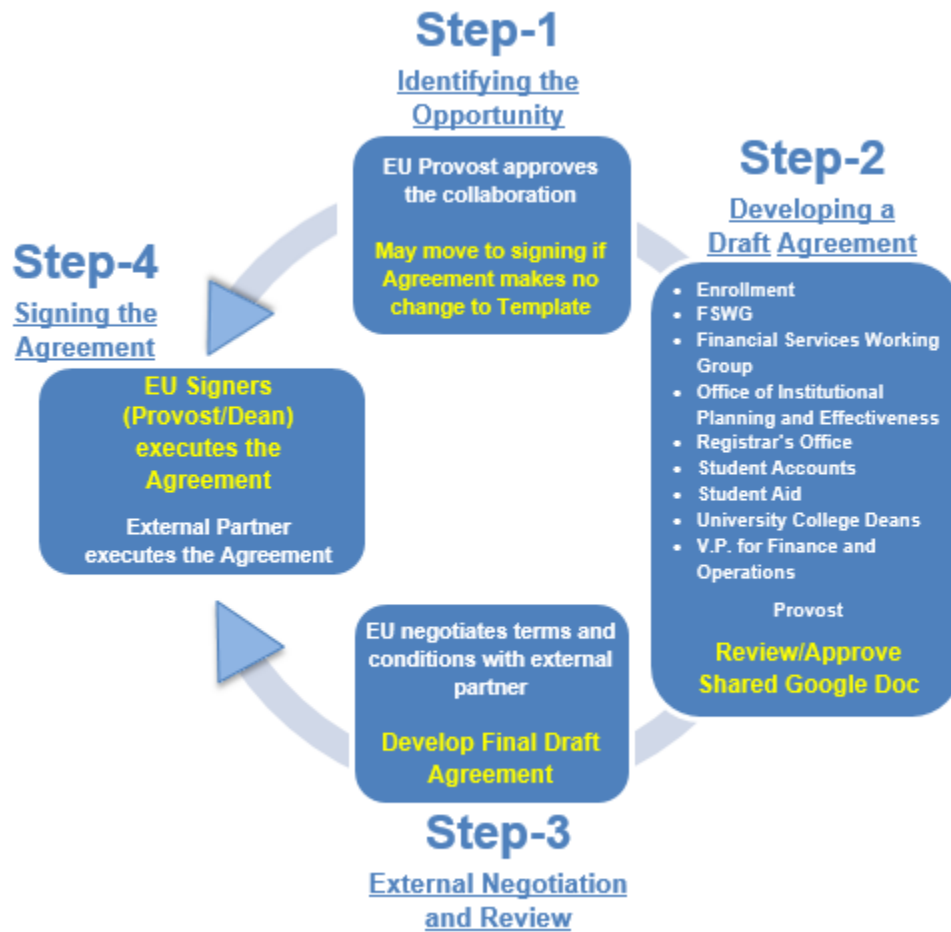
If the terms and institutional obligations of the partners align with the standard "pre-approved" agreement templates, then the process may move directly to Step-4: Signing.

If the Agreement involves any substantial changes to the template, particularly regarding Eastern university's financial obligations, revenue sharing, or is substantively atypical or novel, it must be reviewed by the appropriate EU departments and move through Steps two to four.

The Provost should be consulted at the earliest stage in the process to ensure there is support for the proposed partnership and its conceptual design.

The offices involved in Step-2 “fill in the details” and negotiate with the external partner to develop the Agreement. The Provost and appropriate Deans execute the document before sending it to the partner to sign.

**The 4-Step Approval Process – Diagram**



**4-Step Approval Process**

**Step 1 – Identifying the Opportunity**

An individual or office within the Eastern University community, i.e., College Dean, Department Director, Enrollment staff, Marketing and Communications staff, faculty member, the Office of Strategic Alliances and Partnerships, or University community member, identifies an opportunity to formalize a collaboration. External entities also submit inquiries on the Office of Strategic Alliances and Partnerships landing page on the University Website.

- The university representative identifying the opportunity should coordinate with the Provost/Vice President for Academic Affairs, the Office of Institutional Planning and Effectiveness, the Vice President for Finance and Operations, appropriate college dean, and the Office of Strategic Alliances and Partnerships at the early stages of the process to ensure college support for the collaboration.
- The Provost must approve the collaboration if it involves multi-departmental functions, such as a tuition discount agreement for multiple EU college programs or a revenue-sharing agreement. The Provost must also approve all collaborations or partnerships involving revenue or profit-sharing between Eastern University and an external entity.
- A Dean must approve the collaboration on behalf of the college under their leadership.
- Questions about which institutional authority should approve the collaboration should be directed to Provost or routed through the Office of Strategic Alliances and Partnerships.

## **STEP 2: Developing a Draft Agreement**

Step 2 is to develop a Draft Agreement for the proposed collaboration. The flow of this step is as follows:

1. The Eastern University representative reviews the Partnership Agreement Templates in the EU\_PARTNERSHIPS shared Google drive to determine which type of Agreement is most appropriate for the collaboration.
  - The Templates contain pre-approved standard language for a Tuition Discount, Program to Program Articulation, and a Dual Enrollment Agreement.
  - If there are no revisions to the Agreement's Terms and Conditions, Obligations of Eastern University, or Obligations of the Partner, then the representative may consider the Agreement "pre-approved" and may simply revise the partner's corporate name, contact information, and the Effective Date, and move to Step 4 to have the Agreement signed. The representative will be able to use the template "as-Is" for most collaborations.
  - Note: the Provost must approve any Agreement which increases the standard 20% Eastern University tuition discount and any proposed changes to Eastern University's financial obligations stated in the Corporate Tuition Discount Agreement Template.
2. If the Agreement requires substantial changes to the Terms and Conditions or Obligations, the representative proposing the collaboration should work with the Office of Strategic Alliances and Partnerships to revise the template to fit the proposed collaboration.
  - The Office of Strategic Alliances and Partnerships will add the representative leading the collaboration and any other relevant Eastern university personnel as "commenters" to the appropriate template.
  - It may be necessary to consult or meet with the external partner to develop the draft Agreement. The Office of Strategic Alliances and Partnerships will coordinate with the Eastern university lead representative and the external partner as needed to create the Draft Agreement's terms and conditions and the responsibilities of each respective partner.

3. When ready, the Office of Strategic Alliances and Partnerships will place the Draft Agreement in the Shared Google Drive “Documents for Review” folder. The following Eastern University departments/individuals have access to the shared Drive:

Enrollment Management  
Financial Services Working Group  
Office of Institutional Planning and Effectiveness  
Registrar’s Office  
Student Accounts  
Student Aid  
University College Deans  
Vice President for Finance and Operations  
Provost, Vice President for Academic Affairs  
University General Counsel (Legal)  
[Other Eastern University offices/individuals as needed]

- The Office of Strategic Alliances and Partnerships will request that specific offices/individuals review and comment on sections of the draft that pertain to their area.
- After all relevant Eastern University offices/individuals have reviewed and commented, the lead representative and their collaborators will provide a final review of the Draft Agreement before sending the document to the external partner for negotiation, review, and comment in Step 3.

### **STEP 3: External Negotiation and Review of the Draft Agreement**

In Step 3, the Office of Strategic Alliances and Partnerships will send the Draft Agreement to the external partner and collaborate with the Eastern university lead representative to negotiate with the external partner, review, and comment on the Draft Agreement.

1. Draft Agreements will only be considered finalized after both the Eastern University reviewers in Step 2 and Eastern University lead representatives, and external partner’s representatives have agreed on all of the Agreement’s terms, conditions and partner obligations.
2. During this stage, it is common for some details of the Agreement to change. Eastern University must approve any changes to the Agreement’s terms during external negotiation and review before signing. Note that the “Revision, Renewal, and Termination” and “Miscellaneous” sections of each template are also standard and should not change without the Provost or the Office of Finance and Operations’ (Vice President for Finance and Operations) approval.
3. Note: the Agreement will not "take effect" until authorized signers execute the Agreement.

### **STEP 4: Signing the Agreement**

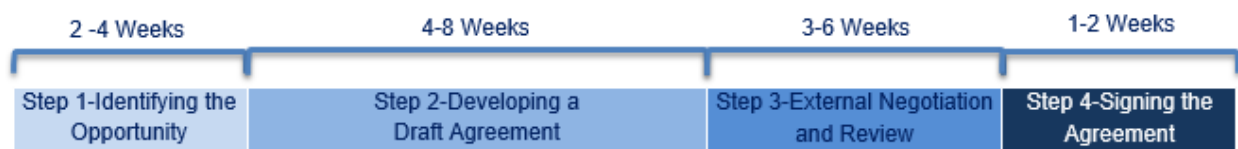
Step 4 involves Eastern University and the external partner signing the Agreement. In most cases, Eastern University will request to sign the Agreement first. Signing first will ensure that Eastern can perform a final review of the document and has obtained all necessary departmental approvals.

1. The Office of Strategic Alliances and Partnerships will conduct a final review of the Agreement, proof-read it, check it for correctness and consistency, and send it to Eastern University Signers in the following order:
  - Provost/Vice President for Academic Affairs
  - Dean(s)
  - Program Director
  - Other relevant Eastern University personnel

In some cases, Eastern University’s President will sign the Agreement. If needed, the President will be the first signer.
  
2. Electronic Signing Procedure
  - Eastern University utilizes Adobe Sign to route agreements for electronic signatures. Signatories and approvers will receive an email from The Office of Strategic Alliances and Partnerships and follow the prompts to review or approve the Agreement.
  - Once the recipient signs or approves the Agreement, Adobe Sign automatically shares the Agreement with the next signatory or approver.
  
3. Once all Eastern University signers have signed the Agreement, The Office of Strategic Alliances and Partnerships will share the Agreement with the partner with a request for either original or electronic signature(s). Once the partner signs the Agreement, it is fully executed, and activities under the Agreement may commence according to the "Effective Date."
  
4. The Office of Strategic Alliances and Partnerships will keep an electronic copy of the fully executed Agreement on file in the EU\_PARTNERSHIPS shared Google drive for University reporting. Note: the University will no longer house partnership agreements in Brightspace.
  
5. The Office of Strategic Alliances and Partnerships will communicate the partnership finalization to Eastern University Enrollment, the Office of Marketing and Communications, and relevant University Offices.

### **Timeline for Developing Agreements**

Developing an agreement (from Step 1 to Step 4) may take several months. Using the “pre-approved” template usually keeps this timeline to a minimum. Lead representatives should keep the following typical timeline in mind:



**Deadlines and Expediting Agreements:** If there is a deadline for the agreement (for example, a semester start date), the lead representatives should notify the Office of Strategic Alliances and Partnerships as soon as possible. In general, the office will make every attempt to assist in the process to meet the deadline.

## Frequently Asked Questions

### **1. Must the Office of Strategic Alliances and Partnerships take the lead in initiating partnerships?**

*No. The Office of Strategic and Alliances does not have to take the lead in stage 1, or any of the stages described above. As described above, the lead may initiate and have an agreement executed if it aligns with an approved standard template.*

### **1. Some departments have previously executed agreements and would like to continue using these agreements.**

*The Provost requested the University to use standard templates. However, some departments may want to use a previously executed agreement that does not fit the standard form. Colleges and departments may reuse previously executed agreements or develop their own agreements. Note that the Provost's Office and Finance and Operations has requested that agreements include certain standard clauses. Please consult the Provost's Office, Finance and Operations, and/or the Office of Strategic Alliances and Partnerships regarding reusing previously executed agreements or developing new non-standard agreements.*

### **2. How do I know if an opportunity is viable?**

*It is always best to consult the Provost's office, Office of Strategic Alliances and Partnerships, or appropriate Academic Dean. Note: Any proposed agreement involving MSCHE substantial change application should refer to the Office of Institutional Planning and Effectiveness.*

### **3. What if the opportunity for collaboration does not align with a "pre-approved" template?**

*It is possible to develop an atypical or novel form of agreement. The process for developing a new form of agreement. The lead representative pursuing the collaboration should still follow the 4-Step process. It is crucial for the lead representative to consult the Office of Strategic Alliances and Partnerships or the Provost's office as early in the process as possible to ensure there is institutional support for the collaboration.*

### **4. Is the Agreement a legal document?**

*The Agreement is a legally binding contract that defines each partner's role, obligations, liability, and profit distribution. The last paragraph of each template states, "**INTENDING TO BE LEGALLY BOUND**, by signing below, each party acknowledges the terms and conditions of this Agreement..." The "Revision, Renewal, and Termination," and "Miscellaneous" sections of each template are also standard and should not be changed without the Provost or the Office of Finance and Operations*

*(Vice President for Finance and Operations) approval. These sections should be included in all agreements, including atypical agreements.*

**5. What if the terms need to change after EU and the partner sign the Agreement?**

*Agreements are final however, the terms and conditions may be changed with an addendum, signed by Eastern University and the partner.*

**6. Are agreements housed in the University Partnerships Shared Drive confidential?**

*The documents in the shared drive should only be shared with relevant Eastern University personnel and individuals outside the University involved with developing and executing the agreement.*