

Policy on Affiliation Agreements

I. PURPOSE

Tufts University, its schools, centers, departments, and units frequently enter into memoranda of understanding and other affiliation agreements in order to expand the student experience, conduct and enhance the impact of research, and provide opportunities for faculty development. This policy on Affiliation Agreements mandates an internal review and approval process for these agreements prior to their execution in order to ensure that they (i) comply with all University policies, as well as all applicable laws and regulations, (ii) have the institutional support needed for success, and (iii) enhance and protect Tufts' reputation as a university of the highest regard. The policy is also designed to ensure that collaborations for international activities have considered and addressed specific risks of international engagement and can operate effectively. Finally, the policy enables the University to keep accurate record of its global and domestic presences and to identify institutional and geographical overlap, in order to prevent inconsistent and contradictory obligations, and to develop and update its institutional strategy.

II. POLICY STATEMENT

All Affiliation Agreements (as defined below and regardless of whether it is called a Memorandum of Understanding, a Memorandum of Agreement, an Affiliation Agreement, an Exchange Agreement, a Cooperation Agreement, a Collaboration Agreement or otherwise) of Tufts University, its schools, centers, departments, and units with universities, for-profit and non-profit educational and research institutions, non-profit organizations, governments and inter-governmental organizations, or other entities, both international and domestic, must comply with this policy.

All Affiliation Agreements (other than those described in III. C below) must go through an internal review process described below and obtain the required approval in order to ensure that they comply with relevant legal and regulatory standards and with University policies, address risks of international or domestic engagement, and confirm institutional approval and support, including approval of financial support. All Affiliation Agreements must be in writing.

A. These Affiliation Agreements (including renewals and modifications) require the approval of the school dean or HNRCA Director and the Provost *prior to signing*:¹

- Academic agreements, student exchange agreements and student internship or externship agreements (other than clinical patient-facing rotations) not using Tufts' approved templates;
- Joint degree or certificate agreements;
- Joint admissions agreements or expedited admissions agreements; and

¹ All Affiliation Agreements must be executed in compliance with the University's [Signatory Authority Policy](#).

- All agreements or programs with activities outside the United States or with parties outside the United States.

All Affiliation Agreements that must be approved by the Provost as set forth above may be subject to additional review, as determined by the Provost, which may include review by the Office of University Counsel and OVPR, and certain types of Affiliation Agreements must contain standard clauses as required by the Office of University Counsel.

B. These Affiliation Agreements (including renewals and modifications) require the approval and signature of the school dean or HNRCA Director (or their designee), but not of the Provost:

- Health sciences residency agreements and hospital affiliations with institutions *within the United States*;
- Academic agreements, student exchange agreements and agreements for placement of student interns and/or externs (other agreements for placement of students in patient-facing clinical rotations) within the United States using Tufts' approved templates.

All Affiliation Agreements that must be approved by the school dean must contain standard clauses as required by the Office of University Counsel and may be subject to additional review, as determined by the relevant school dean. This may include review by the Office of University Counsel.

In addition, a liaison appointed by each Dean/unit director will act as a point of contact for all these affiliation agreements referenced in I.B above. Twice per year, they will submit to the Office of the Provost a list of new affiliation agreements, including any renewals or extensions and non-renewals, and submit to the Office of the Provost copies of the agreements that were not subject to the Provost's approval process in I.A above for informational purposes.

C. These agreements (including renewals and modifications) are not subject to this policy:

- Grant agreements, sponsored research and research collaboration agreements with institutions and entities for collaboration in the implementation or funding of ongoing research. Agreements with institutions or relating to activities in a country identified as high risk, as well as Agreements that contemplate operational activity outside the United States (e.g., hiring employees in-country, engaging local consultants, establishing an office or permanent operational base), must undergo additional internal review in accordance with this policy prior to execution.
- Gift agreements.
- Technology transfer, technology or software/copyright licensing, industry collaboration agreements, material transfer agreements, data sharing or data usage agreements or any agreements related to intellectual property.
- Clinical trials agreements.

- Co-authoring agreements.
- Other Affiliation Agreements and transactions as may be described in the Implementation Procedure for this policy.

For agreement types not subject to this policy, faculty and staff should contact the relevant offices overseeing preparation and/or approval of those agreements.

III. DEFINITIONS

“*Affiliation Agreement*” is a general term that refers to any inter-institutional agreement between Tufts (or one of its schools or the HNRCA) with a Collaborating Institution or Entity in support of an academic program, co-curricular or service opportunity, exchange of students, faculty, scholars and staff, and/or collaboration on research and scholarship.

Other types of agreements used to formalize cooperation between Tufts and other entities in connection with sponsored projects, research activity, and data use are generally *not* referred to as Affiliation Agreements. These include:

- grants and gift agreements,
- sponsored research agreements with governments, industry, or foundations,
- agreements between Tufts or another institution with individual faculty or staff,
- license agreements,
- data use or data sharing agreements,
- material transfer agreements.

Tufts typically enters into two types of Affiliation Agreements:

1. ***Memoranda of Understanding (MOUs) or Cooperation Agreements.*** These describe an intent to develop cooperative activities with a Collaborating Institution (potentially in multiple areas) and can be university-wide or school/unit-based. This type of agreement does not involve a commitment to a *specific action or funding* but confirms the institutional intent to develop a range of collaborative activities.

2. ***“Implementation Agreements” or “Activity Agreements.”*** This type of agreement commits the parties to implement specific activities or programs and outlines the parties’ respective roles and responsibilities (including with respect to finances, logistics, oversight, intellectual property, termination, etc.). Implementation Agreements generally derive from the umbrella framework of an MOU or Cooperation Agreement, and reference to the Cooperation Agreement is normally found in the preamble or other introductory text. Where there is no Cooperation Agreement in place between the parties, Activity Agreements may be negotiated on a stand-alone basis to cover discrete activities.

Common collaborative activities covered by Affiliation Agreements at Tufts include:

- ***Degree or certificate programs*** – collaborations with other universities for joint degrees, dual degrees, student transfer (articulation) arrangements, pipeline/accelerated degree programs, or for-credit certificate programs.
- ***For-credit education abroad and student exchange programs*** – collaborations for credit-bearing study abroad programming, capstones, internships, student exchanges, service learning and other programs abroad, as well as to accept students to attend Tufts University.
- ***Not-for-credit (co-curricular) education programs*** – collaborations for non-credit bearing domestic and international internships, student research opportunities, service learning and other programs.
- ***Health sciences residency and hospital affiliations*** – collaborations with hospitals or clinics for placement of students in residencies, clinical rotations, or other research and clinical programs. Agreements with hospitals, medical schools or veterinary clinics *outside the United States* are subject to internal review and approval as prescribed by this policy; health sciences residency and hospital or clinic affiliations with institutions *within the United States* are not covered by this policy, but must be submitted to the Office of the Provost in accordance with paragraph II.B. of this policy, for information purposes only.
- ***Clinical trials*** – agreements with Collaborating Institutions to carry out clinical trials. Clinical trials agreements with institutions *outside the United States* are subject to the review and approvals process prescribed in this policy.
- ***Professional education programs*** – collaborations for executive education, continuing education, professional development, team building, licensure, and custom programs.
- ***Expanded campus learning programs*** – collaborations for programs for non-matriculation participants, including pre-college, pre-K-8, English Language Learning, gap year, lifelong learning, and open enrollment programs.
- ***Faculty and scholar exchange*** – agreements between institutions for exchange of faculty, scholars and staff between institutions.
- ***Visiting scholars*** – inter-institutional agreements to host visiting scholars, faculty, post-doctoral scholars or visiting scientists from another institution (not necessarily as part of an exchange) for any length of time to teach or conduct research. Agreements or contracts between Tufts and individual scholars visiting and being hosted by Tufts, as well as between individual Tufts faculty or staff and another institution hosting them as a visiting scholar, are not deemed to be Affiliation Agreements, but must follow any school and/or university-level policy related to visiting scholars.

- ***Collaboration for research and scholarship*** – inter-institutional agreements between Tufts (or one of its schools) and other institutions and entities to collaborate on research, scholarship, or policy and outreach activities that do not involve the exchange of funds. Agreements between individual Tufts faculty or staff and faculty or staff at another institution to collaborate on research are not deemed to be Affiliation Agreements. Agreements for collaboration on research and scholarship that involve exchange of funds—such as grants, contracts, and subawards—are not subject to this policy, but must be submitted to the relevant office overseeing approvals or administration of the funds.

Questions? Contact the Office of the Provost

Approval Entities:

Office of the Provost

Office of the University Counsel

Academic Council

Office of the President

Approval Date:

Effective Date:

Executive Sponsor: Nadine Aubry, Provost and Senior Vice President

Responsible Office: Office of the Provost

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