

Information Sheet – Formal Agreements

This information sheet provides a **general overview** of the **types** of formal agreements which specifically relate to inter-institutional collaborative educational programmes and/or students who may be registered to a programme with an inter-institutional collaborative aspect, as well as information on the process for the **drafting, approval and signing** of these types of formal agreements. Information about how **storage of agreements** is managed is also provided. Agreements of this type may be entered into with the purpose of positioning UCD internationally, to further a relationship with another institution, to advance the interests of UCD in general or of a part of UCD in particular, to provide for specific teaching and research activities, to provide for student and staff exchanges and/or to provide for jointly (or other collaboratively) awarded qualifications.

This information draws on the Irish Higher Education Quality Network (IHEQN) *Guidelines for the Approval, Monitoring and Review of Collaborative and Transnational Provision*¹ and is also regularly reviewed against emerging sectoral, national, legislative, European and international developments, including, for example, the European Association for Quality Assurance in Higher Education (ENQA) *Quality Assurance of Joint Programmes* guidelines.² The information is also indexed against the *UCD Policy on Quality Assurance and Quality Enhancement*.³

Collaborative Programme Basics: the programme approval mechanism

The **Programme Development, Approval and Review Framework (PDARF)** provides the relevant information for supporting programme development, including collaborative programmes, within the University (see <https://www.ucd.ie/registry/staff/registryservices/curriculum/programmeapprovalpdarf/>). The **Framework for Collaborative Programmes at UCD** is a component of PDARF and is focussed on providing specific support for collaborative initiatives.

All collaborative programmes must be approved through the normal routes for new programme approval. The relevant forms for collaborative programmes include Global Partnerships Proposal Form, PDARF2, PDARF3 and PDARF4, and where a collaboration is being introduced into an already existing programme, PDARF7 is to be used in place of PDARF2 and PDARF3. All of the forms are available at the above weblink.

All forms must be completed and submitted to the relevant College Executive and/or Governing Boards, as well as the University Management Team (UMT) in accordance with the procedures outlined in the PDARF approval process.

Collaborative Programme Directors should list as much detail as possible about the collaborative programme on these forms – all of this information is critical for ensuring that the University can support the programme effectively.

General Overview of Formal Agreements

A sample, standard Collaborative Agreement template is available on the University Secretariat website at <http://www.ucd.ie/governance/> and requests for further advice and assistance from the University Secretariat may also be obtained by emailing programmes@ucd.ie. UCD Legal can also provide advice and guidance, as well comments on draft agreements, and may be contacted via corporate.legal@ucd.ie.

Proposals for international partnerships must, in the first instance, be made via **Global Partnerships Proposal Form**.⁴ The completed form should be submitted to programmes@ucd.ie for consideration by the relevant University committee (this

¹ See http://www.iheqn.ie/fileupload/File/IHEQN_Guidelines_Collaborative_Provision_FINAL_21May13_55218605.pdf

² See http://www.enqa.eu/indirme/papers-and-reports/workshop-and-seminar/ENQA_wr_19.pdf

³ See <http://www.ucd.ie/t4cms/ucdqaandenhancementpolicy.doc.pdf>

⁴ See <https://www.ucd.ie/registry/staff/registryservices/curriculum/programmeapprovalpdarf/>

includes the University Management Team (UMT) and the UMT Global Engagement Group (GEG)) and advice, guidance and support may also be sought directly from UCD Global.⁵ After the proposed partnership is approved by the relevant University committee (and often simultaneous to this), the formal agreement may be drafted. Only the President, or a University Officer formally authorised in writing to act on the President's behalf, is entitled to establish a contractual relationship with any partner institution.

Proposals for domestic partnerships are considered by the Governing Board and may normally be articulated via **PDARF3: New Programme Academic Structure Proposal**⁶ and **PDARF4: Collaborative Programme Supplement**.⁷

The main types of agreements relating to inter-institutional collaborative academic programmes and/or students who may be registered to a programme with an inter-institutional collaborative aspect are:

- Memorandum of Understanding (MoU)
- Memorandum of Agreement (MoA)
- Research Collaboration (includes 'Co-tutelle' or Inter-Institutional Co-Supervisory Arrangements)
- Undergraduate Student Exchange*
- Masters Student Exchange*
- PhD Student Exchange*
- Staff Exchange

**Note: Student exchange is not a compulsory part of an international agreement. Reciprocity of student exchange numbers is a condition of most student exchange agreements.*

Types of International Agreements

Listed below are some of the types of international agreements which relate to inter-institutional collaborative academic programmes and/or students who may be registered to a programme with an inter-institutional collaborative aspect.

Agreement Type	About
Letter of Intent (LoI)	The signing of an LoI indicates intent of signing institutions to investigate future areas for collaboration and often precede the signing of an MoU.
Memorandum of Understanding (MoU)	A bilateral or multilateral agreement between two or more parties which expresses a convergence of will between the parties, indicating an intended common line of action, rather than a legal commitment (and lacks the binding power of a legal contract). This agreement provides a framework for future co-operation.
Memorandum of Agreement (MoA)	A bilateral or multilateral agreement between two or more parties which articulates plans and associated arrangements to work together co-operatively on particular projects, programmes or in pursuit of other agreed aims and objectives. The MoA is considered to be a binding legal contract.
Student Exchange Agreement (MoA)	MoA (Student Exchange) allow UCD students to study at an overseas partner institution for one or two trimesters. This is a reciprocal arrangement (under a fee-waiver agreement) that also allows for students from overseas partner institutions to come to UCD to study.
Study Abroad Partner Agreement (MoA)	MoA (Study Abroad) provides for a partnership arrangement between UCD and an international university where students from the university can study at UCD for a trimester or a full year on a fee-paying basis.
Mixed/Hybrid Agreement (MoA)	MoA (mixed) provides for a partnership arrangement between UCD and an international university where a limited number of exchange places are agreed and additional students can study at UCD on a fee-paying basis.
Co-Tutelle, or Inter-Institutional Co-Supervisory Arrangement	An Inter-Institutional Co-Supervisory Agreement is a joint supervisory arrangement normally established between UCD and another (non-Irish) third level institution. These agreements are developed by the collaborating universities with an individual Agreement drawn up on behalf of each student. Students pursue their doctoral studies at two universities under two different supervisors. These arrangements are open to both UCD students looking to undertake research elsewhere as well as non-UCD students wishing to conduct part of their doctoral research in UCD. A student is awarded a degree from both Universities (a dual degree or double degree). Inter-Institutional Co-Supervisory Agreements – procedures document: https://hub.ucd.ie/usis/IW_HU_MENU.P_PUBLISH?p_tag=GD-DOCLAND&ID=136

⁵ Via <https://intranet.ucd.ie/international/staff/establishing-international-agreements/index.html>

⁶ Available at <https://www.ucd.ie/registry/staff/registryservices/curriculum/programmeapprovalpdarf/>

⁷ Available at <https://www.ucd.ie/registry/staff/registryservices/curriculum/programmeapprovalpdarf/>

Drafting, Approval and Signing of Formal Agreements

In order to ensure that the process for review, approval, and signing of formal agreements is appropriate to the type of arrangement being proposed, the following general principles apply:

- **Co-Tutelle/Inter-Institutional Co-Supervisory Arrangements**

These agreements, which are developed on a student-by-student basis, must be approved by the relevant Governing Board. Such agreements will be signed by the Deputy Registrar for Graduate Studies. University Secretariat can assist with the process of obtaining the relevant signature and arranging for signed copies of the agreements to be forwarded to the relevant UCD academic and/or the partner institution. University Secretariat will also maintain the *Co-Tutelle/Inter-Institutional Co-Supervisory Agreement Register*.

- **Collaborative Programme Agreements (Domestic)**

These agreements, which are developed for entire programmes, must be reviewed by the relevant entity at College-level, and submitted to the University Secretariat (via programmes@ucd.ie) for further consideration by the relevant University committee. **Such agreements must be reviewed by UCD Legal on behalf of the University.** Following approval by the relevant University committee(s), University Secretariat can assist with the arrangements for the relevant agreement documentation to be signed, normally by the UCD President. This provision also relates to 'Off-Campus' Delivery, and Access/Feeder or Articulation programmes which are delivered away from UCD but still within Ireland.

- **Collaborative Programme Agreements (International)**

These agreements, which are likewise developed for entire programmes, must follow the same pathway as Collaborative Programme Agreements (Domestic), however, they may be sent to **UCD Global** for further review and processing (see <https://intranet.ucd.ie/international/staff/establishing-international-agreements/index.html> for relevant contact details). The UCD Global will consult with UCD Legal and the University Secretariat as and where necessary. Pending approval by the relevant University committee, UCD Global will arrange for the relevant documentation to be signed, normally by the UCD President. This provision also relates to 'Off-Campus' Delivery, and Access/Feeder or Articulation programmes which are delivered outside Ireland.

- **Exchange Agreements (Domestic)**

Within the Dublin area, there already exists an agreement for student exchange through the Dublin Region Higher Education Alliance (DRHEA). This existing agreement may be used to facilitate student exchange across all third-level institutions in Dublin. Where there arises a need for a domestic Exchange Agreement which falls outside the parameters of the DRHEA agreement, this will require submission to the relevant Governing Board for approval. From this point forward, such agreements will be treated the same as domestic Collaborative Programme Agreements (including review by UCD Legal). Following approval by the relevant University committee(s), University Secretariat can assist with the arrangements for the relevant documentation to be signed, normally by the UCD President.

- **Exchange Agreements (International)**

These agreements are managed by UCD Global. Proposals must be approved by the relevant Governing Board (in consultation with the VP International within each College). The relevant agreement must then be sent to the **UCD Global** for further review and processing (see <https://intranet.ucd.ie/international/staff/establishing-international-agreements/index.html> for relevant contact details). UCD Global will consult with UCD Legal and the University Secretariat as and where necessary. Pending approval by the relevant University committee, UCD Global will arrange for the relevant documentation to be signed, normally by the UCD President. Where such exchange arrangements require an amendment to an existing programme, the programme change must be proposed via the normal channels – through the relevant Governing Board, and the relevant University committee(s).

- **Franchise Agreements**

Franchise programmes normally involve delivery of one or more UCD programmes in an overseas location and in partnership with an overseas institution. Such proposals must be reviewed by the relevant Governing Board and may be sent to the **UCD Global** for further review and processing (see <https://intranet.ucd.ie/international/staff/establishing-international-agreements/index.html> for relevant contact details). UCD Global will consult with UCD Legal and the University Secretariat as and where necessary. Pending approval by the relevant University committee, UCD Global will arrange for the relevant documentation to be signed, normally by the UCD President.

Storage of Agreements

The University Secretariat maintains an online repository of any agreements that it has in its possession which specifically relate to inter-institutional collaborative academic programmes and/or students who may be registered to a programme with an inter-institutional collaborative aspect. This repository is complemented by a *UCD Collaborative Programmes – Agreements Register* which may be used as an index to all the agreements contained in this repository. The repository, and the Agreements Register, may be accessed via Google Drive, and access to the folder may be requested by emailing programmes@ucd.ie. UCD Legal and the UCD Global also retain a number of relevant agreements.