Guidance for Faculty on Establishing Relationships between Yale and International Entities

The University encourages international activities and recognizes that enabling such activities may involve inter-institutional agreements involving specific University financial or programmatic obligations. These guidelines seek to provide assistance based on best practices learned over the past few years to faculty who wish to explore entering into a collaboration or relationship with a non-U.S. university, research institution, or other entity (“International Entity”), including those that may require Memoranda of Understanding or other agreements. Questions about the applicability of these guidelines to specific circumstances may be directed to the Office of International Affairs at 203-432-6240 or the Office of the General Counsel at 203-432-4949. The checklist on page 3 may assist in analyzing a particular situation. It is also highly recommended that faculty and staff interested in international activities acquaint themselves with the Yale in the World website (http://world.yale.edu) and the Yale International Toolkit site (http://world-toolkit.yale.edu).

Procedures for Establishing a Relationship with an International Entity

Stage 1 – The faculty member or other Yale-based individual who has identified an opportunity for a valuable relationship between Yale and an International Entity meets with the dean or department chair, colleagues, lead administrator or operations manager, to review the opportunity; consults with the Office of International Affairs as to whether there are any existing or prior relationships with the International Entity; and together with the dean or chair consults with the Provost's Office.

Commitments or formal negotiations are not made at this stage. These internal meetings examine the commitment of time, travel costs, resources and funding that the proposed relationship would require, and also determine whether participation could cause a conflict of commitment with existing University responsibilities.

Stage 2 – With the Chair, Dean and Provost’s endorsement, the faculty member completes the on-line request for support form on the International Toolkit site outlining the primary characteristics of the proposed relationship (http://world-toolkit.yale.edu/intl-agreement).

The Offices of the General Counsel, Grant and Contract Administration and Faculty Research Management Services (as appropriate) will consult on the next steps to advance the proposed relationship, including what agreement templates to use and the office that will take the lead in providing advice on establishing the relationship (the “Lead Support Office”). Appropriate consultations will follow between the Office of the Provost, the Tax Office, Human Resources, Risk Management, and the Yale faculty member.

Stage 3 – The Lead Support Office works with the faculty member, lead administrator or operations manager and the appropriate individuals at the International Entity to negotiate and obtain final review and signatures on an agreement.

Final agreements require review by and approval from the relevant dean and cognizant provost and signature on behalf of Yale by the appropriate individual with delegated signing authority. The appropriate signatory for Yale is within the Office of Grant and Contract Administration for sponsored awards, the Human Resources division for agreements involving personnel, and the Finance division for all other types of agreements. Typically, the signature of the dean or chair and the faculty member, are also included to reflect the role of the department in the implementation of the agreement. When protocol requires a ceremonial signing, the Office of International Affairs will advise the faculty member and the
relevant school or division to secure the participation or signature of an authorized Yale individual.

The Office of Grant and Contract Administration maintains original agreements related to sponsored awards and the Department or School maintains all other originals. The Lead Support Office will circulate electronic copies of the executed agreement to the cognizant Provost and the International Compliance Operations Manager who maintains a database of agreements with International Entities.

Roles of and Primary Contact Persons in Principal Support Offices in the Development of Relationships with International Entities

The Office of International Affairs (OIA) provides regional and country specific expertise on the University’s existing relationships with International Entities and the countries where they are located. OIA will flag any high-level institutional concerns with the identity of the International Entity or with Yale entering into a relationship in the country in question.

Primary Contact Person: Donald L. Filer
Associate Secretary and Executive Director of International Affairs
(203)(432-7888)
Donald.filer@yale.edu

The Office of the Provost identifies any programmatic, budgetary, or academic issues related to the proposed affiliation. The Office of the Provost reviews approves the final agreement before it can be signed if it involves the commitment of University financial or other resources. The primary contact person would be the cognizant Deputy Provost of the faculty member, or the Deputy Provost’s designee as shown at http://provost.yale.edu/who-my-provost.

The Office of General Counsel (OGC) identifies any significant high-level legal concerns regarding the proposed affiliation. These might include, for example, difficulties with transfer of funds to the country in question, applicability of export control regulations or anti-boycott laws, local labor law or immigration requirements, etc. For agreements that do not involve third-party or governmental sponsorship, OGC will, typically, take the lead in negotiating legal terms in the agreement.

Primary Contact Person: Cynthia Carr
Deputy General Counsel and Director of International Legal Affairs
(203)(432-1933)
cynthia.carr@yale.edu

Office of Grant and Contract Administration (GCA) coordinates review of sponsored awards that involve third-party or governmental sponsorship; prepares draft agreements (on templates established in consultation with OGC); and conducts export regulation compliance review in consultation with OGC.

Primary Contact Person: Jeff McGuinness
Senior Contract Manager
(203)(785-5536)
jeffrey.mcguinness@yale.edu

Faculty Research Management Support (FRMS) provides non-medical school departments and their principal investigators with the resources and expert knowledge needed to complete, manage, and renew sponsored awards.
Primary Contact Person: Joanne Bentley  
Director  
(203)(432-3914)  
joanne.bentley@yale.edu

Possible Additional Consultations

The following Yale entities, listed by area of expertise, supplement those routine consultations described above. Some agreements will present additional issues whose resolution will benefit from the participation of other Yale departments and offices. OIA, OGC, GCA or FRMS will work with the faculty member and/or lead administrator or operations manager to coordinate this review.

Major, long-term affiliation: President, possibly, the Yale Corporation, Provost

Intellectual property issues: Office of Cooperative Research

Research and export compliance issues: Office of Research Administration, Office of Research Compliance and Education

Payments, banking, and funds transfer: Controller, Tax Office

Employment of individuals: Human Resources, Tax Office, Risk Management

Use of vehicles: Risk Management, Tax Office

Leasing space and equipment: Tax Office, Risk Management

Purchasing goods and equipment: Procurement, Tax Office, Risk Management

Human subject research and animal research overseas (legal, medical): Human Research Protections Program, Institutional Animal Care and Use Committee, Office of Research Administration, and Risk Management

Data transfer and security: Information Technology

Yale name use: Office of the Vice President

Checklist of 10 Relevant First Questions

1. What is the nature of the relationship?  
2. What are the anticipated activities and when would they occur?  
3. What Yale personnel will be involved?  
4. Will there be external funding?  
5. Will the activities involve the use of facilities or purchasing of vehicles?  
6. How will finances be managed?  
7. Will activities involve hiring or placing individuals abroad?  
8. Is highly regulated activity such as animal or human subject research or clinical activity involved?  
9. Will the activities include extended travel or travel to countries that implicate sanctions?  
10. Are other University departments engaged in activities with this entity?