

**Review Process and Criteria for Development of External  
Relationships within Academic Affairs**

**Why is there a need to put an enhanced process in place?**

While there are existing practices and policies for implementing such relationships, there are a number of instances where either the process was incomplete or ineffective in reducing or minimizing institutional risk that then resulted in financial liability and/or notoriety for the university.

**What is an external relationship in this context?**

It is a contract (e.g., an MOU or MOA) between the university (i.e., a unit with a direct or eventual reporting relationship to the Provost) and any agent or entity external to the university with the intent to provide programs and services to the public and/or FGCU students. Such relationships can be in the form of a sponsored program, a revenue generating venture, or a pro bono initiative. It may involve credit or non-credit activity, an international exchange, or it may involve conferences, workshops, seminars, lectures, or other events.

**What is the process to follow to seek approval for such a relationship?**

Beside existing practices and approvals required for such activities, academic units will be asked to complete a form that addresses a series of criteria that include the following:

- 1) The background of the partner and an assessment of their capacity to carry out their obligations under the terms of the agreement. This should include the organization's history with FGCU and its history in similar relationships, if any.
- 2) A description of the responsibilities of the FGCU participants and an assessment of their capacity to carry out each of the responsibilities described in the contract.
- 3) A description of how relevant units, either academic, administrative, and student affairs have been involved in the development of the agreement and evidence that they will support its implementation.
- 4) A description of how finances are handled and how collection and the distribution of proceeds will occur. The description should include, at a minimum, expected revenue sources, safeguard(s) over funds held by the relationship during its life, and the method for determining the distribution of any residual balance.
- 5) A description of how complaints arising from the relationship will be handled and the terms and conditions associated with refunds, if applicable.

- 6) Whether or not the external entity has requested the use of FGCU's name, logo or trademark and proposed restrictions on the use thereof and proposed advertising of the relationship.
- 7) How fulfillment of the requirement that the external entity secures appropriate insurance and will indemnify the university from the actions of its own officers and agents will be handled.
- 8) A description of how risk has been assessed and satisfactorily mitigated. For example, what are the potential financial liabilities and what is FGCU's pro rata share, if any?
- 9) A description of any relevant policy, regulation, statute, or accreditation standard that could be called into question through implementation of the relationship.

The completed form would require the signature of the college dean, along with other supporting documentation, and would be submitted to the provost's office for review and approval at least three weeks (obviously this timeframe would have to be much longer to accommodate approval processes associated with credit-bearing courses or programs) before planned execution of the agreement. This would occur with the understanding that the review could lead to the postponement of the planned execution and implementation of the agreement or its complete cancellation. Consequently, the early notification of the provost's office is preferred. Indeed, completion of the form during the planning stage of the proposal is encouraged. Therefore, those involved in proposing such relationships should exercise caution in signaling the institution's commitment until the Provost's approval is received. Naturally, the required review by the Counsel's office will continue to be required as well.