

June 27, 2017

To: All Faculty, Department Chairs, and Business Officers (via SBFACU-L,
SBCHR-L and SBADM-L)

From: Cindy Doherty, Director
Academic Personnel

Re: Presidential Policy Issuance

The following is being sent to all faculty, Department Chairs, and Business Officers

PRESIDENTIAL POLICY ISSUANCE

Issued by President Napolitano, the new International Activities Policy is effective immediately.

The new policy and issuance letter are attached for your convenience. These documents can also be found online at <http://policy.ucop.edu/doc/2300651/IAP>

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June 23, 2017

**CHANCELLORS
MEDICAL CENTER CHIEF EXECUTIVE OFFICERS
LAWRENCE BERKELEY NATIONAL LABORATORY DIRECTOR
VICE PRESIDENT—AGRICULTURE AND NATURAL RESOURCES**

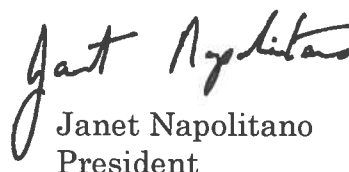
Dear Colleagues:

Enclosed is the new International Activities Policy (IAP) drafted by a Working Group formed by the Academic Planning Council (APC), a joint Senate and Administration body chaired by Executive Vice President and Provost Aimée Dorr. This new Policy is replacing the 2005 Guidelines for the Establishment and Operations of Foreign Affiliate Organizations and Foreign Operations which pertain to a narrow area of international activities.

The new Policy covers all international activities conducted by all UC employees and students including routine activities; it sets out governing principles, clarifies approval levels, and directs proponents of international activities to consider and address attendant risks.

The International Activities Policy is effective as of the date of this letter and will be published online at <http://policy.ucop.edu/>.

Yours very truly,


Janet Napolitano
President

Enclosure

cc: Division Leaders
Vice Provost Carlson
UCLA Vice Provost/Graduate Dean Garrell
Director Lockwood



International Activities

Academic Officer:	UC Provost and Executive Vice President for Academic Affairs
Responsible Office:	Academic Personnel and Programs
Issuance Date:	6/23/2017
Effective Date:	6/23/2017
Scope:	This Presidential Policy applies to faculty, other academic appointees, students, and staff at the Office of the President, the Division of Agriculture and Natural Resources, the Lawrence Berkeley National Laboratory, and University of California campuses.

Contact:	Janet Lockwood
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TABLE OF CONTENTS

I. POLICY PURPOSE AND PRINCIPLES.....	1
II. DEFINITIONS.....	3
III. POLICY TEXT.....	5
IV. COMPLIANCE AND RESPONSIBILITIES.....	6
V. PROCEDURES.....	8
VI. RELATED INFORMATION.....	13
VII. FREQUENTLY ASKED QUESTIONS.....	16
VIII. REVISION HISTORY.....	18
IX. APPENDIX A.....	19

I. POLICY PURPOSE AND PRINCIPLES

A. Purpose

The mission of the University of California as a public research university includes the creation, dissemination, preservation, and application of knowledge for the betterment of global society. The University’s community of faculty, other academic appointees, students, and staff is characterized by a culture of interdisciplinary collaboration that is responsive to the needs of the larger

multicultural and global community. The University is committed to academic freedom, which includes open access to information, and free and lively debate conducted with mutual respect. These values extend to UC's international activities, which serve to enhance its international engagement in research, teaching, and service in an interconnected world.

The purpose of this Presidential Policy on International Activities (Policy) is to: support the academic mission by encouraging and supporting international collaboration, education, exploration, research, and service; provide an administrative framework for international activities so that they can be established expeditiously and operate effectively; direct proponents of international activities to consider and address the risks of international engagement; protect the reputation of the University; and guard the interests of faculty, other academic appointees, students, and staff while engaging in international activities.

This Policy applies to all international activities at UC and clarifies which activities must be approved by the Regents, the President, or the UC Provost. The Policy does not impose any new approval or authorization requirements for international activities nor does it alter current approval or authorization requirements. For activities that do not require Regents, President, or UC Provost approval, a determination of whether an international activity requires Executive Officer or designee approval is left up to the UC location.

Barriers to international engagement should be low; any UC faculty member, other academic appointee, student, or staff member may initiate an international activity.

International activities may present the possibility of risk; adherence to this Policy and to other relevant University policies will mitigate this. The concepts in this Policy should be considered when conducting international activities, including by agreement with another institution or organization, and when determining the approval level for such activity.

B. Principles

International activities at the University of California advance the University's mission, uphold academic freedom, and support the dissemination of research and scholarship.

C. Legality

All activities covered by this Policy must be in compliance with all applicable state and federal laws and regulations, University of California policies, and the laws and regulations of the foreign sites where they are conducted.

D. Covered activities

International activities, collaborations, and agreements between UC and international partner institutions and organizations can range widely in size and

scope, from individual peer-to-peer collaborations to field research by faculty and students to contractually-binding agreements that obligate UC and its partners to perform specific actions requiring substantial resources and long-term commitments. This Policy governs all such activities and sets forth the approval levels for the range of international activities conducted by UC faculty, other academic appointees, students, and staff.

E. Autonomy and collaboration

UC should sustain campus and location autonomy to develop international partnerships consistent with the focus and needs of the campus or location, and foster collaboration between and among University of California campuses and locations to leverage University resources.

II. DEFINITIONS

- A. Administrative Unit** – The UC location’s department or office that handles specific administrative matters, e.g., Sponsored Research Office handles research administration; International Activities Office handles global engagement; Academic Personnel handles employment matters pertaining to faculty and other academic appointees; Academic Senate handles issues pertaining to student admissions, curricula, and degree requirements.
- B. ANR** – Division of Agriculture and Natural Resources at the UC Office of the President.
- C. Executive Officer** – The person at UCOP, ANR, LBNL, or a UC campus with the highest authority, i.e., President, Chancellor, ANR Vice President, LBNL Director.
- D. Intellectual Property** – Property, such as an invention, original work of authorship or trademark, that derives from the intellect. Intellectual Property is protected by patents, copyright, and trademark law.
- E. International activity** – An activity involving teaching, research, creative activity, or public service conducted outside the boundaries of the United States or involving foreign institutions. International activities include, without limitation, the establishment and operation of projects and programs for educational, instructional, training, clinical care, artistic, fundraising, and public service purposes, as well as the establishment of International Operations and International Subsidiaries to enable or facilitate such activities.
- F. International activities office** – The unit at UC locations that handles international activities, e.g., Office of Global Engagement, Office of

- International Activities, International Partnerships & Affiliations, International Institute, International Education Office.
- G. International activity agreement** – Defined broadly for the purposes of the Policy to encompass written documents executed to establish an international activity.
 - H. International Operation** – A unit established by UC outside the United States whose sole purpose is to support the University’s teaching, research, and public service mission, and which is required to be registered in a foreign jurisdiction by reason of the scope, scale, or duration of the activities being conducted in the jurisdiction but is **not** required by the foreign jurisdiction to hold the status of a separate legal foreign organization or corporation.
 - I. International Subsidiary** – A unit established by UC outside the United States whose sole purpose is to support the University’s teaching, research, and public service mission, and which is required to be registered in a foreign jurisdiction by reason of the scope, scale, or duration of the activities being conducted in the jurisdiction and **is** required by the foreign jurisdiction to hold the status of a separate legal foreign organization or corporation.
 - J. LBNL** – Lawrence Berkeley National Laboratory.
 - K. Location** – Defined for the purposes of the Policy as the Office of the President (UCOP), the Division of Agriculture and Natural Resources (ANR), the Lawrence Berkeley National Laboratory (LBNL), and the UC campuses.
 - L. Partnership** – An organization in which two or more individuals or businesses pool resources and share in the management of an enterprise in accordance with the terms of a partnership agreement.
 - M. Risk** – The possibility of harm or loss; a probability of threat, damage, injury, liability, loss, or other negative occurrence that may be mitigated by forethought and preparation.
 - N. Site** – Defined for the purposes of the Policy as the place outside of the United States where UC faculty, other academic appointees, students, or staff are conducting an international activity, including at a physical space loaned or donated to, or leased or rented by, or purchased on behalf of the Regents.
 - O. UCEAP** – UC Education Abroad Program.

III. POLICY TEXT

A. Academic Purpose

All international activities conducted by UC faculty, other academic appointees, students, and staff must be consistent with and in support of the University's mission of teaching, research, and public service. The activity must address and/or support an academic interest or goal at the University of California and must be conducted in a manner consistent with the University of California's academic standards.

B. Ethics

All international activities must adhere to the UC Statement of Ethical Values and Standards of Ethical Conduct, the UC Faculty Code of Conduct, the UC Policy on Student Conduct and Discipline, the principles of conduct shared by members of academic institutions, and the prevailing ethics of the disciplines and professions involved.

C. Private Gain

No UC international activity may be operated for the private inurement or gain of an individual or organization.

D. Risk

Proponents of international activities must consider the risks of such activities and plan in advance to mitigate and/or minimize them. See Section V.C of this Policy.

E. Organization and Operation of International Subsidiaries and International Operations

- 1. Compliance** – International Subsidiaries and International Operations must be organized and operated in compliance with all applicable laws of the foreign site and must operate in accordance with this Policy and such other terms and conditions as may be established by the President or their designee, or by the Executive Officer or their designee.
- 2. Political Activity** – As a Section 501(c)(3) organization, the University is prohibited from participating or intervening in any U.S. or non-U.S. political campaign on behalf of or in opposition to any candidate for public office ("electioneering"). This prohibition applies both to making financial contributions in support of a candidate, and to the publication or distribution of written or oral statements on behalf of or in opposition to a particular candidate. University policy prohibits all individuals and groups within the University community from using University resources or the University's name for or in connection with political purposes or activity,

either domestic or international, except as consistent with University policy applicable to political activities other than electioneering. UC faculty, other academic appointees, students, and staff, in their individual capacities and without using University resources, may participate in campaigns of candidates for public office or other political activity provided such activities neither overtly nor implicitly involve or implicate the University. This does not preclude scholarly activity that is congruent with UC's mission (see Policy on Restrictions on the Use of University Resources and Facilities for Political Activities).

3. **Annual Report** – In accordance with the July 17, 2002 Regents Action, the Executive Officer of each UC location will provide an annual report to the President on each International Subsidiary and International Operation under their direction.

IV. COMPLIANCE AND RESPONSIBILITIES

A. Policy Approval

The President of the University is the Approver for this Policy and has the authority to approve any revisions to this Policy upon recommendation of the UC Provost and Executive Vice President for Academic Affairs (UC Provost).

B. Policy Implementation

The UC Provost is the Academic Officer for this Policy and has the authority to implement the Policy and to develop procedures or other measures to effect implementation.

C. Policy Review

The UC Provost has the authority to initiate a review of this Policy and to recommend revisions to the President.

D. Approval of Actions Governed by the Policy

1. **Approvals and Exceptions** – All actions governed by this Policy must be approved in accordance with the requirements described below. Exceptions to the Policy must be approved by the Regents for matters requiring Regents' approval, by the President for matters requiring President's approval, and by the UC Provost for matters requiring UC Provost approval. The approval authorities described below may be delegated unless expressly disallowed.
2. **Application of General University Approval Authorities** – All current approval authorities, delegations of authority, and restrictions on authority

apply equally to both domestic and international activities unless expressly noted otherwise in the University's governing documents. Applicable approval authorities can be found in Regent's Bylaws, Committee Charters, Standing Orders, and policies; in delegations of authority and specific authorities approved by the Regents pursuant to action items; in Executive Officer delegations at UC locations; and in all other delegations of authority and University policies approved by the President and by the UC Provost.

3. **Regents** – The Regents have authority over agreements and activities that are primarily related to UC business, organization, and finance; involve systemwide liability; and/or involve shared or minority governance with a foreign entity. See Section V.F.3.a. for specific examples. Other than those matters not otherwise delegated, the Regents have delegated to the President the authority to execute contracts and other documents on behalf of UC.
4. **President** – The President has approval authority as outlined in Bylaws 22.1 and 30, as well as authority delegated by the Regents in other governance documents, including Bylaws, Regents' actions, and UC policies. The President delegates to the UC Provost the authority to establish international entities, as delegated and specified in Regents' adoption of Authorization to Establish Nonprofit Organizations to Benefit the University, July 18, 2002. The President reserves the authority to approve very high risk matters and may elect to present such matters to the Regents for approval.
5. **UC Provost** – The UC Provost has authority as described in the position's roles and responsibilities, and as delegated by the Regents and by the President in various Bylaws, Standing Orders, Regents action items, and UC policies. Generally, the UC Provost has authority over systemwide activities that are primarily academic and activities over which UC has majority governance. See Section V.F.3.c. for specific examples.
6. **UC Vice Provost of Academic Personnel and Programs** – The UC Vice Provost of Academic Personnel and Programs is the responsible officer for this Policy and has the authority to develop procedures or other supplementary information to support implementation of the Policy. The responsible officer may apply appropriate interpretations to clarify the Policy provided that interpretations do not result in substantive changes to the Policy.

7. **Executive Officer** – The Executive Officer has approval authority that has been delegated by the Regents, the President, and the UC Provost in various Bylaws, Standing Orders, policies, delegations of authority, and Regents action items. Generally, the Executive Officer has authority over international activities that are campus-specific, in contrast to systemwide activities that require Regents, President, or UC Provost approval. See Section V.F.3.d. for specific examples. The Executive Officer also assures that the Policy is implemented and enforced at their respective location.

V. PROCEDURES

A. Academic Oversight

The international activity must be consistent with the University's mission. The UC location should consider the quality, reputation, resources, business practices, and academic standing, if relevant, of the potential partner. The general scope and specific areas or fields of cooperation should be defined, e.g., whether the activity is instruction, research, creative work, clinical care, training, public service, or a combination of areas. A proposal for an international activity presented for approval to the Regents, President, UC Provost, or Executive Officer must be supported by the individual with administrative authority over the proposal, e.g., Department Chair, Dean, Organized Research Unit Director. The proposal must include a commitment of responsibility for the activity from a member of the UC faculty.

Academic oversight, anticipated outcomes, and activity review and evaluation should be planned in advance of finalization of an agreement. The potential interest of and the level of involvement and responsibilities of faculty, other academic appointees, students, and staff should be specified, as should compliance with departmental and other UC location procedures for approval of credit and time away from the UC location. Sabbatical and/or leave requests must be approved in advance, in accordance with existing policies and procedures. The parties responsible for admissions decisions, academic supervision, curriculum, degree requirements, student registration, permits, licenses, and fee payments must be designated in advance.

All partners must work with faculty, other academic appointees, students, and staff to ensure compliance with all applicable UC and partnering site policies, and all applicable statutes, regulations, standards, and guidelines in the U.S. and in the site country. Faculty, other academic appointees, students, and

staff planning to engage in International Activities should consult in advance with the international activities office at their location in order to assure quality, transparency, and adherence to applicable policies, statutes, and regulations.

B. Clinical Enterprises

The University of California is involved in clinical projects and partnerships around the world which are opportunities for faculty, other academic appointees, students, and staff to improve health worldwide through public service. Agreements, partnerships, and collaborations for clinical services take many forms including professional services agreements, training affiliations, and teaming agreements.

All clinical service activities, regardless of size or nature, must comply with all applicable state and federal laws, UC policies, and site country laws, policies, standards, and guidelines.

Faculty, other academic appointees, students, and staff must obtain in advance site licensure or certification if the intent is to practice licensed professions abroad such as medicine, nursing, pharmacy, dentistry, laboratory science, or law. Failure to obtain local licensure or certification can be grounds for prosecution and for liability for malpractice.

C. Risk

Risk can take many forms, and can range from personal to institutional, e.g., illness, injury, accident, natural disaster, breaches of data, damage to reputation, challenges to physical security, financial loss or mismanagement, political unrest.

Risk factors must be considered when undertaking international activities. Depending on the nature of the activity, proposers of the activity should consult risk management officials at the UC location or at UCOP prior to proceeding with the activity to explore minimizing, mitigating, and responding to specific risks.

D. Remedies

If an allegation is made that the University or a partnering institution has engaged in unethical, unprofessional, or illegal conduct, or has contravened the principles of an agreement or of University policy by entering into a collaborative relationship, or by the conduct of any collaborative activity, such allegation shall be reviewed by the Executive Officer or designee at the UC location that entered into the agreement. The Executive Officer or designee,

in consultation with counsel and other experts, shall determine whether remedial steps are required.

E. Agreements

International activity agreements should indicate how the activity advances the UC mission, and describe institutional support for the activity at the UC location. Areas of responsibility at UC and at partnering institutions should be identified with regard to relevant matters, e.g., admissions decisions, academic supervision, collaborative research, funding sources, governance, compliance, fee structures, agreement sunseting, activity termination. Issues such as health; safety; Intellectual Property; export control; data security; risk; insurance and indemnification; taxation; use of names, logos, and trademarks; employment; visas and travel; accessibility; and housing should be anticipated and investigated with relevant UC administrative units.

F. Approval Authority

- 1. Applicability of Other Policies and Approval Processes** – Approval authority for international activities does not replace other approval processes or routine consultations that may be required under other UC policies and procedures, such as compliance approvals, Academic Senate review, review by counsel, and other relevant processes.
- 2. Approval Levels** – There are four approval levels for international activities at UC:
 - a. Regents;
 - b. President;
 - c. UC Provost; and
 - d. Executive Officer or designee at the UC location.

Approval levels are based on Regents' Bylaws, Committee Charters, Standing Orders, and policies. Factors such as resource commitment and risk can be considered when determining whether approval for a particular activity should be reserved for a higher authority level than would otherwise be required.

3. Determining Approval Authority

- a. Regents** – Approval authority lies with the Regents (Board or Committee) for the following (unless authority has been expressly delegated by the Regents):
 - i. University participation in non-health-related corporations, partnerships, and other entities, except for investment purposes,

and within parameters specified by Committee Charter or Regents Policy. (Bylaw 22.2.)

- ii. University participation or membership in UC-Health-related joint ventures, partnerships, corporations, or other business entities. (Health Services Committee Charter.)
- iii. Exceptions to approved University programs and policies or obligations on the part of the University to expenditures or costs for which there is no established fund source or which require the construction of facilities not previously approved. (Standing Order 100.4(dd)(2).)
- iv. Affiliation agreements with other institutions or hospitals involving direct financial obligations or commitments to programs not previously approved. (Standing Order 100.4(dd)(5).)
- v. Agreements to indemnify third parties, subject to exceptions and parameters specified by Committee Charter or Regents Policy. (Bylaw 22.2.)

The following activities are also identified as being reserved to the Regents by virtue of falling within Regents' reservations of authority and falling outside existing delegations to the President:

- vi. Activities that establish International Subsidiaries or International Operations over which UC shares governance authority with another entity.
 - vii. Agreements that involve facilities construction and/or the acquisition of real property.
 - viii. Agreements that involve systemwide planning and/or assumption of obligations, with the potential for long-term involvement.
- b. President** – Approval authority lies with the President for international activities that are not subject to Regental approval and that are not delegated to the Provost. The President reserves the authority to approve very high risk matters and may elect to present such matters to the Regents.
- c. UC Provost** – Approval authority lies with the UC Provost unless delegated for:

- i. Activities that establish International Subsidiaries and International Operations over which UC has majority governance authority.
 - ii. Negotiating and executing agreements for UCEAP.
 - iii. Activities that involve systemwide planning and/or assumption of obligations due to the scope of the academic and administrative activity.
- d. Executive Officer** – Approval authority for international activities conducted at UC locations that do not require Regents, President, or UC Provost approval lies with the Executive Officer at the UC location or their designee. For such activities, a determination as to whether an international activity requires Executive Officer or designee approval is left up to the UC location. Routine activities that are part of the course and scope of the employment, education, and training of faculty, other academic appointees, students, and staff may not require Executive Officer or designee approval.
- e.** In those cases in which it is *unclear where approval authority lies*, project proposers are directed to **consult their location's offices for international activities, counsel, and risk management, and the Office of General Counsel.**

G. Process

When proposing an international activity that requires approval by the Regents, President, or UC Provost, the Executive Officer of the UC location or their designee shall submit to the UC Provost:

1. A proposed agreement with supporting documents;
2. A completed Checklist for Regents, President, or UC Provost Approval of International Activity (Appendix A); and
3. Documentation that all relevant reviews have been obtained. Relevant reviews include academic and legal review, and may include review by location offices of: Sponsored Research, International Activities, Risk Management, Divisional Academic Senate, and Planning and Budget.

The Office of the UC Provost will review the submission and consult with the Office of General Counsel and the UC location if necessary.

VI. RELATED INFORMATION

A. Policy Implementation and Guidance

Policy Implementation and Guidance will be drafted after the Policy is issued and will be posted on the UCOP website.

B. Resources at UC Locations

1. International Activities Offices – Every UC location has an administrative unit that handles international activities; these should be consulted in advance of initiating such an activity. Below are links to campus international activities offices and to relevant administrative units at UCOP, ANR, and LBNL:

- a. [UCB: Global Engagement Office](#)
- b. [UCD: Global Affairs](#)
- c. [UCI: Office of Global Engagement](#)
- d. [UCLA: International Institute](#)
- e. [UCM: Office of International Affairs](#)
- f. [UCR: International Affairs](#)
- g. [UCSD: Office of International Affairs](#)
- h. [UCSF: International Partnerships & Affiliations](#)
- i. [UCSB: Global Engagement](#)
- j. [UCSC: Global Engagement Office](#)
- k. [UCOP: Office of General Counsel; Research and Graduate Studies; Ethics, Compliance and Audit Services; Risk Services](#)
- l. [ANR: Administration, Division of Agriculture and Natural Resources](#)
- m. [LBNL: International Research & Scholars Office](#)

2. Subject Area Expertise – Some activities will present issues whose resolution will benefit from consultation with, or the participation of, additional administrative units. The following is a list of subject areas and the administrative units at UC locations and UCOP that can provide guidance:

- a. **Data transfer, privacy, and security:** Information Technology Services, UC location and UCOP; Campus Privacy Official
- b. **Employment:** Human Resources, UC location; Academic Personnel, UCOP

- c. **Establishing legal presence:** Office of General Counsel
- d. **Export Control:** Export Control Officer or International activities office, UC location; Office of Ethics, Compliance, and Audit Services, UCOP
- e. **Fundraising:** Development offices, UC location
- f. **Health and Safety:** Risk Services, UC location and UCOP
- g. **Health Insurance:** Benefits offices, UC location
- h. **Human Subjects Research:** Human subject protection office, UC location; Research and Graduate Studies, UCOP
- i. **Intellectual Property:** Technology Transfer Office, UC location; Research and Graduate Studies, UCOP
- j. **Leasing Space and Equipment:** Real Estate, Procurement, UC location and UCOP
- k. **Legal Issues:** UC Location Counsel, Office of General Counsel
- l. **Payments, banking and fund transfers:** International activities office, UC location; Controller, UCOP
- m. **Professional Licensure/Clinical Care:** International activities office, UC location; UC Health, UCOP
- n. **Purchasing Goods and Equipment:** Procurement, UC location and UCOP
- o. **Risk Management:** Risk services, UC location and UCOP
- p. **Signature Authority:** Executive Officer's Office
- q. **Sponsored (Research) Programs:** Sponsored Programs Office and/or International activities office, UC location; Research and Graduate Studies, UCOP
- r. **Student Exchange and Study Abroad:** UCEAP
- s. **Taxes:** Accounting, UC location and UCOP
- t. **Trademark/Use of Name:** Counsel at UC location; Office of General Counsel
- u. **Travel:** Risk services, UC location and UCOP
- v. **Use of Vehicles:** Risk Services, UC location and UCOP
- w. **Visas:** International Students and Scholars Offices at UC locations

C. Policy references

1. [Statement of Ethical Values and Standards of Ethical Conduct](#)
2. [Faculty Code of Conduct](#)
3. [Policy on Student Conduct and Discipline](#)
4. [Policy on Restrictions on the Use of University Resources and Facilities for Political Activities](#)
5. [Regents Standing Order 100.4 Duties of the President of the University](#)
6. [Regents Bylaws 22.1, 22.2, 30 and 31](#)
7. Regents [Health Services Committee Charter](#)
8. [Regents Action, July 17, 2002](#)
9. [DA 0864 – Delegation of Authority – Policy to Permit Use of the University's Name](#)
10. [Policies Applying to Campus Activities, Organizations, and Students – Appendix B, Use of the University's Name](#)
11. [Academic Senate Bylaws and Regulations](#)
12. [Academic Personnel Manual](#)
13. [Presidential Policies](#)
14. [Research Policies & Guidance](#)
15. [Student Affairs Policies and Guidelines](#)
16. [Business and Finance Bulletins](#)

VII. FREQUENTLY ASKED QUESTIONS

1. Does every international activity require formal approval under this Policy?

For activities that do not require Regents, President, or UC Provost approval, the determination of whether an international activity requires approval is left up to the UC location. Routine activities that are part of the course and scope of employment, education, and training of faculty, other academic appointees, students, and staff may not require approval. Routine activities may include: collaborations between faculty and peers; attendance at and participation in meetings and conferences; cooperative study programs; student exchanges and study abroad; training development programs; faculty research and fieldwork; undergraduate and graduate research and fieldwork; and scholarly, artistic, and cultural exchanges. To determine whether an international activity requires Regents, President, UC Provost, or Executive Officer or designee approval, consult the international activities office at your location. Links to international activities offices at UC locations are provided in Section VI.B.1 of the Policy.

2. Whom can I consult concerning approval requirements for international activities?

You should consult the administrative unit that handles international activities at your campus or UC location concerning approval requirements for international activities. Links to international activities offices are listed in Section IV.B.1 of the Policy. In cases where approval authority is unclear, campus counsel and the Office of General Counsel at UCOP should be consulted.

3. What is an example of an international activity that requires Regents' approval?

A UC location affiliates with a foreign university to establish an International Subsidiary that is a research institute at the foreign university's site. The institute is incorporated and registered in the foreign jurisdiction as a nonprofit research and education institution, and governance of the institute is shared equally between UC and the foreign university. Because UC shares governance of the research institute with the foreign university, Regents' approval is required.

4. What is an example of an international activity that requires UC Provost approval?

A UC location establishes an International Operation at a foreign site that is a research and education institute. The UC location collaborates with a local independent nonprofit organization to achieve the Operation's mission. Because UC has sole governance over the institute, Regents' approval is not required, but the UC

location is establishing an International Operation and therefore UC Provost's approval is required.

5. **What if laws in another country are more strict than U.S. law, e.g., regulations governing human subjects research, data protection regulations, etc.?**

For choice of law questions, consult the international activities office at your location and legal counsel.

6. **What if the country where the activity will take place does not have laws governing the activity but the activity is regulated in the U.S? Which jurisdiction's standards apply?**

This will depend on the particular activity and on the particular U.S. laws. For legal jurisdiction questions, consult the international activities office at your location and, if needed, legal counsel. If federal funds are being used, relevant federal regulations apply.

7. **What if UC policy or U.S. laws conflict with the laws of the country where the activity will take place?**

It depends on the specific laws and the nature of the conflict. For conflict of law questions, consult the international activities office at your campus or location and legal counsel before undertaking the activity.

8. **What are the rules governing the provision of clinical services?**

When providing clinical services abroad, the paramount requirement for UC employees, trainees, contractors and students is to cause no harm to patients, particularly as a result of inappropriate preparation and training. When engaged in providing clinical services abroad, UC employees, trainees, contractors and students must not practice: 1) outside their scope of expertise; and 2) without the licenses required by the U.S. and the foreign site. For students, guidance on the practice of clinical care abroad can be found at the Association of American Medical Colleges "[Guidelines for Premedical and Medical Students Providing Patient Care During Clinical Experiences Abroad](#)" and the Forum on Education Abroad [Guidelines for Undergraduate Health-Related Programs Abroad](#).

9. **Who is authorized to retain outside counsel as to international activities?**

The Office of General Counsel, which includes UC location counsel, as the office responsible for all legal affairs of the University, is solely authorized to retain outside counsel, including foreign counsel, to advise on international activities. See Regents Bylaw 23.5(b).

10. **Do UC policies on use of name and trademark apply to international activities?**

Yes, all UC policies on use of name and trademark apply to international activities, including concurrence by the General Counsel, as described in DA 0864 -

Delegation of Authority – Policy to Permit Use of the University's Name, and Policies Applying to Campus Activities, Organizations, and Students – Appendix B, Use of the University's Name.

VIII. REVISION HISTORY

This is a new policy issued by the President of the University of California on June 23, 2017

Policy reformatted for accessibility according to Web Content Accessibility Guidelines (WCAG) 2.0, June 19, 2017

IX. APPENDIX A

Checklist for Regents, President, or UC Provost’s Approval of International Activity

CHECKLIST – This **Checklist for Regents, President, or UC Provost’s Approval of International Activity** is to be used by campuses and UC locations when preparing a proposal for approval of an international activity, as defined in the University of California’s International Activities Policy, adopted June 23, 2017. This Checklist should accompany all proposals requiring Regents, President, or UC Provost’s approval, and should be submitted to the UC Provost’s office.

PROCESS for obtaining Regents, President, or UC Provost’s approval for an international activity:

- 1) Review the Checklist in advance of developing the project proposal. All topics on the checklist should be **considered** when developing a proposal; some topics may be **inapplicable** and should be so noted (N/A = not applicable).
- 2) Write the proposal.
- 3) Mark the Checklist if the topic is addressed in the proposal or is inapplicable.
- 4) Obtain campus or UC location signatures.
- 5) Submit the Checklist with the proposal to the UC Provost.

DEFINITIONS – Terms in the Checklist are those used in the International Activities Policy. “Location” is the UC entity seeking approval, i.e., UC campus, Office of the President, Division of Agriculture and Natural Resources, or Lawrence Berkeley National Lab. “Site” is the foreign location where the activity will take place. “Executive Officer” is the Chancellor, President, ANR Vice President, or LBNL Director.

SECTION 1 – PROJECT INFORMATION and MISSION. Make sure the project proposal includes the following information if relevant:

General information

- Project title
- Location (UCOP, campus, ANR, or LBNL) proposing the project
- Other UC locations or units involved
- Project status (new or existing) Brief summary of the project
- Type and number of individuals involved, e.g., faculty, graduate students, undergraduates, staff, non-UC participants
- Start and end dates (tentative or confirmed)
- Responsible project leaders (names and titles) and their affiliation, e.g., school, department, Organized Research Unit, Center, etc.
- Unit at the UC location where the project will be administratively managed, e.g., school, department, Organized Research Unit, Center, etc.
- Site partners, e.g., foreign universities, foreign governments, non-governmental organizations.

University of California Policy
International Activities

Mission

- Academic justification and alignment with the UC mission
- Anticipated benefits to UC and to project partners
- Services to be provided or activities to be conducted
- Planned or possible collaborations, and type of cooperation with project partners
- Description of project governance and organization chart
- Anticipated duration of the program
- Expected outcomes

SECTION 2 – PROJECT PLAN. For each topic below, check which planning matters have been addressed in the proposal.

Yes N/A

- Implementation description and timeline
- Materials and facilities including real estate leasing or acquisition
- Structure for day-to-day management and governance, e.g., site advisory committee
- High level budget and planned funding sources
- Roles and responsibilities of UC faculty and staff
- Faculty commitment of time
- Involvement of students
- Site staffing sources
- Dispute resolution process
- Project review and evaluation
- Project renewal, sunseting, and/or termination due to unforeseen circumstances, e.g., natural disaster, politics
- Other _____

SECTION 3 – COMPLIANCE and RISK. For each topic below, check which compliance and risk matters have been addressed in the proposal.

Yes N/A

- Research compliance, including animal and human subject protection
- Data security
- Intellectual Property
- Health, safety, and security considerations
- Risk, e.g., illness, injury, accident, natural disaster, damage to reputation, etc.
- Insurance and indemnification
- Technology transfer
- Export/import controls
- Use of the UC name and logo
- Conflict of interest or commitment
- Visa and travel issues
- Social, cultural, and political considerations

University of California Policy
International Activities

- | Yes | N/A | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Foreign location registration requirements |
| <input type="checkbox"/> | <input type="checkbox"/> | Tax implications for UC and for faculty |
| <input type="checkbox"/> | <input type="checkbox"/> | Professional licensure or certification |
| <input type="checkbox"/> | <input type="checkbox"/> | Site staffing rules and regulations |
| <input type="checkbox"/> | | Other _____ |

SECTION 4 – PROPOSAL REVIEW. Indicate which offices at the campus or UC location have reviewed the proposal prior to submission to UCOP. (All relevant reviews should be noted. Academic and legal review is required for all proposals, as provided in Section V.G.3 of the International Activities Policy):

- Other units involved in the project _____
- Department Chair and/or Dean
- International activities office
- Sponsored Projects
- Graduate Division
- Counsel
- Planning & Budget
- Academic Personnel
- Risk Management
- Export Control
- Executive Officer (Chancellor, President, ANR Vice President, or LBNL Director)
- Divisional Senate or Senate Committee _____
- Other _____

Some proposals require additional review at the Office of the President prior to submitting the proposal to the UC Provost. Please indicate which of the following UCOP offices have reviewed the proposal:

- Office of General Counsel
- Office of Research and Graduate Studies
- Academic Personnel and Programs
- Academic Senate or Systemwide Senate Committee _____
- Other _____

Acknowledgement of Responsible Parties

Provide the name(s), title(s), and signature(s) of the individual(s) with administrative authority over the proposal, e.g., Department Chair, Dean, ORU Director, Center Director, etc., and the signature of the Executive Officer of the campus or UC location.

Administrative Authority

_____	_____
Name (print)	Title
_____	_____
Signature	Date

Administrative Authority

_____	_____
Name (print)	Title
_____	_____
Signature	Date

Executive Officer (President, Chancellor, ANR Vice President, or LBNL Director)

_____	_____
Signature	Date