

Describing & Assembling the Building Blocks ('tools') in the Toolbox

Project/agreement management essentials
(Contractual matters and experiences/challenges, IP matters, Ethics, Authorship)

Contributors – Julie Nadler-Visser, Peter Meissner (UCT)
Gunda Huskobra (Jena), Emmanuele Picard (Montpellier),
Charlotte Cailliau (Ghent)



Developing the internationalization
of PhD studies in South Africa



Co-funded by the
Erasmus+ Programme
of the European Union



PRESENTATION ON AGREEMENT MANAGEMENT TO SUPPORT JOINT PhD PROGRAMMES

**PRESENTER: JULIE NADLER-VISSER
SENIOR CONTRACTS MANAGER
UNIVERSITY OF CAPE TOWN**

OVERVIEW ON COLLABORATIVE EDUCATIONAL ARRANGEMENTS

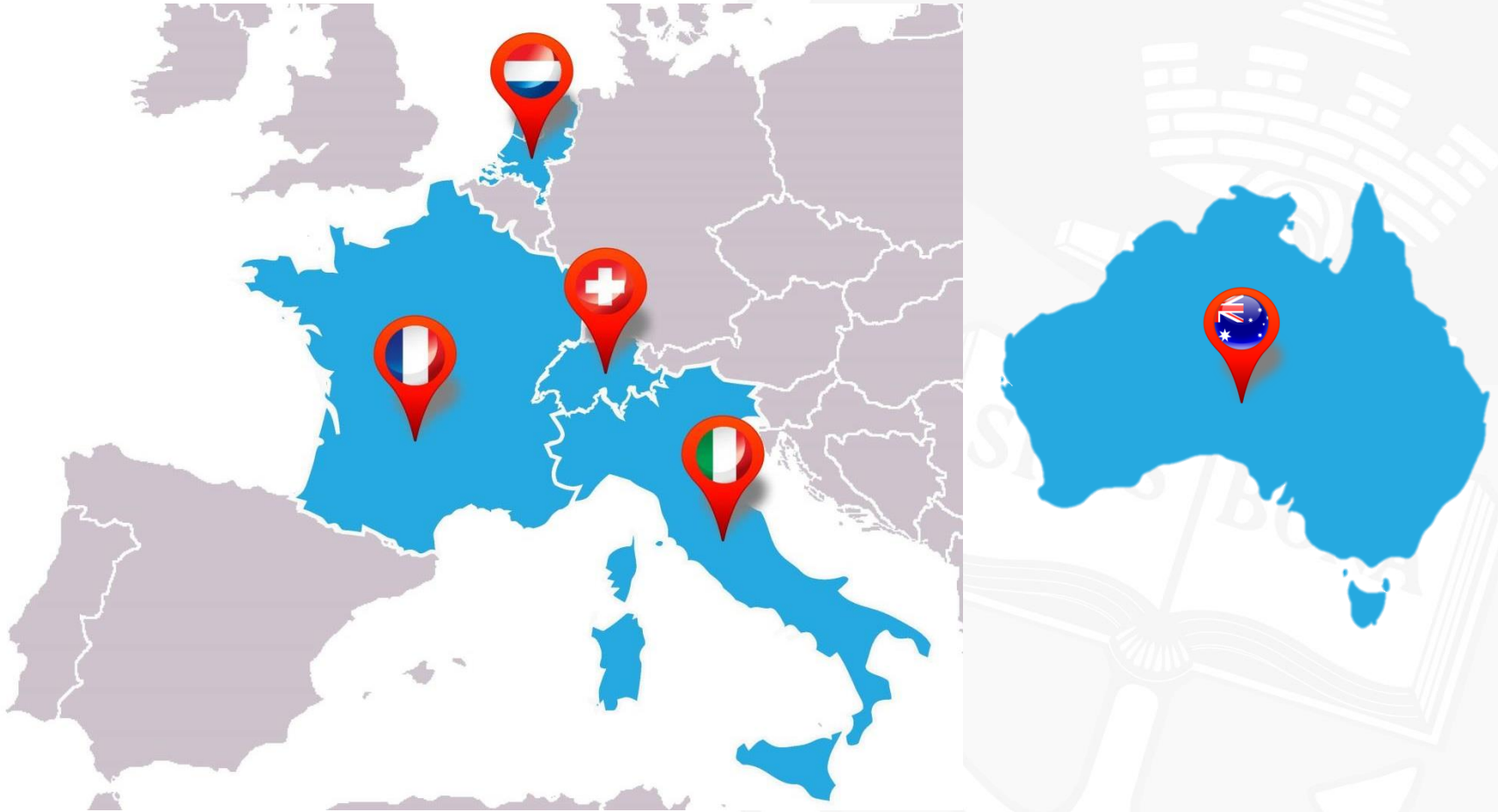


UNIVERSITY OF CAPE TOWN
IYUNIVESITHI YASEKAPA • UNIVERSITEIT VAN KAAPSTAD



Research Contracts & Intellectual Property Services

MAP PROVIDING OVERSIGHT OF GLOBAL ARRANGEMENTS



UCT POLICIES IN SUPPORT OF JOINT PhD'S

- Policy on co-badged qualifications and joint or jointly awarded qualifications (“joint degrees”) effective since 4 May 2013 and revised on 15 March 2015.

www.uct.ac.za/downloads/uct.ac.za/about/policies/Joint_Degrees_Policy.pdf

- Partnership guidelines: evaluating student exchange mobility agreements for joint/ co-badged degrees.
- Processes and guidelines for the governance, academic and partnership agreement approvals of international joint postgraduate qualifications at the University of Cape Town.

OVERVIEW ON THE NATURE OF JOINT OFFERINGS

- Programmes which lead to the award of co-badged qualifications.
- Programmes which lead to the joint award of a single qualification by more than one institution constituting a jointly awarded PhD.
- UCT does not permit offerings for double degrees.

JOINT DEGREES

- A joint degree is awarded at the successful completion of a jointly-offered single study programme offered collaboratively by two (or more) HEI's.
- The programme will entail:
 - (a) time spent by the student at both (or all) institutions;
 - (b) feature a jointly-developed and integrated curriculum; or
 - (c) a single research topic resulting in a single dissertation (master's degree) or a single thesis (PhDs).
- Recognition by each participating HEI of the time spent and work done at the other HEI(s) towards the jointly developed and integrated curriculum for a single qualification.

OUTCOME OF COMPLETION OF JOINT DEGREE

- Upon completion of the study programme, the student shall either be awarded:
 - (a) a single degree certificate issued and signed jointly by all HEI's involved in the programme; or
 - (b) two or more national certificates issued by each collaborating institution attesting to the award of the qualification.
- Proviso: Each certificate must refer to the joint nature of the qualification and specify that the qualification is being conferred in conjunction with another institution.

BENEFITS OF COMPLETION OF JOINT DEGREE

Benefits of joint degree offerings:

- Improving the recognition of qualifications
- Improving academic mobility
- Quality enhancement of programmes is encouraged through academics devising curricula that are open to scrutiny from partner colleagues
- Encourages the learning of foreign languages.

OUTLINE OF PROCESS TO BE FOLLOWED FOR CO-BADGED AND JOINT DEGREES

- STEP 1: Approval from the Partnerships and Visits Executive Committee (“PVEC”).
- STEP 2: Approval from the Head of Department.
- STEP 3: Approval from the dean of the faculty concerned.
- STEP 4: Academic approval of jointly awarded and co-badged degrees where a taught component needs to be routed through the Programme Approvals & Accreditation Committee.
- STEP 5: Drafting and negotiation of co-badged or joint degree agreement.
- STEP 6: Notification to faculty for capturing on records.

DETAILS REQUIRED IN PROPOSAL SUBMITTED TO PVEC

- Type of enrolment (i.e. co-badged or jointly awarded degree as defined in the UCT Policy) and qualification,
- The strategic value of the international university concerned.
- The reason for pursuing the co-badged or jointly awarded degree arrangement.
- Any existing relationship with the host university concerned.
- The advantages for the student and / or UCT in pursuing such arrangement; and
- Expected start and completion / submission date.

NATURE OF AGREEMENTS ENCOUNTERED

- Specific Implementation Agreement for Joint PhD
- Specific Implementation Agreement – Joint Programme in Marine Science
- Partnership Agreement governing the joint supervision and awarding of a doctorate diploma (Joint Doctorate)
- Memorandum of Agreement Joint PhD or Co-tutelle agreement
- Framework Agreement for Cotutelle Doctoral Degree Programmes
- Individual Doctoral Degree Agreements

REQUIREMENTS FOR JOINT DEGREES AND CHALLENGES EXPERIENCED

- Recognition of policies at governmental and institutional level. Eg UCT's IP policy.
- Comparability between quality assurance and accreditation systems of different countries.
- Funding frameworks (subsidy implications and special attention to student access and financial aid).
- Arrangements governing intellectual property protection need to be put in place.
- Different academic semesters need to be taken into consideration in determining the student's allocation of time at each institution.

REQUIREMENTS FOR AND CHALLENGES OF JOINT DEGREES CONTINUED

- Grievance procedures for students partaking in the joint degree.
- Generally associated with tuition fee waivers by the hosting institution whilst registration is required at both institutions.
- Students are generally responsible for their medical insurance whilst abroad. The agreement must be clear on expenses covered by the home and hosting institutions and the student.
- The exchange rate needs to be taken into consideration.

ESSENTIAL CLAUSES FOR INCLUSION IN JOINT DEGREE AGREEMENTS/ FRAMEWORK AGREEMENTS FOR DOCTORAL DEGREE PROGRAMME

- **Duration** – UCT requires agreements for a fixed period, not indefinite.
- **Recruitment, Selection, Admission and Registration**
- **Progress monitoring**
- **Fees** – details thereof will be specified in the individual doctoral agreement
- **Student complaints, appeals and disciplinary**
- **Dissertation and Examination**
- **Award and Graduation** - in the case where one of the parties fails the student, the doctoral degree may be awarded as a single degree only.

CONTINUATION OF ESSENTIAL CLAUSES

- **Liaison**
- **Confidentiality**
- **Intellectual Property** – preference here is for IP to be dealt with on a case by case basis due to the complexities of our legislation.
- **Data Protection** - Complications association with compliance with the General Data Protection Regulations (“GDPR”) of EU since UCT is currently not compliant. Alternative: satisfactory completion of a systems level security policy questionnaire.
- **Publication** – UCT will permit embargoes on publication in certain instances. Eg Pending patent – maximum 3 year embargo permitted.
- **Termination** – period for termination to be specified which should not affect any IDA’s already concluded.
- **Liability and Insurance**
- **Dispute Resolution** -key points of contact, deans, Vice-Chancellors

CONCLUSION

- Academics have unrealistic expectations of what joint degree arrangements involve.
- Stream-lining of procedures is required at all levels in order to facilitate the flow of information and finalisation of these arrangements, as demand increases.
- Tried and tested templates increase efficiency.
- An increase in demand requires an increase in staffing capacity.

FOR DISCUSSION

- What trends have other institutions observed with the increase in joint degree arrangements?
- What number of joint degree agreements are processed annually?
- What challenges have other institutions encountered with the conclusion of joint degree agreements?
- What processes are employed to streamline joint degree agreements at other institutions?
- What is the average time that it takes to conclude joint degree arrangements?
- What is the preferred approach to processing joint degree arrangements? Would this entail a framework agreement followed by individual doctoral agreements or a once-off approach.

THANK YOU

Queries concerning joint degrees or co-badged arrangements can be directed to julie.nadlervisser@uct.ac.za or researchcontracts@uct.ac.za

Ethics considerations

- It's complex and a potential deal-breaker – must be considered early
- The aim is of doing research:
 - with scholarly integrity and excellence
 - with social sensitivity and responsibility
 - with respect for the dignity and self-esteem of the individual and for basic human rights
 - with reference to clearly specified standards of conduct and procedures that ensure proper accountability
- In the pursuit of this ideal, institutions should subscribe to the interdependent principles of scholarly responsibility, integrity and honesty, of human dignity and of academic freedom and openness.
- In the research context, these principles manifest in the relationships between the researcher and:
 - the research community and its ethos
 - research participants
 - society as a whole
 - sponsors of research
- All research involving human participants is subject to prior ethics review, according to institution guidelines



YEBO!

Ethics considerations (UCT & SA)

- UCT Research Code of Conduct requires UCT ethical review for research involving humans or animals – assume all institutions similar
- In a health research context the National Health Act. 2003. requires all Health research (very broad definition- basic science, health systems, research involving psychological and social processes in humans, clinical etc.) to be approved by a South African NHREC registered Research Ethics Committee (REC)
- The NHREC allows for reciprocal review within SA (i.e. if there is more than one SA institution involved the institutions can agree that a review is only done by one REC - this is by mutual agreement though)
- Generally when a research partner or sponsor is in the US, EU or UK review would also be by that university as well as where the research is taking place. The EU institution can agree to delegate the review and approval to UCT if they are comfortable doing so (but *vice versa* unlikely).
- In a context where there is a disagreement between RECs then the rule of thumb is that the highest standard prevail. Also the local REC should have the final say w.r.t to locally relevant issues such as the content of the informed consent form etc.

Other considerations

- Requirement for student generic/professional development (e.g. courses in writing etc. available at some institutions)
 - Agree up front at beginning if possible
- Requirement for student up-skilling (in a specific area)
 - Agree up front if possible
- Some funders require specific reporting – financial and other (e.g. NRF from 2021 require wrap-around support reporting & MoU)
 - Agree up front who is responsible
- Some institutions require agreement progress reporting (audit activity for partnership agreements)



THANK YOU



Co-funded by the
Erasmus+ Programme
of the European Union