



Procedures

Policy Name	Corporate Agreements		
Policy #	501	Category	General Administration
Policy Sponsor	Associated Vice-President, Strategy	Previous Revision Date	N/A
Policy Approved by	President & CEO	Revision Date	June 19, 2020
Procedures Approved by	Vice-President, Advancement & International	Review Date	See Policy Review Date or As Required

See the related [POLICY](#).

DEFINITIONS

Articulation Agreement means a written agreement between two or more institutions that authorizes that studies undertaken in specific programs at one institution (sending) are to be credited toward direct entry into or advanced standing in specific programs at another institution (receiving).

Corporate Agreement means a written agreement entered into by Saskatchewan Polytechnic with one or more other parties. Corporate agreements include legally-binding agreements and non-legally binding agreements.

Legally Binding Agreement means a written agreement between two or more parties in which the parties are legally obligated to carry out its terms.

Letter of Intent (LOI) means a document which provides an indication of intent to act and allows the originator of the Letter and its potential partners to move forward in their negotiations.

Memorandum of Understanding (MOU) is used to establish relationships and the basis for future projects or collaborations, often without establishing a formal legal relationship. It can be considered a binding agreement depending on the purpose and the provisions written into the MOU and should not be assumed to be non-binding.

An MOU at Saskatchewan Polytechnic may take one of two forms:

Ceremonial MOU is an entirely non-binding, collaborative agreement. There are no specific actions, deliverables or money flow between the parties to the agreement. There is no significant exchange of confidential information or intellectual property.

Hybrid MOU is a collaborative agreement which includes both non-binding understandings and binding sections on confidentiality and intellectual property.

Non-Legally Binding Agreement means an agreement in which the parties are not legally obligated to carry out its terms.

Transfer Agreement means an agreement between two institutions (the sending and the receiving institution) which specifies how the sending institution's courses or program will be accepted for transfer credit at the receiving institution. Also referred to as an articulation agreement.

PROCEDURES

1. A Saskatchewan Polytechnic employee involved in the development of a corporate agreement will consult with and obtain the prior approval of their immediate supervisor and the appropriate senior management authority, established in Policy 504b Management Authorities Grid, prior to commencing negotiations of the terms and conditions of any corporate agreement.
2. Standard templates are available to assist in drafting various types of agreements. Significant deviation from the templates must be approved by the appropriate senior management authority and reviewed by legal counsel.
3. Prior to finalizing an agreement, the employee will engage in consultation with all affected areas in the organization. This consultation may include:
 - a. the Strategy department in cases where the agreement involves unusual or significant risk exposure, precedent-setting issues or controversial matters which might impact the reputation of Saskatchewan Polytechnic.
 - b. legal counsel in cases involving significant deviation from standard templates.
 - c. the Finance department in cases where there are financial resources involved.
 - d. the Facilities department in cases where Saskatchewan Polytechnic facilities or physical space must be negotiated.
 - e. the Privacy office in cases where any disclosure of personal information is contemplated.
 - f. any other department at Saskatchewan Polytechnic affected by the agreement.
4. For MOUs, the employee will inform the Manager, Governance and Privacy of the intention to pursue an agreement. The Manager, Governance and Privacy will advise on the appropriate form the agreement should take and facilitate review by legal counsel where necessary.
5. Before recommending an MOU for approval, the employee must complete the Memorandum of Understanding briefing document and provide the briefing document to the appropriate senior management authority.
6. Communications and Marketing and the President's Office must be consulted prior to, and shall coordinate all promotional events or public signings related to MOUs.
7. The signature of the responsible senior management authority on a corporate agreement affirms that they approve the agreement and that any financial, legal, human resource or organizational risk issues have been considered and appropriate consultation has been undertaken.
8. Following the formal execution of a corporate agreement, the responsible senior management authority will forward the final copy of the document, including all required signatures to the central repository and notify all internally affected parties.
9. A central repository of all corporate agreements will be maintained. The central repository will include:
 - a. The original, signed copy of the agreement.
 - b. The Memorandum of Understanding Briefing Document for all MOUs.
 - c. Information on the date of the agreement, the parties to the agreement, the expiry date of the agreement and procedures required to either renew or cancel the agreement.
10. The central repository will be jointly managed by the Finance Department and the Strategy Department.