

HOWARD UNIVERSITY POLICY

Policy Number: 400-009
Policy Title: GLOBAL BUSINESS STEERING COMMITTEE
Responsible Officer: Provost and Chief Academic Officer
Responsible Office: Office of the Provost and Chief Academic Officer
Effective Date: February 15, 2013

I. POLICY STATEMENT

Howard University's mission includes working toward solutions to human problems throughout the world. Among the University's priorities, Vision Priorities is a commitment to enhance the international footprint of the University and to extend its public service role through engagement with international communities.

It is the policy of the University to support international initiatives through strategic planning and appropriate oversight. To that end, the Board of Trustees authorized the University to establish a committee to provide oversight for the University's international activities. The University has established a Global Business Steering Committee ("Global Committee") to carry out this role in accordance with this policy.

II. RATIONALE

International initiatives should proceed in a coordinated and prudent manner in order to control legal and business risk, and to ensure consistency with the University's values, policies and procedures, and applicable law. The University is mindful of, among other issues:

- well-being of faculty, students, and staff who carry out University activity in foreign countries;
- protection of the University's name and identity;
- compliance with applicable law, regulations, and custom of foreign jurisdictions;
- management and operational logistics in foreign locations; and
- adherence to high standards of accountability to the University's fiduciaries and constituents.

III. POLICY PROCEDURES

A. Global Committee's Mission

1. The Global Committee is charged with advance review of each research, business, or service project undertaken by the University that:
 - i. requires the expenditure of sponsored or University funds for international activity, either directly or through one or more sub-awards;

- ii. involves ongoing University operations in a foreign country, such as the establishment of an office, leasing of space, opening a bank account, employment of or contracting with local nationals, obtaining business licenses or other registrations in a foreign country, or an on-the-ground University presence in a foreign country for more than a nominal period;
 - iii. is located in, funded by, or involves a collaboration with, persons in a country on the Treasury Department's Office of Foreign Assets Control list of embargoed countries (available at <http://www.ustreas.gov/offices/enforcement/ofac/programs>);
 - iv. involves the use of high risk materials (e.g., radioactive material, select agents, or controlled substances); or
 - v. involves formation of a Foreign Entity.
2. The Provost's Office shall provide oversight for international academic activity not otherwise included in Section III.A.1., such as study abroad programs for students or residents, academic work for credit or foreign degree programs, experiential learning activities, service learning programs and faculty teaching, research or service abroad through established procedures, subject to review by the Global Committee. The Provost's Office shall be responsible for approving and monitoring such activities, maintaining a database, and providing regular reports of such activities to the Global Committee. The Global Committee's review of international academic activity shall focus on the legal and business risk; such review shall not extend to academic content.
3. The Global Committee will consider all facts relevant to the international activity, including U.S. and foreign law (including, without limitation, those laws and regulations related to employment, trade, environment, tax, antitrust, export controls, anti-bribery, economic sanctions and boycotts, and property); financial management; insurance; operational logistics; and, for activities identified in Section II.A.1., consistency of the project or activity with the University's mission. Accordingly, the Global Committee will establish appropriate conditions for the project.
4. On an ongoing basis, at intervals it determines appropriate, the Global Committee will continue to monitor each research, business, academic or service project undertaken by the University pursuant to this policy. The Global Committee will advise the Provost, President of the University and the Audit and Legal Committee of the Board of Trustees whenever it identifies a project or issue that potentially creates a substantial risk of liability.
5. As appropriate to fulfill its mission, the Global Committee will make available to Deans and Directors information regarding international projects in order to facilitate coordination and cooperation within the University.

B. Committee Members: The Global Committee will be composed of representatives from the Finance, Legal, Academic and Operations functions of the University. The Finance member shall serve as chair of the Global Committee.

C. Committee Review and Approval Process

1. The Global Committee will endeavor to sustain a review and approval process for international projects that is consistent with the needs of project proponents.

2. Approval Process

i. After a determination that a project meets one of the criteria set forth in section III.A.1 above, a Dean, Department Chair, Director, Principal Investigator, or other project proponent submit a proposal to the Global Committee that: describes the project and its relationship to the mission of the University, identifies the proposed date of project commencement and expiration, notes the expected size of staff and their activities, outlines the budget, highlights any special or unique considerations or circumstances, and proposes procedures for oversight and periodic review. The Global Committee may seek supplemental information and third party expertise, as needed.

ii. If the Global Committee approves the project, it will advise the Office of the Provost, Office of the General Counsel, and others, as appropriate, to work with project proponents to operationalize the project, subject to any conditions established by the Global Committee.

iii. Special considerations: Only the Global Committee may approve formation of a Foreign Entity. In order to approve formation of a Foreign Entity, the Global Committee must: (i) obtain approval from the Office of the Provost; (ii) must obtain approval from the Offices of the General Counsel and the Chief Financial Officer; (iii) determine the appropriate structure of the Foreign Entity, including its members, directors, and senior management; and (iv) ensure an appropriate affiliation or other agreement between the University and the Foreign Entity that covers, among other items, fiduciary obligations, financial terms, operational responsibilities, compliance with applicable law and policy, and insurance.

D. Committee Reports to the Board of Trustees: The Global Committee, through the Provost and the Chief Financial Officer, will report annually to the Audit and Legal Committee on all of the activities of the Global Committee. In addition, the Global Committee, through the Provost and the Chief Financial Officer, will report quarterly to the Audit and Legal Committee of the Board of Trustees (and other committees, as requested by the Board of Trustees) on any Foreign Entities formed pursuant to this policy.

IV. DEFINITION

“Foreign Entity”: A non-subsidiary entity and/or wholly owned or partially owned subsidiary entity, which may be a corporation or other legal entity, formed by the University or at the direction of the University in accordance with law of a foreign jurisdiction. Typically, a Foreign Entity will be dedicated to one or more specific projects. A Foreign Entity is not intended to be used for general University business that requires material non-reimbursable funding from the University, which requires separate review and approval by the Board of Trustees.

V. SANCTIONS

University employees in violation of this policy will be subject to the University’s disciplinary processes for University employees. Violations of this policy by third parties may result in their loss of a contract, privileges, and/or future activity with the University.

VI. RELATED POLICY

- 400-007 – *Conducting Global Business in Compliance with Foreign Corrupt Practices Act*

VII. REFERENCES OR RELATED DOCUMENTS

- Dean’s Checklist for International Programs (issued by the Office of the Provost, and updated from time to time). Available at <http://www.howard.edu/policy>