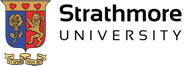
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**DUE DILIGENCE CHECKLIST**

**INFORMATION REQUEST FOR LEGAL REVIEW**

The following is the information that we require for the conduct of a high-level legal review of matters pertaining to the Project/ Engagement/ Collaboration/ Agreement with other learning institutions.

Further questions may be raised following a review of the documents and information received in response to this document.

**PART A**

**FOR INTERNAL STRATHMORE UNIVERISTY USE ONLY**

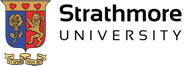
|  |  |
| --- | --- |
| Type of Agreement (e.g. Collaboration Agreement, MOA, transfer, MOU, letter of intent, etc.): |  |
| Name of SU Lead: |  |
| Name of SU Division/Department: |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | *Checklist* | | | *Choose an item( Yes, No, Available, Not Available, Attach, State/provide* |
| 1.1 | What are the institution's values, purpose, mission and vision and do these align with those of Strathmore? | | |  |
| 1.2 | Are there any other known political, business, or ethical issues associated with the institution and/or its senior officials? | | |  |
| 1.3 | Is there support for this initiative by the head of the department? | | |  |
| 1.4 | Is there a historical relationship between Strathmore and the institution? If yes, were the previous agreements/engagements successful? If not, what is the advantage of proceeding or collaborating with this institution? | | |  |
| 1.5 | Will Strathmore faculty, staff, and/or students benefit from this linkage currently and/or in the future? Has there been collaboration with the partnership office ? | | |  |
| 1.6 | Are the values of the top management officials in line with Strathmore’s values and mission? | | |  |
| 1.7 | How will Strathmore faculty, staff, and/or students benefit from this linkage currently and/or in the future? | | |  |
| 1.8 | | Is there any financial contribution required of Strathmore? If yes, please provide details. | |  |
| 1.9 | | Are there other sources of funding? If yes, please provide details. | |  |
| 1.10 | | Are there any barriers to financial transactions between the institutions and Strathmore? | |  |
| 1.11 | | What other additional arrangements does Strathmore need to provide regarding resources? Please clarify the resources required. | |  |
| 1.12 | | State if Strathmore and the potential institution have the resources (e.g. financial, people, knowledge, time) to meet the requirements of the collaboration. | |  |
| 1.13 | | Have the criteria for a successful collaboration been set and evaluated? Provide supporting documents or set out a rationale. | |  |
| 1.14 | | Has the institution assigned a contact person to coordinate activities such as initiating publicity and communicating information to other institutions where necessary? If yes, please provide details. | |  |
| 1.15 | | What are the proposed mechanisms in the event of termination of the collaboration for allowing registered students to complete the award? | |  |
| 1.16 | | | What learning resources are there to deliver the proposed programme, including laboratory, teaching, IT, and library facilities? |  |
| 1.17 | | | Have the appropriate Strathmore departments/divisions not in this agreement been consulted? Please provide details. |  |
| 1.18 | | | Is the institution an educational institute and/or are its program externally accredited? |  |
| 1.19 | | | Can Strathmore provide timely acceptance of students and on-time delivery of service or product for this collaboration? |  |
| 1.20 | | | Will the agreement apply retroactively to accommodate graduates, if applicable? |  |
| 1.21 | | | Is the collaboration aligned with the Strathmore curriculum, if the agreement involves students? What are the impacts on curriculum alignment? |  |

**Authorization**

I hereby declare and certify that the above information is true and correct to the best of my knowledge

|  |  |
| --- | --- |
| Name and Designation |  |
| Signature |  |
| Date |  |

**  
DUE DILIGENCE CHECKLIST**

**INFORMATION REQUEST FOR LEGAL REVIEW**

The following is the information that we require for the conduct of a high-level legal review of matters pertaining to the Project/ Engagement/ Collaboration/ Agreement with other learning institutions.

Further questions may be raised following a review of the documents and information received in response to this document.

**PART B**

**TO BE FILLED IN BY THE COLLABORATING INSTITUTION**

1. **Identity of the University/College/School/Entity**

|  |  |  |
| --- | --- | --- |
|  | *Checklist* | *Choose an item( Yes, No, Available, Not Available, Attach, State/provide* |
| 1.1 | Details of the organization’s legal status (e.g. corporation, company, or charitable trust); its charitable status; whether it is public (i.e. wholly or largely government funded) or private; the legal basis of its degree awarding powers (if applicable); and its capacity in law to contract with other organizations (including any powers to award joint degrees). *Reference should be made to relevant supporting documentation e.g. charter and statutes, instrument and articles of government, or licence to operate, etc. If the organization has degree awarding powers please state at what level (undergraduate, taught masters, doctoral).* |  |
| 1.2 | Physical and postal address of the Institution |  |
| 1.3 | What are the institution's values, purpose, mission and vision? |  |
| 1.4 | Does the institution have any other collaborators with which it delivers education i.e. joint awards, dual awards, etc. (tip: list collaborating institutions and type of relationship (if the list is extensive, include just a few with similar standing to Strathmore) |  |
| 1.5 | Are there any accreditation or recognition requirements required by the institution i.e. from a national higher education authority, or local professional bodies? |  |

1. **Administrative considerations**

|  |  |  |
| --- | --- | --- |
| 2.2 | Is there any financial contribution required of Strathmore? If yes, please provide information. |  |
| 2.3 | Are there other sources of funding? If yes, please provide information in the comments. |  |
| 2.4 | Are there any barriers to financial transactions between the institution and third parties? |  |
| 2.5 | What other additional arrangements does Strathmore need to provide regarding resources? Please clarify the resources required. |  |
| 2.6 | State if the institution has the resources (e.g. financial, people, knowledge, time) to meet the requirements of the collaboration. |  |
| 2.7 | Have the criteria for a successful collaboration been set and evaluated? Provide supporting documents or set out a rationale. |  |
| 2.8 | Has the institution assigned a contact person to coordinate activities such as initiating publicity, and communicating information to other institutions? If yes, please provide details. |  |
| 2.9 | What are the proposed mechanisms in the event of termination of the collaboration for allowing registered students to complete the award? |  |

1. **Academic considerations (learning and teaching environment)**

|  |  |  |
| --- | --- | --- |
| 3.1 | What learning resources are there to deliver the proposed programme, including laboratory, teaching, IT, and library facilities? |  |
| 3.2 | Have the appropriate staff been consulted? Please provide details. |  |
| 3.3 | Is the institution an educational institute and/or are its program externally accredited? |  |
| 3.4 | Can the institution provide timely acceptance of students and on-time delivery of service or product for this collaboration? |  |
| 3.5 | Will the agreement apply retroactively to accommodate graduates, if applicable? |  |
| 3.6 | Is the collaboration aligned with the Strathmore curriculum, if the agreement involves students? What are the impacts on curriculum alignment? |  |

1. **Quality Assurance (Internal and External purposes)**

|  |  |  |
| --- | --- | --- |
| 4.1 | Does the institution have robust quality assurance and quality enhancement policies, procedures, and practices? Do the institutional strategies, policies, and procedures for quality assurance meet for example international standards for internal quality assurance within higher education institutions? |  |
| 4.2 | Does the institution have a culture and practices underpinning access to, progression from and transfer within higher education and training? |  |
| 4.3 | Does the institution have similar agreements in place and are they currently in order? |  |
| 4.4 | Is the institution in good standing with any relevant national agencies or require state ‘permission’ to engage in the provision envisaged? |  |
| 4.5 | State if there are procedures through which the requirements of external parties and the requirements of awarding bodies and other collaborating institutions have been established so that they can be harmonized on a continuing basis. |  |

1. **Legal Standing**

|  |  |  |
| --- | --- | --- |
| 5.1 | Does the institution have the legal capacity to enter into an Agreement? |  |
| 5.2 | Are the legal requirements in the institution’s/transnational jurisdiction known and capable of being adhered to e.g. delegated authority to make awards, compliance with national legislation relating to education or other domains, e.g. appropriate human resources policies and procedures, company registration, etc.? |  |
| 5.3 | Has the jurisdiction where the agreement is to be enacted have agreed arrangements for the settlement of disputes, mediation, and sharing of liabilities defined? |  |
| 5.4 | State where applicable, if the potential joint awarding institutions have the authority to make awards. |  |
| 5.5 | Are there any institutional governance issues? |  |
| 5.6 | Are there statutory reporting requirements? |  |
| 5.7 | Is the proposed form of collaboration recognized in law? |  |
| 5.8 | Are there any potential intellectual property implications? |  |
| 5.9 | Are any of the institution's directors/ senior management part of any completed or ongoing material litigation, mediation or arbitration or any other disputes with third parties including tax authorities, trade unions and employees in which the institution is involved, which may lead to material litigation, arbitration, mediation or other dispute resolution procedures. |  |

1. **Financial and Resource Considerations**

|  |  |  |
| --- | --- | --- |
| 6.1 | Please provide copies of the audited accounts for the last three financial years. |  |
| 6.2 | Can the proposed programmes be funded in a secure way and is the institution adequately resourced to undertake and complete the programmes proposed? |  |
| 6.3 | Is there clarity on financial matters such as sharing of costs and income; payment of taxation, including the currency/currencies in which fees and payments are to be made, and arrangements for handling currency fluctuations? |  |
| 6.4 | Are there appropriate transfer or bonding plans in place to protect students/staff in the event that it is not possible to complete the provision of a program after it has commenced? |  |
| 6.5 | Is there adequate physical and electronic infrastructure which can be provided on a stable basis? |  |
| 6.6 | Is the administrative infrastructure able to provide timely reports/information to regulatory bodies and other stakeholders including other awarding bodies? |  |

1. **Political Exposure**

|  |  |  |
| --- | --- | --- |
| 7.1 | Does any public official or government entity have any financial, management or controlling interest in your institution/school? If so, provide details and level of interest. |  |
| 7.2 | Are any key employees/ senior management/ shareholder/ partner members of the institution/school who are public officials or related to a public official? |  |
| 7.3 | Does the institution/school frequently interact with government officials, government agencies or government-controlled entities? |  |
| 7.4 | Are any of the Directors/senior management of the institution/school representatives of political parties or political organizations or closely connected to political organization? |  |
| 7.5 | Does any key employee or senior management member of the institution provide financial or any other benefits to a public official or a member of a public official’s family? |  |

1. **Authorization**

I hereby declare that I am a duly authorized signatory of the institution and certify that the above information is true and correct to the best of my knowledge

|  |  |
| --- | --- |
| Name |  |
| Position in Company |  |
| Signature |  |
| Date |  |