Guidelines for the Development of an Affiliated Site Agreement

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The Entry-Level Education Committee of the Education Council was charged with creating a document to guide athletic training education program personnel in the development of written agreements with off-campus sites.

The following guideline should serve as a resource for program directors, faculty and administrators. Programs are encouraged to tailor it to meet their needs with input and approval from the institution's legal counsel and/or risk manager.

introduction

This document serves as a guideline for developing an affiliated site agreement (ASA). The purpose of an ASA is to outline the responsibilities of the sponsoring institution, athletic training education program (ATEP) and the affiliated site. For the purposes of this document, an affiliated site is any site not under the auspices of the institution that sponsors the athletic training education program (e.g. clinic, high school, college, junior college and internships). An affiliated site provides additional opportunities for clinical education and field experiences. This document and the information detailed in it serve as a template for the development of institutional contracts. As the institution's final document is a legal contract, appropriate institutional representatives must be included in the developmental process.

getting started

a. Work with your immediate supervisors (chair, dean).
b. Work with your university legal counsel, risk manager or other appropriate institutional personnel.
c. Determine if your institution has existing policies on what to include or exclude in these types of agreements. For example, is there a rule on the maximum length of the agreement? Signatory authority? State requirements? Many institutions have other programs that use affiliated settings (e.g., nursing, education, physical therapy). Review documents from those programs. It may also help to review athletic training ASAs from other institutions.
d. Provide adequate time to acquire necessary signatures.
e. Examples included in Section III are not all-inclusive.

who's involved?

a. Sponsoring institution offering accredited ATEP:
- Program director and/or clinical coordinator
- Signatory authorities for the sponsoring institution (provost, VP for academic affairs, VP for fiscal affairs)
- Department chair
- Dean
- Legal counsel or risk management designee

b. Affiliated site:
- Supervising ATC
- Signatory authorities for the affiliated site (school principal, superintendent, general manager, vice president-level administrator, CEO)
- Athletics director or affiliated site director
- Legal counsel or risk management designee

c. Third-party employer of supervising ATC (hospital, clinic, physician practice)

This party may be involved in cases where the supervising ATC is employed by a third party and contracted to work at an affiliated site, most often a high school. In this situation an additional agreement may be necessary.

other considerations

a. duration of agreement

There may be an institutional policy on the maximum duration of an agreement. Check with the appropriate parties on your campus. An example of a duration of agreement statement (often included on the signatory page or introduction), is ". . . agreement will be effective June 1, 2001, and continue to be effective for [insert number here] years [or 'indefinitely'] until the termination of this Agreement in the manner provided herein."

b. termination of agreement

Include language that specifies how to end the ASA. An example is "This Agreement may be terminated by either party's giving 60 days' notice in writing to the other party at the address hereafter set forth. Such termination shall not take effect, however, until the students already accepted for placement in the program have completed their scheduled clinical training period. Either party may also terminate this Agreement at any time by mutual written consent."

c. approval of agreement form

Obtain approval of the form from sponsoring institution personnel prior to distribution for signatures. Once you obtain approval from legal counsel/risk management, it should be relatively easy to get the needed sponsoring institution signatures.

d. negotiation of the agreement

Send a cover letter and blank copies of the agreement to the contact person at the affiliated site. Request the contact person to review the agreement and distribute it to the necessary individuals for review and signature. It is common for the affiliated site's legal counsel/risk manager to have questions, and there may need to be modifications that will require you to go back to your legal counsel/risk manager and/or administration.

e. distribution of the signed agreement

Who receives copies of the signed agreement? Check with your administrators and/or legal counsel. The ATEP should have a copy of the agreement on file. Typically, the office of the highest-ranking individual signing the agreement will require an original copy. The affiliated site should also receive an original copy.

common components

a. title: usually "clinical education agreement" or "affiliated site agreement"

b. introduction and/or purpose

This typically includes the names of the two parties entering into the agreement and states the purpose of the agreement. It may include the duration of the agreement.

Example intro: "This agreement between [sponsoring institution], hereafter referred to as the 'University,' and [affiliated site], hereafter referred to as the 'Affiliated Site' (or 'agency' or 'facility'), . . ."

Example purpose: ". . . is established to provide a program of supervised clinical education for athletic training students of the University under the following terms and conditions."

c. responsibilities of the sponsoring institution

This section typically includes what the university will provide in regard to coordinating the clinical education program, student and site evaluations, how and when correspondence will be conducted with the affiliated site and students, and student removal issues. You may also include student responsibilities here or make this a separate section. Some agreements include statements on student health requirements and student liability coverage in this section. Check with legal counsel/risk manager.

Some examples (this is not an inclusive list):

– "The University shall be responsi-

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ble for selecting only those students who have successfully completed all the prerequisite courses and/or previous clinical education experiences. The University shall retain general responsibility for content and methods of instruction, supervision, control, evaluation and related matters concerning the structure of the clinical education program and student admission to, dismissal from and participation in and faculty appointments to the clinical education program."

– "The University shall inform the Affiliated Site of the level of training the students have received prior to this placement. The University shall provide the Affiliated Site with current information about its curriculum and clinical education goals."

– "The University will require all participating athletic training students and University faculty members to carry health and professional liability insurance or the equivalent in amounts satisfactory to the Affiliated Site and to provide evidence of such insurance upon request of the Affiliated Site." (Check with legal counsel/risk manager!)

– "The University will notify the student that s/he is responsible for:

a. respecting the confidentiality of information regarding patients and clients of the Affiliated Site, and their records in accordance with the Affiliated Site's policies and procedures.
b. adhering to the policies and procedures of the Affiliated Site.
c. providing appropriate uniform where required.
d. arranging for his/her own transportation/parking.
e. obtaining housing and meals when not provided by the Affiliated Site.
f. immunizations where required.
g. background checks where required.
h. liability insurance where required."

d. responsibilities of the affiliated site

Include your expectations of the affiliated site and clinical instructor in this area. Check with legal counsel/risk manager.

Examples (this is not an inclusive list):

– "The Affiliated Site shall provide a planned, supervised program of clinical education based on objectives compatible with those of the University."

– "Qualified personnel will be provided by the Affiliated Site to supervise the students directly during the clinical experience. The Affiliated Site shall designate a staff member (the 'Affiliated Site Coordinator') who will be responsible for working with the University and its faculty to coordinate and direct the clinical education program and the students' clinical experience."

– "The Affiliated Site agrees to have all certified athletic trainers responsible for supervising students' clinical education satisfactorily complete a Clinical Instructor Workshop that will be provided by the University."

– "The Affiliated Site personnel will provide an orientation to the Affiliated Site, administrative policies, standards and practices."

– "The Affiliated Site agrees to inform both the University and the student concerning a student's level of clinical growth and competence and to complete one or more evaluation reports on forms to be provided by the University. The evaluation process will be completed during a conference between the supervisor and the student."

– "The Affiliated Site will permit periodic inspection by the University and accrediting agencies of its facilities, student records, other records or other items that pertain to the ATEP."

e. additional considerations

There is typically another section to include mutual expectations and agreements. Other titles may include "General," "Mutual Responsibilities" or "Additional Responsibilities." This component typically includes items that are not specific to the university or the affiliated site. You may include the duration of agreement here.

Examples (this is not an inclusive list):

– "The parties will work together to maintain an environment of quality practical learning experiences and quality educational participation. At the insistence of either party a meeting or conference will be promptly held between the Program and Affiliated Site coordinators."

– "It is mutually agreed that no person shall be subject to unlawful discrimination of race, color, religion, sex, national origin, age, veteran status and/or disability in connection with the program."

– "This Agreement may be modified by written amendment signed by duly authorized representatives of each party."

– "This Agreement may be terminated by either party's giving 60 days notice in writing to the other party at the address hereafter set forth. Such termination shall not take effect, however, until the students already accepted for placement in the Program have completed their scheduled clinical training period. Either party may also terminate this Agreement at any time by mutual written consent."

– Be sure to include any state-mandated language, such as "The laws of the Commonwealth of Pennsylvania shall govern this Agreement." Check with your legal counsel/risk manager.

f. signature page

Check with your legal counsel/risk manager and administration to determine who should and should not sign the agreement and who has signatory authority for your institution. At the university this is typically an institutional official at the vice president level. At some institutions only signatory authorized personnel may sign contracts.

A sample signature page may be viewed online at www.cewl.com, under the "Guidelines for the Development of an Affiliated Site Agreement." **nn**

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