

**2011 MEMORANDUM OF UNDERSTANDING BETWEEN
THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
AND BENEDICT COLLEGE**

PURPOSE

The purpose of this Memorandum of Understanding (MOU) is to increase cooperation between Benedict College and the United States Environmental Protection Agency (EPA) (the Parties) in areas of mutual interest. Implementation of the Program Activities in this MOU will contribute to Benedict College's capacity to provide high quality education, encourage the participation of Benedict College students and faculty in EPA programs and promote equal opportunity in higher education.

Since its inception, EPA's mission has been focused on protection of human health and the environment. EPA recognizes the necessity for full participation by all citizens in environmental policymaking, problem solving and sustainable practices. Therefore, EPA is endeavoring to encourage academic institutions which serve under-represented communities in developing a universe of well-qualified graduates interested in environmental careers.

Pursuant to EPA Minority Academic Institution Program and Executive Order 13532, Whitehouse Initiative on Historically Black Colleges and Universities, EPA Region 4 is entering into this MOU with Benedict College in support of the College's efforts to become the flagship model of an academic institution that is environmentally sustainable in its campus infrastructure, its environmental policy and its science curriculum.

Benedict College is a private, coeducational institution of predominantly African American heritage, founded in 1870. Benedict College is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award baccalaureate degrees. The College offers undergraduate degrees in the arts and sciences and professional areas to students of diverse racial, ethnic, and socioeconomic backgrounds.

Like other Historically Black Colleges and Universities (HBCUs), Benedict College has provided opportunities for a diverse population of students to pursue higher education and has increased the pool of professionals that are available to meet the Nation's scientific, engineering, financial, legal, academic, diplomatic, political, artistic, and cultural needs. The participation of HBCUs and other minority serving academic institutions in federal programs promotes infrastructure development at those institutions, increases their capacity to provide high-quality education and increases the supply of highly trained, diverse professionals.

1. Program Activities: Environmental Policy and Science Partnership

Through this MOU, Benedict College and EPA express their intention to build a cooperative working relationship in areas of mutual interest over the next two years, including participation by Benedict College in the EPA Region 4 Environmental Science Partnership Program. Under this program, EPA Region 4 seeks to establish partnerships with colleges and universities in the southeast to develop a pool of culturally diverse and qualified graduates to address environmental challenges of the future. Benedict College and EPA recognize there are many possible areas where enhanced cooperation would be mutually beneficial. Benedict College and EPA may agree to work to enhance cooperation in other areas without amending this MOU. The areas of cooperation covered by this MOU include, but are not limited to:

- Creation of an EPA / Benedict College partnership which contemplates Benedict College as convener on issues of sustainable environment, alternative energy, solid waste, emergency response, health disparities, environmental justice, policy, children's health and innovative approaches to reaching underserved communities.
- Exploration of the development of an institute (or "a center") at Benedict College dedicated to the scholarly examination of issues of Alternative, Renewable Energy, Technology and Training.
- EPA technical support for Benedict College's Sustainable Campus Community Initiatives (waste to energy program, healthy lifestyles, health literacy, greenhouse gas emissions, greener remediation, smart growth, low income housing and green economy) and other related initiatives.
- EPA technical support for Benedict College's Biofuel, Green Energy Building and recycling initiatives.
- EPA technical support for certification, training and other initiatives related to sustainability and the environment.
- EPA technical support for infrastructure needs involving such resources as drinking water, aquifer, storm water run-off, wastewater, among others.
- Joint research projects between EPA and Benedict College.
- Provision of EPA experts and/or resources for environmental curriculum development and in various training and educational programs offered by EPA.

In addition, EPA proposes to collaborate with Benedict College's Career Services Center to create student internships and to develop faculty exchange opportunities with the federal government. EPA may also identify research, data analysis and peer review opportunities with federal agencies for Benedict College faculty and students.

2. Program Administration

The parties shall establish a Program Committee consisting of appropriate representatives of Benedict College and EPA to manage implementation of this MOU. The Program Committee will meet at regular intervals.

Benedict College designates President David H. Swinton to administer this MOU on behalf of Benedict College, working with other Benedict College departments, schools and programs as appropriate. EPA designates the Region 4 Minority Academic Institutions Program to administer this MOU on behalf of EPA, working with other EPA offices, regions and laboratories, as appropriate.

3. Limitations

All commitments that EPA makes under this MOU are subject to the availability of appropriated funds. In the event that EPA awards a contract, assistance agreement, interagency agreement or personnel assignment to further the purposes of this MOU that is inconsistent with the terms of this MOU the terms of the contract, assistance agreement, interagency agreement, or personnel agreement will control.

This MOU does not create any exemptions from federal policies, laws, and/or regulations relating to public involvement, employment, and competition for grants and contracts. Nothing in this MOU exempts Benedict College from complying with any applicable federal, state, or local environmental laws or regulations.

The parties agree that any copyrightable subject matter, including, but not limited to journal articles, training, educational or informational material or software, created jointly by the parties from the activities conducted under the MOU may be copyrighted by Benedict College. Benedict College hereby grants to the government a royalty-free, nonexclusive, irrevocable right to reproduce, distribute, make derivative works, and publish or perform the work(s) publicly, or to authorize others to do the same on its behalf. The parties agree that any patented invention created by Benedict College pursuant to the terms of this MOU will be jointly owned by the parties regardless of inventorship, unless an alternate agreement without prior approval of the other party.

This MOU is not intended to result in any legal obligations on the part of either Benedict College or EPA. This MOU does not create any right or benefit, enforceable by law or equity in state or federal courts, or any other forum, against Benedict College or EPA, their officers or employees, or any other person. Benedict College and EPA agree that this MOU is entered into on a non-preferential basis, and either party may undertake similar MOUs with other entities on a non-preferential basis.

4. Effective Date and Termination

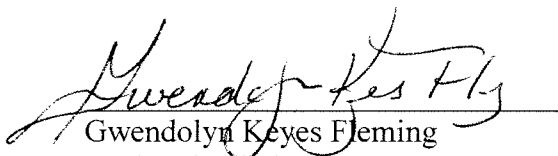
This MOU becomes effective when signed by both parties. It may be amended or modified only through the written agreement of both parties. Either party may withdraw from and terminate this MOU by providing 60 days written notice to the other party. This MOU will terminate two years from the date of execution below.

Representatives of both Benedict College and EPA sign below this 18th day of August 2011.

Signed:



Dr. David H. Swinton
President
Benedict College



Gwendolyn Keyes Fleming
Regional Administrator
U.S. Environmental Protection Agency
Region 4