

Guidance for Creating a Memorandum of Understanding (MOU)

As discussed in *Strengthening Formal Systems through Collaboration* (Module 5)

A memorandum of understanding (MOU) is a signed commitment by two or more organizations about the nature of their collaboration, what they hope to achieve, and how desired results are to be reached. Although not a legally binding document, a MOU concretely spells out any terms of agreement in writing. It can also be used as a reference should any problems arise during the collaboration.

Elements of an MOU

An MOU can provide details about a variety of aspects of collaborations. The most common aspects are the length of the partnership (start and end dates of the relationship), the role of each agency including the services that will be provided, the types of clients and how they will be serviced by each agency, and the necessary resources and skills of all parties involved. Additionally, an MOU describes the type of interagency communications (e.g., face to face meetings, teleconferences), the expectations and responsibilities of the agencies, and how to review performances and when to evaluate. Furthermore, an MOU includes potential financial obligations (e.g., fees, date of payment), the referral practice between agencies, and confidentiality and recordkeeping requirements.

There is no standard MOU format, although some organizations have standard guidelines for the format of MOUs. If none of the organizations in the collaboration have set guidelines, there are still common tips that can be helpful for creating an effective MOU. It is important to write clearly and avoid jargon to make sure everyone involved clearly understands and is in agreement. Any acronyms should also be clearly explained in the document. It is also important to identify key personnel involved in the process, clearly define the hierarchy of this collaboration (e.g., who has jurisdiction, who has oversight, how will votes count), and to make sure the relationships between agencies are fostered so that continued and future collaborations can occur. An MOU will also set realistic expectations about goals and objectives for the collaboration, as well as clearly setting dates for review and evaluation.

An MOU can specify various aspects of collaboration. The following are commonly used sections in an MOU. A template of an MOU is also provided.

Introduction:

This section is focused on the reason for the collaboration (e.g., what is the benefit of this collaboration to achieve a commonly agreed upon result? Why is it necessary? What product(s) will come out of the collaborations? Who will be a part of the partnership?).

Purpose:

This section clearly delineates the purpose of the partnership (e.g., the services that will be provided, expectations, and responsibilities of the agencies).

Scope:

This section clarifies the agencies that are involved in the agreement (e.g. the role of each agency, the duration of the partnership, types of clients and how they will be served by each agency)

Definitions:

This section describes the operational and technical terms associated with the contract (any acronyms, community specific terms, or technical aspects).

Obligations and responsibilities:

This section outlines the obligations of this agreement (e.g., financial obligations, referral practice between agencies, the type and schedule of interagency communications)

Oversight:

This section clarifies how oversight will occur within the new partnerships (e.g., the level of commands, who and when to monitor performances, and confidentiality and recordkeeping requirements)

SAMPLE MEMORANDUM OF UNDERSTANDING (MOU)

Between

Party A: *Enter the full and official name of the party.*

And

Party B: *Enter the full and official name of the other party.*

This is an agreement between Party A, hereinafter called *Enter a shortened name for Party A*, and Party B, hereinafter called *Enter a shortened name for Party B*.

I. PURPOSE & SCOPE

The purpose of this MOU is to clearly identify the roles and responsibilities of each party as they relate to ... *complete this sentence by describing the nature of the relationship between the two parties. In other words, list the services to be provided and the roles of each agency.*

II. LOCATIONS

The partnership's activities described herein will occur at the sites below.

List the full and official name of each site; include city or town where site is located.

III. BACKGROUND

A. Enter name for Party A: Describe what the agency does, skills, and resources it possess

B. Enter name for party B: Describe what the agency does, skills, and resources it possess

IV. OBLIGATIONS AND RESPONSIBILITIES UNDER THIS

MOU A. *Enter name for Party A shall:*

List and describe the duties and responsibilities of Party A.

B. *Enter name for Party B shall:*

List and describe the duties and responsibilities of Party B.

V. TERMS OF AGREEMENT/ UPDATES TO MOU

Describe the terms and conditions under which this agreement may be modified or terminated by the parties.

VI. FUNDING

Describe financial obligations, including the reimbursement of funds between the parties and the form that those reimbursements will take. Or enter "Not applicable"

VII. OTHER TERMS & CONDITIONS

Enter any other terms or conditions covered by this agreement such as oversight, referrals between agencies, confidentiality, or enter "Not applicable" here.

VIII. EFFECTIVE DATE AND SIGNATURE

This MOU shall be effective upon the signature of authorized officials of *Enter name for Party A* and *Enter name for Party B*. It shall be in force from *Enter dates of partnership*. Both parties indicate agreement with this MOU by their signatures.

Signature

Printed Name

Date

Signature

Printed Name

Date

References

- Federal Communication Commission. (2012). "Writing Guide for a Memorandum of Understanding (MOU)." Retrieved from <http://www.fcc.gov/pshs/docs/clearinghouse/DHS-MemorandumOfUnderstanding.pdf>
- Pennsylvania Nutrition Education Tracks. (2012). Retrieved from <http://www.patricks.org/public/RFP2014.asp>

Additional Resource on Memorandum of Understandings

- Johnson, M.L., & Sterthous, L.M. (1982). A guide to memorandum of understanding negotiation and development. Aspe.hhs.gov. 1982. (April 29, 2011) Retrieved from <http://aspe.hhs.gov/daltcp/reports/mouguide.htm>