

## 6-16. Memorandum of Understanding

<b>Internal Policies and Procedures of the Utah State Board of Education</b>
<b>Policy # 06-16</b>
<b>Subject:</b> Memorandum of Understanding
<b>Effective Date:</b> 1/19/2018
<b>Revision Dates:</b>
<b>Purpose:</b> To outline when Memoranda of Understanding (MOU) should be used, outline the required elements in an MOU, and the proper procedures for creating an MOU.
<b>Policy:</b> MOUs shall be used when the USBE enters into an agreement with another entity that doesn't involve the exchange of money.
<b>References:</b> Utah Code Annotated, Title 63G Chapter 6a, Utah Procurement Code; Utah Administrative Code Title R33; Utah Administrative Code Title R277-122

### Procedures:

- An MOU is not governed by the provisions of the state Procurement Code and a USBE employee does not need to follow a standard procurement process. MOUs must be processed through Purchasing.
- An MOU should generally consist of a cover page outlining the contents of the agreement, terms and conditions if applicable, and a scope of work describing the contents of the agreement.
  - When possible, the USBE contract templates should be used.
- Sections requesting an MOU shall submit the request to USBE Purchasing ([purchasing@schools.utah.gov](mailto:purchasing@schools.utah.gov)), and meet with their designated purchasing agent at the beginning of the MOU process.
- The purchasing agent is available to assist in writing the MOU and shall be involved in the negotiation process.
- Once the terms of the MOU are finalized, the purchasing agent places the MOU on the Board's next consent calendar.
- After the Board has approved or reviewed the MOU, the purchasing agent finalizes the agreement by obtaining all necessary signatures and assigning it a number.
- The purchasing agent distributes the executed MOUs to the section, other parties, and maintain an electronic copy of the MOU.
- Purchasing shall be the official repository for the MOU file.