

Memoranda of Understanding

From time to time the University enters into a Memorandum of Understanding (MOU) with one or more other entities. In the vast majority of cases, these MOUs are legally binding contracts which impose significant duties and liabilities on the University. Accordingly it is extremely important that no MOU be executed on behalf of the University--or any subdivision of the University--without full compliance with this policy.

Step One: Departmental Approval The first step toward approval of an MOU is written approval from the head of the school or department with whom the MOU originates.

Step Two: Collateral Review Any MOU involving one or more of the following elements must also be reviewed by the appropriate department(s).

- (a) Any MOU involving research must be reviewed by the Office of Research and Graduate Studies.
- (b) Any MOU involving a domestic state or federal government agency must be reviewed by the Office of Research and Graduate Studies and by the Office of Congressional and Federal Relations.
- (c) Any MOU involving a commitment of resources from one or more departments other than the originating department must be reviewed by such other department(s).

Step Three: General Counsel Review The draft MOU, the departmental approval and any collateral review comments must then be submitted to the Office of the Vice President and General Counsel for legal review.

Step Four: Academic Affairs Approval The draft MOU, the departmental approval, collateral review comments and legal review comments must then be submitted to the Vice President for Academic Affairs (VPAA) for final approval. Every MOU must be approved by the VPAA. If the VPAA determines that an MOU involves the commitment of substantial University resources, the Vice President and Treasurer must also approve the MOU.

Criteria for Review: Review of each MOU shall include (but not be limited to) the following factors:

- (a) consistency with the education and research mission of the University;
- (b) consistency with current academic priorities;
- (c) avoidance of conflict of interest;
- (d) comparison of long term costs and benefits;
- (e) character of the other party to the MOU;
- (f) coverage of indirect costs; and
- (g) detailed specification of responsibilities.

Violations of Policy: Because an MOU can have legal implications for the University even if the person signing the MOU is not properly authorized, the University must

regard it as a serious violation for any official or employee of the University to execute such a document without specific authorization from the Vice President for Academic Affairs.