

MEMORANDUM OF AGREEMENT (MOA) GUIDELINES

Office of the Provost

March 2022

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BACKGROUND AND DEFINITIONS

Partnerships with various educational institutions, government agencies, and private organizations for domestic and international programs to advance AU's mission

Partnerships focus on academic programs, faculty research, and student exchanges

MOAs define the extent to which the partner organization is entitled to use AU premises, resources, personnel, logos/branding, etc. or vice versa

MOAs establish AU's rights to use the partner's amenities or expertise for a cost or exchange of services

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BACKGROUND AND DEFINITIONS

Memorandum of Agreement

Written document describing a cooperative relationship between two parties wishing to work together, while detailing the obligations and commitments of the parties, and minimizing each party's risks

Amendment

A change or modification required to an agreement that has already been fully executed by all parties

Supplemental Agreement

Mutually consented agreement that modifies, but does not replace, an existing agreement. Specifies additional work to be accomplished in return for detailed consideration, funds and/or time

Due Diligence

A comprehensive evaluation of the prospective partner undertaken to evaluate any potential risks

Required Provisions

Mandatory agreement language which must be contained in all Academic Affairs' agreements

Instructional Revenue Center (IRC)

Specialized course offered on an experimental basis or a program contracted by an outside agency to offer credit or noncredit training

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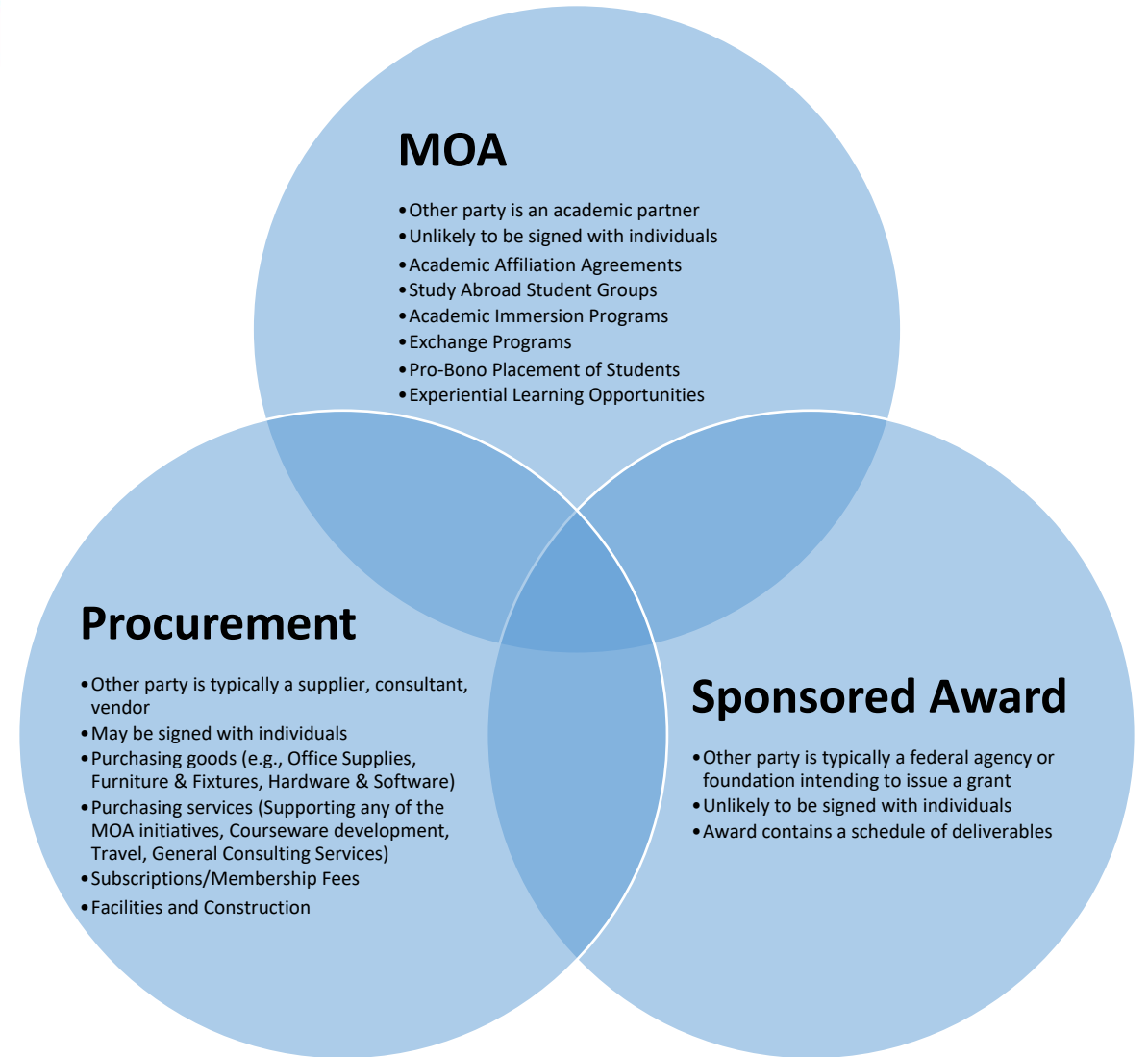
TYPES OF MOAS

- ❑ **Affiliations** - General agreements establishing a collaborative relationship between institutions without specified activities.
- ❑ **Educational Services** - Contractual relationship to provide academic and administrative services for students or employees of one or both institutions. E.g.: Customized programs exclusively designed for employees of a government agency.
- ❑ **Exchanges** - Agreements with partners/institutions for student or faculty exchanges with fee paying options usually through supplements to a general MOA.
- ❑ **Articulations** - Agreements to offer dual degrees, joint degrees, and transfer programs between institutions. E.g.: Student transfers from Community College if meeting the criteria on the transfer agreement; a student earns two degrees, one from each of two participating institutions.



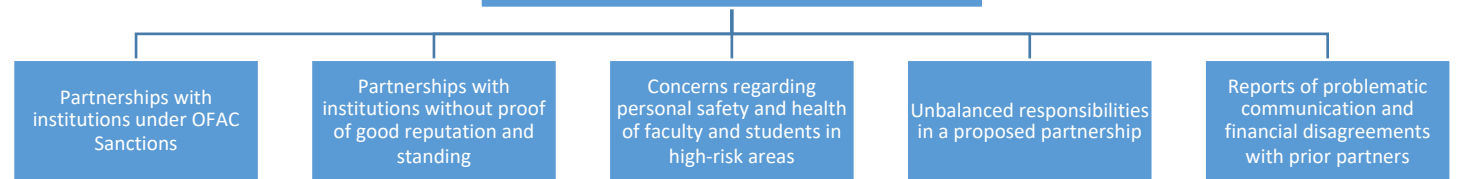
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MOA – SPONSORED AWARD – PROCUREMENT





RED FLAG SCENARIOS





MOA TEMPLATES

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Office of General Counsel (OGC) Approved Templates

- Domestic Memorandum of Agreement
- International Memorandum of Agreement
- Educational Services Agreement
- Amendments

MOAs which are created without these templates or with changes to the templates must be reviewed and approved by OGC before submission for approval

Templates and Guidelines

<https://www.american.edu/provost/moa/resources.cfm>

OGC Contract Review Request

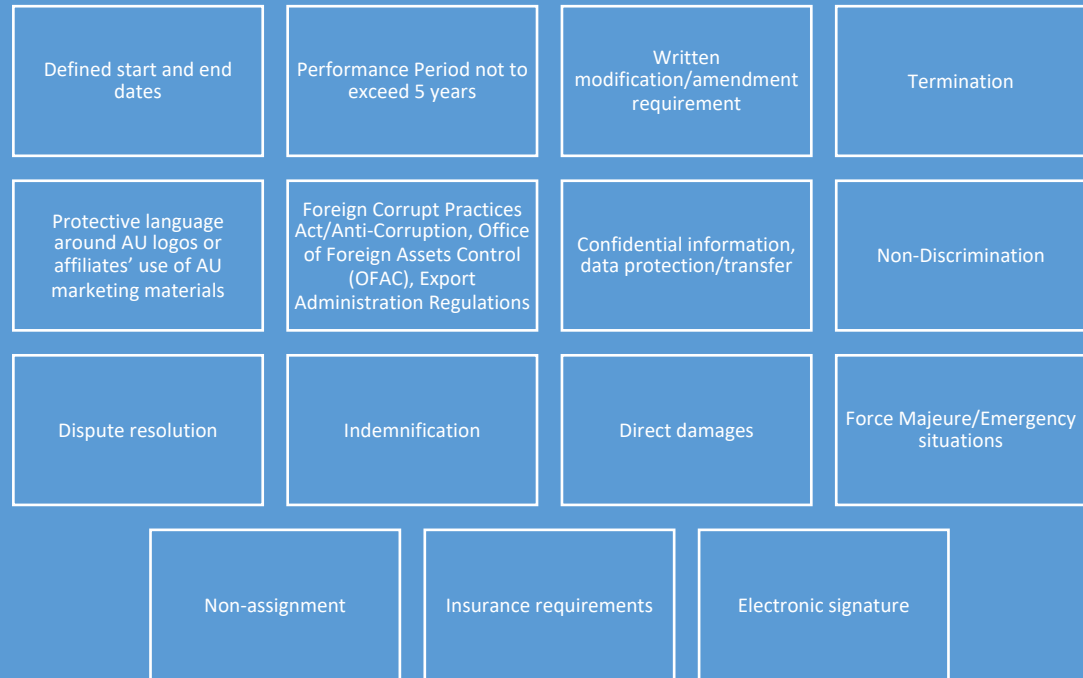
<https://americanuniversity.service-now.com/help>





REQUIRED MOA PROVISIONS

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AS APPLICABLE PROVISIONS

Right to Audit

Payment Terms

HIPAA (specifically for the
Clinical Graduate Programs)

Language on Reporting
Program Progress



MONITORING AND CLOSE-OUT

Monitoring

- Units must conduct periodical monitoring of MOA activities to ensure all agreement conditions and regulations are followed
- Use of AU or affiliate logo
- Review of financial activity and program content
- AU IP and/or confidential information policy
- Performance metrics, including student attendance, marketing activities
- Incidents, disputes, and/or disagreements, their status, and outcome
- Course competition, certification receipts, certificates copies, and student tracking methods
- Student/faculty/staff evaluations
- Assertions that the affiliate is maintaining required insurance and licensing
- Documentation of requirements for onboarding students

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MONITORING AND CLOSE-OUT

Close-Out

- Units must start reviewing the monitoring documentation collected throughout the term of the agreement and initiate the close-out process
- Process should start at least 30 days before the end of the agreement
- Assess expenditures
- Verify payment status and following up to ensure all payments are made/received
- Retain all evaluations
- Verify all data/deliverables are completed and received/provided
- Verify access is removed (physical, data, etc.)

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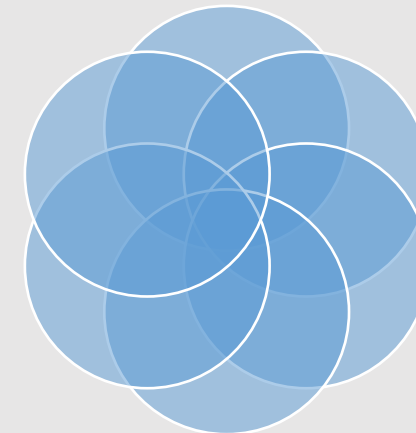
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MOA SHAREPOINT SITE

Submitting MOAs for Approval

UBO approved budget summary when the agreement has an IRC component

Communications reflecting OGC approval when applicable



Memo from dean or department head with partnership recommendation

Completed Due Diligence Checklist

MOA in English and all other translations as needed



For detailed submission instructions , please consultant the MOA Guidelines.



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MOA SHAREPOINT SITE

Submitting MOAs for Approval
Risk Management Approval

Global Safety Website
<https://www.american.edu/emergency/globalsafety.cfm>

RM monitors worldwide conditions and helps AU personnel and students in the process of preparing for international travel
Provide RM with the proposed MOA and supporting documentation to obtain approval
Units must comply with AU's International Travel Policy if the international MOA has a travel component.
Insurance issues are also addressed by RM





SHAREPOINT MOA REPORTS

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Browsing MOAs by School

The MOA Homepage contains a listing of all MOAs by school.

<https://myau.american.edu/dept/provost/MOA/SitePages/Home.aspx>

- The status of MOAs for each school can be viewed by clicking on “School” next to the applicable school. This will show an expanded list of MOAs sorted by status (Active, Non-Active, Pending).
- Clicking on “Doc Status” will further expand the listing for each category and show a complete listing of MOAs in the applicable category.
- Clicking on “View Doc” will open the MOA entry showing all MOA details and documents. Once opened in this view, the MOA entry may also be edited by clicking on “Edit Item”.





SHAREPOINT MOA REPORTS

Tailored Reports

Tailored reports can be generated via the below link

<https://myau.american.edu/dept/provost/MOA/Lists/MOA/By%20Status.aspx>

- Once at this site, you can click on the three dots next to the “Find Item” field and Choose “Create View” in the drop down
- Create a report by using one of the existing views on this page and modifying it or creating a new view
- Name the view and check “Create a personal view”
- In the Columns section, choose the columns you would like to see in your reports by checking or unchecking them
- In the Sort section, choose the order in which you would like to sort the columns
- In the Filter section, choose to “View All Items” or “Show items only when the following is true”. For example, you can generate a view/report for Doc Status is equal to Pending to only see pending MOAs
- Once these parameters have been set up, click on OK to see the report





SHAREPOINT MOA REPORTS

Excel Reports

- To export any report into Excel, once you have generated the applicable view/report, click next to the very first Status line.
- This will bring up the Browse/Items/List Menu in the left upper corner of the page.
- Click on List. This will generate a task bar including the Export to Excel option.
- Click on Export to Excel
- Click on OK in the window which opens
- Click on Open File in the Download list and save the Excel file



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W A S H I N G T O N , D C

Please contact the MOA Administrator at eklene@american.edu with any remaining questions.

Helpful Websites

MOA Templates and Guidelines

<https://www.american.edu/provost/moa/resources.cfm>

MOA Submission Portal

<https://myau.american.edu/dept/provost/MOA>

Global Safety

<https://www.american.edu/emergency/globalsafety.cfm>