

**Internal Policies and Procedures  
of the  
Utah State Board of Education**

<b>Policy #:</b>	06-16
<b>Subject:</b>	Memorandum of Understanding
<b>Date:</b>	June 28, 2022
<b>Policy Owner:</b>	Director of Purchasing and Contracts
<b>Policy Officer:</b>	Deputy Superintendent of Operations
<b>References:</b>	
<ul style="list-style-type: none"> <li>• <a href="#">Utah Code Annotated, Title 63G Chapter 6a, Utah Procurement Code</a></li> <li>• <a href="#">Utah Administrative Code Title R33</a></li> <li>• <a href="#">Utah Administrative Code Title R277-122</a></li> </ul>	

I. **PURPOSE:**

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.

II. **POLICY:**

MOUs shall be used when the Utah State Board of Education (“USBE”) enters into an agreement with another entity that doesn’t involve the exchange of money.

III. **PROCEDURES:**

1. 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.
2. 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.
  - a. When possible, the USBE contract templates should be used.

3. 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.
4. The purchasing agent is available to assist in writing the MOU and shall be involved in the negotiation process.
5. Once the terms of the MOU are finalized, the purchasing agent places the MOU on the Board's next consent calendar.
6. 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.
7. The purchasing agent distributes the executed MOUs to the section, other parties, and maintain an electronic copy of the MOU.
8. Purchasing shall be the official repository for the MOU file.