

Worksheet: Creating a Memorandum of Agreement

A *memorandum of agreement* (MOA) is a written document that describes how two parties will work together to meet a common objective. MOAs help partners specify the purpose of their collaboration, as well as the roles and responsibilities of each partner in achieving articulated goals. MOAs can range from informal (a firm handshake) to formal (a binding legal document that holds parties responsible to their commitment). The terms memorandum of agreement and memorandum of understanding (MOU) are often used interchangeably.

Stakeholders often begin collaborating without putting any formal agreements in place. However, as partners begin working together more closely—and particularly as they begin pooling fiscal or human resources—it can be helpful to develop an MOA.

About the Tool

This tool presents the major sections of a standard MOA, accompanied by a template you can adapt to your needs.

- **Purpose and Scope.** This section conveys the “big picture” of why and how all parties will work together. It typically includes a clear mission or vision statement that defines the primary purpose of the collaboration and how it will benefit the community. It may also include the goals and objectives that the collaboration hopes to achieve. Other components may include:
 - » Name of all parties involved in the collaboration
 - » Brief description of the scope of work and desired outcomes
 - » Financial obligations of each party, if applicable
 - » Dates that the agreement is in effect
 - » Key contacts for each party
 - » A logic model depicting the relationship between planned activities and identified prevention goals (optional)

- **Background.** This section contains a brief description of the agencies participating in the collaboration and named in the MOA, as well as any current or historical ties between partners.
- **Responsibilities under this MOA.** This section contains a brief description of how partners will work together (i.e., what they will be doing), as well as individual partner responsibilities. It can also describe expectations for meetings and communication (e.g., frequency and approach), and the types of management and decision-making processes that will be used. It may also include descriptions of:
 - » *How information will be shared across agencies*, including any policies or procedures that inform and/or dictate the selected approach.
 - » Partner responsibilities related to *evaluation, data collection, data sharing, and reporting*.
 - » *Who has decision-making authority?* Some MOAs may benefit from a delineation of decision-making authority. For example, for an MOA between a law enforcement agency and a school district, it can be helpful to clarify the scope of law enforcement authority to enforce state, local, and federal laws on school grounds.
- **Funding.** This section describes each partner’s fiscal duties, if any, ensuring that these are consistent with the stated goals and planned activities.
- **Effective Date and Signature**, including:
 - » **Duration of the Agreement**—the effective date that the agreement begins and how long it will be in effect, as well as circumstances under which the agreement can be modified or terminated.
 - » **Signatures**—the MOA is not considered in effect until all parties have signed. Each party should keep an original signed copy.

Memorandum of Agreement Template

A generic template for an MOA is provided on the following page. You may want to include additional sections, depending on the nature of the agreement and the parties involved.

- As you develop your MOA, imagine that you are writing for someone who knows nothing about the collaboration. Be specific, but succinct; avoid jargon; and always provide partners with ample opportunity to review and provide feedback on early drafts.

MEMORANDUM OF AGREEMENT (MOA)

Between

(insert legal name of Party A)

And

(insert legal name of Party B)

This is an agreement between "*Party A*," hereinafter called

(insert commonly-called name or acronym of Party A)

And "*Party B*," hereinafter called

(insert commonly-called name or acronym of Party A)

I. PURPOSE AND SCOPE

The purpose of this MOA is to clearly describe the roles and responsibilities of each party as they relate to:

In particular, this MOA is intended to:

II. BACKGROUND

III. RESPONSIBILITIES UNDER THIS MOA

(Party A) shall undertake the following activities:

(Party B) shall undertake the following activities:

IV. FUNDING

This MOA does (does not) include the reimbursement of funds between the two parties (clearly describe details of funding agreement/reimbursement).

V. EFFECTIVE DATE AND SIGNATURE

This MOA shall be effective upon the signature of Parties A and B authorized officials. It shall be in force from _____ to _____.

Parties A and B indicate agreement with this MOA by their signatures.

| | |
|---------|---------|
| Name | Name |
| _____ | _____ |
| Title | Title |
| _____ | _____ |
| Party A | Party B |
| _____ | _____ |
| Date | Date |
| _____ | _____ |

Reference

Education Development Center, Inc. (2013). How do we create an agreement for working together? Retrieved from www.promoteprevent.org