

UAF Policy 10.07.080

Original Adoption: June 9, 2015

Revised: September 12, 2023



Memorandum of Agreement/Memorandum of Understanding Policy

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Event Space Rental Agreement: An agreement that allows external entities to use university facilities on a short-term basis, typically one-time events lasting less than two weeks or recurring events less than 80 hours per year. An event space rental agreement is only valid up to a maximum of one year. The agreement may only be approved by an employee with delegation from the Vice Chancellor of Administrative Services.

Facilities Use Agreements (FUA) and/or Land Use Agreement (LUA): An agreement required to be in place when external entities access university facilities or grounds for over 14 days or 80 hours annually. The FUA/LUA ensures the external entity assumes all responsibility, risk, and liability associated with the activity. FUA/LUA facility users will work with UAF Facilities Services for agreements. External entities pay fair market value rents unless substantial education benefits are demonstrated. These may only be approved by an employee with delegation from the Chancellor.

Memorandum of Agreement (MOA): An MOA is necessary as a written document to legally commit and define the roles between parties to cooperatively work together on an agreed upon project or meet an agreed upon objective. An MOA details the obligations and commitments of the parties and allocates and minimizes each party's risks. MOAs must contain, but are not limited to:

- a listing of the parties involved;
- a purpose/statement of work;
- terms and conditions;
- appropriate bilateral signatures;
- duration of agreement;
- any payment terms or special provisions as applicable; and
- Title IX, FERPA and/or HIPPA clauses may be required.

Memorandum of Understanding (MOU): A memorandum of understanding (MOU) is a document expressing a convergence of will between parties, indicating an intended common line

binding power of a contract. MOUs do not require any party to commit funds or other resources. The MOU does not create duties or legally enforceable liabilities or obligations for any party nor does it establish a standard of care attributable to the activities associated with the subject of the agreement. MOUs should contain the following provisions:

- a listing of the parties involved;
- a purpose;

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responsibilities;
appropriate bilateral signatures;
duration of the agreement; and
any special provisions as applicable.

Signature Authority (SA): Signature authority is the legal authority to sign contracts and other documents on behalf of the University of Alaska Fairbanks. See Responsibilities section of this document for those designated as an SA for MOUs and MOAs.

4.0 REFERENCES RELIED UPON

[Board of Regents \(BOR\) Policy P10.07.010. Role of Research, Scholarship and Creative Activity.](#)

[BOR Regulation R10.07.080 Agreements with external academic and research entities.](#)

[OnBase Document Management - Guidelines for Use](#)

[UAF Event policy](#)

[Protection of Minors \(POM\)](#)

[Health Insurance Portability and Accountability Act \(HIPPA\)](#)

[Family Educational Rights and Privacy Act \(FERPA\)](#)

5.0 RESPONSIBILITIES

The agreement initiator is responsible for coordination with the appropriate responsible offices, Vice Chancellor (VC) level office or Office of the Chancellor for the creation or renewal of any of these agreements. The responsible offices and each VC Office will serve as a liaison to assist with appropriate routing of each agreement and will have access to the electronic database for searches and/or storage of fully executed agreements in compliance with procedural guidelines. The VC Offices and Chancellor the responsible offices will have limited view access.

Chancellor and Vice Chancellor offices are responsible for uploading MOU/MOAs into OnBase when fully executed by the signature authority.

Signature authority is delegated to the following responsible offices for execution of appropriate agreements.

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Insurance Section:

UAF departments will send the MOA, MOU or Agreement approved by Legal and a completed UA Self-Insurance Request Form to UAF Risk Management (EHSRM) for review and insurance assessment. EHSRM shall advise on any recommended changes, if necessary, for insurance requirements.

EHSRM will process the finalized MOA,

