

Guidelines on the use of Letters of Intent and Memoranda of Understanding

DCU has many forms of relationships with different types of organisations, for a variety of reasons that may include:

- The recruitment of students
- The joint development of courses
- Joint research proposals
- To create sustainable strategic alliances

Types of Arrangement

In general, there are two types of agreement that can be signed with other Higher Education Institutions:

- Letters of Intent
- Memorandum of Understanding

Letters of Intent

There are many Letters of Intent between DCU Schools/Faculties and those in other institutions. These can be defined as:

“A loose agreement between parties on a specific area or narrow set of areas that do not constitute a legally binding document but instead can recognise that cooperating would be of mutual benefit and would serve as an indication of continued interest in joint projects.”

These Letters of Intent should be agreed by the rules set within those Schools/Faculties. They are often signed in advance of a Memorandum of Understanding as a means of agreement on general cooperation.

The Letter of Intent is much less formal than a MOU and gives the university or individual schools/faculties the flexibility to respond quickly by creating a formal record of commitment to collaborate but without any financial or legal exposure.

Although a faculty is not a legal entity, an LOI at faculty level can be a very effective way of initiating collaboration and act as a forerunner to a more formal MOU at University level in the future.

Letters of Intent do not need to be approved by Executive but a signed final version should be forwarded to the President's Office to be filed centrally.

Memorandum of Understanding

A Memorandum of Understanding (MOU) is an overall facilitating document linking Dublin City University or one of its designated units with another institution(s). A MOU is between the University and the other body on behalf of a Unit, School,

Faculty or Centre. Recognising that MOUs are intended to facilitate future cooperation, it is important to address potential obstacles at the time the MOU is being developed.

A “Memorandum of Understanding” or MOU can be defined as:

“A legal document describing an agreement between parties. It expresses a convergence of will between the parties, indicating an intended common line of action, but which can have a direct effect on the university including that of a legal commitment. It is a more formal alternative to a Letter of Intent”.

Such an agreement can have several potential effects on the University, including:

- Legal
- Financial
- Reputational
- Admissions arrangements

Therefore in the development of any MOU, these factors should be given particular attention and the Due Diligence process must be carried out.

Memoranda of Understanding must be signed by the President or his designee and must be approved by Executive. A signed final version should be forwarded to the President's Office to be filed centrally.

Due Diligence for an MOU

Due Diligence is the process by which the organisation that DCU is proposing to work with is deemed to be a valid, suitable and appropriate partner at this time.

Where an organisation approaches DCU with the intention of presenting joint programmes, a member of DCU staff should take responsibility for liaising with the institution, and acting as the ‘proposer’ for the partner, and must supply the following information with the MOU proposal:

- Highlight the institutional background of the partner(s) e.g. date established, location of main branch (and other branches, if relevant), profit or non-profit, public or private, accreditation body, disciplines, level of qualifications offered, ranking (if appropriate), other partners (if known), relevant recognition by a professional or statutory accrediting agency.
- Identify the type of linkage being proposed, objectives, resource implications, and fit with DCU strategic objectives.
- Outline the synergy between the proposed agreement and the Faculty/School/Centre/Unit’s mandate and direction.