



## Frequently Asked Questions about MOUs

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## What is an MOU?

A “**Memorandum of Understanding,**” or **MOU**, is a formal agreement with SFUSD that describes your services to the district, and ensures your agency fulfills legal requirements that protect our students, your organization, and the district as a whole.

## Who needs to complete an MOU?

**Any organization or agency providing services to students** in a public school **free of charge to SFUSD** must have an MOU. The MOU needs to be approved by the Board of Education as well as SFUSD’s program, legal, and contracts departments before you begin working with students!

***Please note that the process to approve and fully execute an MOU normally takes 3-4 weeks.***

- In most cases, **individuals** who wish to volunteer or provide services to a school go through the volunteer placement process at the San Francisco Education Fund ([www.sfedfund.org](http://www.sfedfund.org)).
- Organizations or individuals who will be **paid by SFUSD** must complete a **contract**, not an MOU. Your contact at the school or central office will provide the contract form.
- If your **program runs at a school site outside of the regular school day** you will also need to complete a **Facilities Use Permit**. You can find detailed information about facility use permits and fees at [www.sfusd.edu/rentingfacilities](http://www.sfusd.edu/rentingfacilities).

## How do I access and fill out the MOU form?

**SFUSD has an online system to fill out a standard MOU** template for most community agencies that provide their services to students, families or staff, free of charge to the school district.

There are two specific types of programs that **must use a special MOU template** that is not available through the database:

- Individuals with a **sole proprietorship** program (an individual providing a formal service identified by a program name or “brand” – with no employees or other volunteers)
- Organizations whose service involves providing **free, online hosting of software**

If you believe your program falls under these categories of service, **please contact the SFUSD Partnerships office for direction on which MOU template you need to use.**

Please go to the MOU database login page at [www.youthservices.net/sfusdforms](http://www.youthservices.net/sfusdforms) to begin filling out an MOU. **Contact the MOU Tech Desk Monday-Friday, 8am-5pm at (866) 469-6884** (toll-free) to set up your account and receive your agency’s username and password.

Make sure you use your **agency's full legal name for your MOU account**, which must match the agency name on your insurance certificate (see below for details about insurance). **Be sure to carefully read the entire MOU Terms of Agreement** before signing it: this is a legal document.

If your organization provides students access to your own online services, you should NOT use this standard MOU form. Please contact us to complete an MOU for **Online Hosted Services**.

If your organization provides services through ExCEL or Beacon afterschool programs, you should NOT use this online MOU form. **Please coordinate with the program director** to include your services on their MOU or contract.

### **What information do I need to provide on the MOU form?**

Be sure to **coordinate with the principal or other district staff** to clearly define the priorities, program details, and review process for your services **before you fill out and print your MOU**.

As part of the MOU you must provide a description of the services you offer to provide SFUSD, as well as answer questions about your program. Information you need to provide includes:

- The school site(s) where you plan to provide services
- The frequency and duration of your program - for example, if it will be offered every day, once a week, or several times a month, for all or part of the school year
- Whether you will serve all students in the school or focus on specific student groups, and any eligibility criteria for your program
- A clear description of the services you will be providing.

→ **TIP:** If you will provide similar services to multiple school sites, please complete **one MOU** naming all of those sites – rather than completing a number of MOUs, each naming one school.

→ **TIP:** Clearly describe the actions you will take and the services you are *committed to or offering* to provide. Avoid acronyms and abbreviations, and focus on specific actions and services you will provide rather than the rationale for the program. Your MOU should not have language such as “*We hope to...*” or “*If our funding allows...*”

To address implementation details you need to work out directly with each school (such as different levels of support based on site needs, or the schedule for your program), preferred language is “*... to be decided in coordination with school staff.*”

→ **TIP:** For an MOU to provide or support curriculum during the school day, your program description needs to include the statement that these services will be **provided under the direct supervision of certificated SFUSD staff**. (Curriculum provided outside of the regular school day does not have to include this supervision.)

### Can our MOU include access to information about the students we'll be serving?

Some service providers are allowed access to confidential information about students under very strict conditions. These are some of the basic conditions related to student information:

- All information disclosed by the District to a service provider shall be held in strict confidence and used only in performance of the services related to this MOU. Service providers shall exercise the same standard of care to protect such information as is used to protect their own proprietary or confidential information.
- Service providers must comply at all times with the Family Educational Records Privacy Act ("FERPA") and can only access confidential student information with prior written parental consent, legitimate educational interest in performing duties on behalf of SFUSD under this Agreement, or other provisions of federal and state law.
- ➔ **NEW:** All employees, volunteers and/or agents of your organization must sign the SFUSD Oath of Confidentiality before accessing any confidential student records or receiving confidential information about students or their families.
- ➔ **NEW:** Samples of parental consent and Oath of Confidentiality forms are posted at [www.sfusd.edu/mou](http://www.sfusd.edu/mou). Please maintain these forms for your records.
- Service providers shall not use confidential student data for any purposes other than services described in their MOU. Service providers shall not disclose confidential student information to any third party without prior written consent of SFUSD.

If your agency wishes to use confidential student data for any purpose other than providing services related to this MOU – ***such as your own program evaluation or research*** – you must have prior written approval by SFUSD's Office of Research, Planning, and Assessment ("RPA"). Please note that RPA does not approve every application for the use of confidential student data. For information about this process, please call (415) 241-6454.

Please see Section 8 of the MOU *Terms of Agreement* related to student information.

### What kind of insurance does my agency need to have to provide services to SFUSD?

Service providers are required to show proof of the following insurance coverage:

1. **Commercial General Liability Insurance** *for at least one million dollars each occurrence and two million dollars in the aggregate for Bodily Injury and Property Damage (including coverage for claims of sexual abuse and molestation).*
2. **Automobile Liability Insurance** *for at least one million dollars each occurrence Combined Single Limit for Bodily Injury and Property Damage, including Owned, Non-Owned and Hired automobiles.*
3. **Workers' Compensation Insurance, with Employer's Liability** *for at least one million dollars each accident.*

Please see Section 6 of the MOU form for more details about insurance requirements.

## **What background checks do we need for staff or volunteers who work with SFUSD students?**

All staff or volunteers who will have more than limited contact with students, as defined by SFUSD, are required to clear both a **criminal background check** and a **tuberculosis test**. By signing the MOU your organization certifies your staff and/or volunteers have passed this screening. In the MOU template you will be required to provide the dates for this clearance.

## **How does SFUSD define “more than limited contact” with students?**

There are two important guidelines that help determine whether your agency's employees or volunteers will have **more than limited contact** with students:

1. Is there a possibility the person may have an opportunity to be alone with a student or group of students at any time (without supervision by school staff)?
2. Is there a possibility the person may have an opportunity to develop a relationship of trust with a student or group of students?

**If you answer YES to *either of these questions***, that is more than limited contact with students.

## **How often do these background checks need to be done?**

The **criminal background check** must be done through the California Department of Justice. It needs to be done only one time for each individual – but your agency's request for background checks must include the request for **subsequent arrest notification** to monitor future arrests of any employees and/or volunteers who will have contact with SFUSD students. (Please see Section 9 of the full MOU for details.)

A **tuberculosis test** needs to be repeated every four years. A TB test date more than four years old is considered to have expired; MOUs with expired test dates will be delayed until those tests are updated.

## **How do we get fingerprints/background clearance for our staff or volunteers?**

To be a “Custodian of Records” and receive reports of criminal clearance information for your employees or volunteers, your agency needs to obtain an “ORI number” from the California Department of Justice. Go here for applications: <http://oag.ca.gov/fingerprints/agencies> Please note that **it can take several months** for your application to be processed and approved.

➔ **TIP:** Be sure to complete Application **C. Youth Organizations – Human Services Agencies**. Do not use Application **A.** for *School Contractors* – that's for groups running schools.

- Once your organization is approved to receive these records, your staff and volunteers can have their fingerprints taken at agencies or businesses providing this service. For example, some UPS stores provide this service. Please note that SFUSD's Human Resources department cannot do Live Scans for agency MOU's.

## Who needs to sign the MOU?

- **Signatures** by an authorized signer from your agency and a district administrator are required in two places on each MOU, on **the last two pages of the MOU template**.
- **Signatures from district staff:** If services will be provided at just one school site, you can obtain the signature of the principal, on both pages, for the **“Administrator.”**
- If you are providing services at more than one school, you must include the name and signature of a **central SFUSD administrator** in the spaces for **“Administrator”** and in the “Notice to the District” section of the MOU. *See page 9 of this FAQ for the names and contact information of SFUSD administrators who review MOUs.*
- Be sure to **speak with the SFUSD administrator(s)** to confirm who will sign your MOU **before you print the final form**. SFUSD has had many changes in staff and procedures.

If your agency provides any of the following programs or services, please contact Kim Levine at School Health Programs to confirm the review process ([LevineK@sfusd.edu](mailto:LevineK@sfusd.edu) or 415-242-2615).

- Counseling, therapy and other mental health services
- Classroom presentations, assemblies or other school events about health and wellness
- Curriculum about reproductive health, sexuality, or pregnancy and/or STD prevention.

## How do we submit our MOU to the school district?

To submit your MOU, you need to **print out the final MOU form and provide signatures for approval**. *It is not possible to submit your MOU for approval through the online system.*

- **Print one single-sided copy** of the MOU form and provide **original signatures** in the two places on the form, **using blue ink**. SFUSD cannot accept photocopies of signatures.
- A “Summary of MOU Information” will print along with your MOU. Please **submit this form** with your signed MOU.
- **Submit copies of required insurance documentation** as described in Sections 6 and 7 of the MOU form (including a certificate and endorsement naming SFUSD, its Board, Officers and Employees as additional insured). You must **submit the insurance documentation at the same time** as you submit the hard copy of the MOU.
- **Do not submit** the actual results of criminal background check clearances issued by the California Department of Justice regarding your employees. Keep this report on file with your organization. Just check the appropriate box on the last page of the MOU form.
- **Do not submit** the actual results of tuberculosis (TB) screening reports for your employees. Check the appropriate box and keep these reports on file.

**Submit the hard copy of your completed MOU and insurance certificates to:**

SFUSD Community Partnerships Office  
Attn: MOU  
555 Franklin Street  
San Francisco, CA 94102

**How long will it take for our MOU to be approved and executed?**

After you submit your signed MOU, along with the required insurance certificates, it can take **three to four weeks** for your MOU to be approved. Please note that MOUs that are filled out incorrectly, missing information (including insurance certificates) or missing signatures, can take ***significantly longer*** to be approved.

**Agencies may not begin working with students until your MOU is fully executed!**

**Top Five Reasons MOUs Are Delayed**

Most MOUs are successfully executed within a month after the forms are submitted to the Partnerships office. Some organizations encounter significant delays, however, when the MOU is not filled out properly. These are the top five reasons why some MOUs are delayed:

1. The program description is inadequate (too vague, focused on goals instead of actions, or doesn't clearly state services the organization will provide through this program)
2. Insurance certificates are not submitted, or are incorrect
3. MOU is missing signatures of the agency's authorized signer or SFUSD administrator
4. The agency name on MOU doesn't match the agency name on the insurance certificates
5. TB clearance for staff or volunteers has expired

**SFUSD's process for approving and executing MOUs**

- MOUs are not fully executed until approved by all required SFUSD departments. The district's Contracts, Financial and Legal departments review all MOUs.
- In addition, all MOUs must be approved by the Board of Education and assigned a Board Resolution approval number. SFUSD staff will handle this process.
- The contracts office will email a PDF of your fully executed MOU to the contact person noted in the "Notice to Provider" section of the MOU.
- The "MOU Process Flowchart" at our Partnerships page provides a visual of this process.

## **How do we update our MOU if we want to add schools, or bring on new staff or volunteers?**

If your organization wants to add schools to an existing MOU, or will bring on new staff or volunteers to provide services related to your MOU, you will need to update the MOU to reflect these changes. Please follow this process:

- **Before you add new schools** (or change schools named) for your MOU, be sure to **check in with the SFUSD administrator** who will need to review and sign your amended MOU.
- Log in to your agency account and “**unlock**” the **MOU**, to make changes to it – including adding new staff, or updating TB or CBC dates.
- After entering the new information, **Save the Final MOU**, and **print the updated MOU**.
- Have your agency’s authorized person sign a hard copy of the updated/amended MOU, and send this copy to SFUSD’s Community Partnerships Office (*see page 7*).
- To help avoid confusion, please include a brief note with this hard copy to let us know what you have changed/added to the MOU.

## **How can I get help with filling out my MOU?**

If you have additional questions about navigating the MOU process, please contact us at [partnerships@sfusd.edu](mailto:partnerships@sfusd.edu) or (415) 241-6185. You can find detailed information at:

***www.sfusd.edu***

- ✓ Under the **Community** tab at the top – or
- ✓ On the left-side menu, under **Partnering with SFUSD**



## Who Should Sign My MOU?

In most cases, if you will provide services in **just one school** the principal or assistant principal may sign your MOU on behalf of the District. For services in **more than one school site** a central SFUSD administrator must sign your MOU. Please contact the appropriate department listed below to clarify who should review and sign your MOU. If you are not sure which department your services fall under, you may contact us at [partnerships@sfusd.edu](mailto:partnerships@sfusd.edu)

Type of service or student grade levels	SFUSD Office	Contact information
Services or presentations related to health and wellness, including counseling, mental health and sexuality	School Health Programs	Kim Levine, <a href="mailto:LevineK@sfusd.edu">LevineK@sfusd.edu</a> (415) 242-2615
Services related to the African American Achievement and Leadership Initiative and/or My Brother and Sister's Keeper	African American Achievement and Leadership Initiative	Landon Dickey, <a href="mailto:DickeyL@sfusd.edu">DickeyL@sfusd.edu</a> (415) 241-6121
Internships and job training programs in multiple schools	Career and Technical Education (CTE)	Erik Rice, <a href="mailto:RiceE@sfusd.edu">RiceE@sfusd.edu</a> (415) 379-7764 x1164
Other college and career readiness programs in multiple schools	College and Career	Stephen Koffman, <a href="mailto:KoffmanS@sfusd.edu">KoffmanS@sfusd.edu</a> (415) 379-7764
Outdoor education and garden programs in multiple schools	Curriculum & Instruction, STEM	Sarah Delaney, <a href="mailto:DelaneyS@sfusd.edu">DelaneyS@sfusd.edu</a> (415) 379-7783
Afterschool programs in multiple schools	Out of School Time programs	Karina Henriquez, <a href="mailto:HenriquezK@sfusd.edu">HenriquezK@sfusd.edu</a> (415) 750-4500 X1015
Violence prevention, conflict resolution, Restorative Practices, etc.	Pupil Services	Ben Kauffman, <a href="mailto:KauffmanB1@sfusd.edu">KauffmanB1@sfusd.edu</a> (415) 241-3030 x1045
ERMHS services for students with IEPs	Special Education	Scott Ostendorf, <a href="mailto:OstendorfS@sfusd.edu">OstendorfS@sfusd.edu</a> (415) 759-2204
Programs focused on providing food and/or beverages to students	Student Nutrition Services	Sandy Huynh, <a href="mailto:HuynhS@sfusd.edu">HuynhS@sfusd.edu</a> (415) 749-3604, x3008
Arts programs in multiple schools	Visual and Performing Arts (VAPA)	Robert Daniels, <a href="mailto:DanielsR1@sfusd.edu">DanielsR1@sfusd.edu</a> (415) 379-7923
For other programs in Early Education schools (pre-K)	Early Education Department	Meenoo Yashar, <a href="mailto:YasharM@sfusd.edu">YasharM@sfusd.edu</a> (415) 379-2705 x1208
For other programs in elementary, K-8 and middle schools	LEAD, Cohorts 1-6	Jeannie Pon, David Wong, Enikia Ford-Morthel, Anakarita Allen, Richard Curci, Karling Aguilera-Fort (415) 241-6310
For other programs in high schools	LEAD, High Schools	Bill Sanderson (415) 241-6478