

UCEDD Tip Sheets



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UCEDD Tipsheets are produced by the Association of University Centers on Disabilities (AUCD) through the UCEDD Resource Center (URC).



UCEDD Grants Management: Negotiating UCEDD-University Agreements

What is Addressed in this Tip Sheet?

UCEDDs must apply for core funding from AIDD every five years. AIDD requests a copy of the UCEDD-University agreement, MOU, or charter to be included in the 5-year core grant application. This Tip Sheet provides information specific to negotiating such an agreement with the UCEDD's host university. Throughout the Tip Sheet, the term "MOU" will be used to refer to whatever type of agreement is developed between the UCEDD and its host or affiliated University.

Why is this Important?

A written agreement between the UCEDD and the University is a requirement outlined in both the federal regulations governing the UCEDD, and the UCEDD funding announcement.

1. Federal Guidance; [full text is available online](#).
 - a. 45 CFR 1388.6(b) directly addresses the need for an MOU: "The UCEDD must have a written agreement or charter with the university, or affiliated university that specifies the UCEDD designation as an official university component, the relationships between the UCEDD and other university components, the university commitment to the UCEDD and the UCEDD commitment to the university."

b. 45 CFR 1388.6 also outlines other requirements of the UCEDD that are helpful to include in the MOU, to ensure the University supports these requirements. Examples include but are not limited to:

i. 45 CFR 1388.6(c) “Within the university, the UCEDD must maintain the autonomy and organizational structure required to carry out the UCEDD mission and provide for the mandated activities.” It would be helpful to include this in the MOU because it makes it clear that the University understands that the UCEDD must have the autonomy to do that with which it has been funded to do.

ii. 45 CFR 1388.6(e) “The University must demonstrate its support for the UCEDD through the commitment of financial and other resources.” Examples can include level of financial support, a base percentage of the director’s salary, tenure lines or faculty lines, IT and other infrastructure support, and space.

iii. 45 CFR 1388.6(f) “UCEDD senior professional staff, including the UCEDD Director, Associate Director, Training Director, and Research Coordinator, must hold faculty appointments in appropriate academic departments of the host or an affiliated university, consistent with university policy. UCEDD senior professional staff must contribute to the university by participation on university committees, collaboration with other university departments, and other university community activities.” However, this does not mean that UCEDD Directors can’t have an additional faculty appointment

at another university. There are UCEDD faculty across the network who have appointments at multiple universities as part of their partnerships and collaborations with those universities. If a person has a faculty line at a different university, it’s advisable to obtain faculty status within the UCEDD’s host university also.

iv. 45 CFR 1388.6(m) “The university must demonstrate that the UCEDD have adequate space to carry out the mandated activities.”

v. 45 CFR 1388.6(n) “The UCEDD physical facility and all program initiatives conducted by the UCEDD must be accessible to individuals with disabilities as provided for by section 504 of the Rehabilitation Act and Titles II and III of the Americans with Disabilities Act.” The MOU can make it clear to the University administration that this is a federal requirement for your UCEDD, so that the University can help support you to meet that requirement.

Within the University, the UCEDD must maintain the autonomy and organizational structure required to carry out the UCEDD mission and provide for the mandated activities.

2. UCEDD funding announcement includes related scoring criteria; see [2017 UCEDD FOA, p. 27, in the review section for Organizational Capacity \(PDF\)](#):
 - a. “Documentation is provided that the UCEDD has a written agreement (MOU) or charter with the University which specifies the:
 - i. UCEDD designation as an official, independent university component;
 - ii. The relationships between the UCEDD and other university components;
 - iii. The University’s commitment (including financial and other resources) to the UCEDD and the UCEDD’s commitment to the university; and
 - iv. That the UCEDD Director reports directly to a University administrator who will represent the interests of the UCEDD within the University. (3 points)”

How is it Done?

In a November 2008 survey, UCEDD Directors were asked to share their university agreement with AUCD; 23 MOUs were received and analyzed for a [report for the network](#). In December 2016, a survey was sent to UCEDD Directors asking for feedback on three questions related to negotiating the MOU; six responses were received. Highlights of both the report and survey are discussed here. An analysis of the MOUs received showed the following themes:

1. A significant majority (65%) of reviewed UCEDD-university agreements are in the form of Agreements, Memorandums of Agreement (MOA) or Memorandums of Understanding (MOU). Other agreement formats include Charters, Letters of Support, and Statement of Relationship.
2. MOUs directly addressed federal regulator requirements and evaluative tools, including:
 - a. University commitment of financial and other resources;
 - b. Reporting relationship between the UCEDD director and university administrator;
 - c. UCEDD activities to be consistent with DD Council State Plan;
 - d. Involvement of the Consumer Advisory Committee (CAC); and
 - e. Autonomy of the UCEDD to carry out core functions.
3. MOUs supported the UCEDDs’ ability to implement required core functions, including:
 - a. Mission of the UCEDD;
 - b. Specific goals of the UCEDD;
 - c. Office of administrative home to facilitate cooperation and collaboration between UCEDD and University units;
 - d. Identification of cooperating programs within the University and community.
4. MOUs delineated the relationship between the UCEDDs and their host University, including:
 - a. Assurance that UCEDD faculty and staff are covered under University personnel, fiscal and other policies and procedures;
 - b. Identification of UCEDD assistance to University in areas of disability and accessibility; and
 - c. UCEDD Director Selection Process.
5. Unique content areas directly addressing individual contexts of a UCEDD were often included, as well. Examples include:
 - a. A UCEDD in a pediatric setting offers diagnostic and treatment services to individuals with developmental disabilities across the lifespan;
 - b. A Dean offered UCEDD courses under general college prefix when UCEDD courses do not match departmental goals;

MOUs should support the UCEDDs’ ability to implement required core functions.

- c. Tenured status for Executive and Associate Director;
 - d. UCEDD/faculty/staff opportunities to participate in University committees and councils;
 - e. Detail of the return or reduction of indirect costs to the UCEDD by the University, University fiscal commitment in terms of dollars and salary percentages and/or other University support; and
 - f. UCEDD alignment with University mission and current procedural existing agreements that go along with being part of the University.
6. Experienced Directors shared the following suggestions for new UCEDD directors as they undertake MOU negotiations with their universities:
- a. Follow the AIDD guidelines, and show those to the University as non-negotiable;
 - b. Connect UCEDD work to priorities of University/division;
 - c. Discuss dollars and indirects generated from leveraged funds;
 - d. Discuss affiliated relationships and mutual benefits derived;
 - e. Emphasize UCEDDs' key role as conduit to community and policy; and
 - f. It is in all parties' best interest to help University administration understand the areas where the UCEDD mission and goals match the mission and goals of the University administration. It is also important to include possible areas of conflict in the MOU, and to put down in writing how the UCEDD and its host University have chosen to navigate those areas. The caveat to both these points is that an MOU is not legally enforceable. But the fact that the UCEDD and its host University have negotiated the terms of their relationship, and that those terms are included in a mutual written agreement, makes it more likely that the agreement will be honored.

It is in all parties' best interest to help University administration understand the areas where the UCEDD mission and goals match the mission and goals of the University administration.

When should the MOU be renewed?

The MOU does not need to be rewritten every year or at the beginning of every grant cycle. If an MOU doesn't specify an end date, it's valid until another MOU is written to replace it. If there have been administration and restructuring changes at the University that affect the UCEDD, consider revising or amending the MOU to reflect and respond to those changes in writing. Revising the MOU at regular intervals also gives you a chance to put the UCEDD's work front and center with the University administration. Always consider the political and financial context of the University, however; if there is a risk of losing support by revising an MOU, it may be best to leave it alone.

With whom do you negotiate the UCEDD-university agreement or MOU and how does that negotiation take place?

The UCEDD Director negotiates iterative drafts with the direct supervisor at the University. The supervisor may also need to negotiate with upper administrators. Some also have parallel fiscal negotiations with finance directors of a health science center or the larger University.

Where are Relevant Resources?

Additional technical assistance materials are available.

1. UCEDD Grants page of the UCEDD Resource Center (URC) website at www.aucd.org/urc, which includes:
 - a. 2017 UCEDD FOA
 - b. AIDD guidance documents
 - c. Sample applications from the network
 - d. Additional resources for consideration when developing UCEDD core grant application
2. [Recorded webinar discussion](#) and [presentation](#) on Negotiating UCEDD-University Agreements
3. [2008 Report on UCEDD-University Agreements](#)
4. Contact AUCD at the information below to obtain samples of MOUs from other UCEDDs who have agreed to share theirs with peers across the network.

For More Information

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