

UNCOVERING THE STRUCTURE OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN HIGHER EDUCATION INSTITUTION AND STAKEHOLDERS: A MOVE ANALYSIS

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ABSTRACT

This qualitative study utilized move analysis aimed at uncovering the structures of Memorandum of Understanding (MOUs) between Higher Education Institutions (HEIs) and Stakeholders. Fifteen (15) corpora were analyzed based on the framework of Salim (2008) and the World Meteorological Organization (2012). The result of the study reveals that the most frequent moves and steps in all the corpora gathered were Move 1 (M1) Title, Move 3 (M3) Date of Agreement, Move 4 (M4) Parties' Identity which consists of Move 4 Step 1 (M4.S1) Parties' Names, Move 4 Step 2 (M4.S2) Parties' Address, Move 4 Step 3 (M4.S3) Parties' status/position, Move 5 (M5) Aim of the MOU, Move 6 (M6) Content including its steps: Move 6 Step 1 (M6.S1) Scope of understanding, Move 6 Step 2 (M6.S2) Mutual expense and reliance, Move 6 Step 3 (M6.S3) Confidentiality, Move 6 Step 4 (M6.S4) Implementation and termination and Move 6 Step 5 (M6.S5) Modifications. Further, Move 7 (M7) Signatures including its steps: Move 7 Step 1 (M7.S1) Names Move 7 Step 2 (M7.S2) Addresses and Move 8 (M8) Focal points. Overall, it is important to note that there are variations that exist in certain local adaptations and differences in how MOUs are constructed and written. Therefore, the result speaks that the widely accepted conventions of writing MOUs in the research locale highly vary from the existing moves which are mentioned in the theoretical framework of the study. This justifies the intent of the research which was to investigate the structure of MOUs since new results were found and explained in this paper.

Keywords: Memorandum of Understanding (MOUs), stakeholders, higher education institution, qualitative-move analysis, Province of Davao del Norte

INTRODUCTION

The demands of today's world are nothing to be underestimated of. The need for written communication skills has been regarded highly by many professionals, yet it was also noted that most of them lack skills in writing effective

communicative documents (Knoch & Macqueen, 2016). Hence, there is an existing problem that needs to be promptly addressed.

In Thailand, there is still unfamiliarity and vagueness in terms of the proper format of MOUs employed and disseminated in the academe

(Pruprong, 2017). Also, in Malaysia, there are errors in interpreting and understanding legal documents in terms of technical legal terms or the utilization of language together with its characteristics, which is mainly because of the insufficient background in crafting these documents (Chong & Zin, 2016). The same problems are faced among students of law in Russia. They redrafted model contracts to meet the requirements about the structure of the contracts or legal documents, contract law, legal formulae, and syntactic structures (Muravev, 2020).

Meanwhile in the Philippines, specifically in Metro Manila, there is also a problem with the memorandum of understanding which has great utility among institutions that express the mutual intent for partnership and pursuing a singular goal. So far, there has been no centrality regarding the technical knowledge in writing MOUs in the country (Dela Cruz, 2018). In Sorsogon, Business Administration students were found to have difficulties in crafting formal documents such as letters, memoranda, contracts, etc. (Medalla & Viloso, 2019).

In one of the colleges in Kapalong, Davao del Norte, it has been witnessed that college students in the Business Administration program exhibit weak technical writing skills, particularly in writing formal contracts such as the MOU. Having said this, the knowledge of writing these documents was still obscure to most of the students and the instructors alike on the campus.

There were few readings about the analysis of documents of a memorandum of understanding from various countries. However, there is no such study that examined the MOUs written and used in the Philippines as well as how it is sequentially crafted and written in the academic setting. On top of these, this proposal is of great social significance since this may highlight and reveal how the entries in the MOUs are written and organized sequentially. This proposed study can be used by college instructors in the research setting as a basis for teaching technical writing and business communication courses as well as can be a good source for crafting a tangible

set of guidelines in writing institutional MOUs to establish clarity and uniformity in writing these documents.

The purpose of this move analysis-qualitative study was to analyze the structure of the memorandum of understanding used in educational institutions. This aimed to institutionalize the creation and use of MOUs within higher education institutions (HEIs). Likewise, the findings can be used to teach how to write MOUs to college students who are enrolled in Technical Writing and Business Communication courses.

The study is mainly anchored on the joint framework of Salim (2008) and the World Meteorological Organization (2012) who initially framed the structure and components of the MOUs in Thailand universities which includes the following moves and steps: (1) Move 1-Title; (2) Move 2- Background; (3) Move 3- Date of Agreement; (4) Move 4- Parties' Identity; (5) Move 5- Aim of the MOU; (6) Move 6- Content; (7) Move 7- Signatures; (8) Move 8- Focal Points; and (9) Move 9- Additional Annexes as Required. Of the said moves, Move 4, Move 6, and Move 7 contain a number of steps.

OBJECTIVES OF THE STUDY

The study analyzed the moves of the different memoranda of understanding (MOU) within higher education institutions. This study sought the following: 1) Determine the moves found in the memorandum of understanding between higher education institutions and stakeholders, and 2) Ascertain how the moves found in the memorandum of understanding between higher education institutions and stakeholders are presented in comparison to the existing moves of writing MOUs.

METHODOLOGY

This study adopted a qualitative research design employing move analysis. According to Lou (2020), qualitative is a method for studying written or spoken language about social context. This is considered qualitative research since it



dealt with various analytic procedures which is to collect social phenomena systematically and in a descriptive manner that was generated from non-numerical data (Pathak et al., 2013).

Other than that, this study applied move analysis which was utilized to examine samples of memoranda of understanding. This approach was used to analyze texts and structures which involved distinct communicative functions which ordinarily compose the whole text. In addition, the analysis took place starting from adapting an analytical framework up to the act of providing identification and descriptions of the types of moves which may occur in a specific genre (Upton & Cohen, 2009; Cotos et al., 2017).

In this research, move analysis was used to reveal the structure or composition of MOUs from their first down to their last part. Specifically, this was utilized to analyze the sequential moves of MOUs using the joint framework of two authors namely Salim (2008) and the World Meteorological Organization (2012).

This study relied on 15 memoranda of understanding between higher education institutions and stakeholders as research materials. According to Clarke and Braun (2013), the ideal number of corpora-based study entries is 10-100. In this example, the researcher determined that fifteen corpora would be used to analyze the entries.

To describe the MOUs, it is a formal document that served as a preliminary expression of interest between the two agreeing parties involved. This document does not have a legal bearing, nor does it entail obligatory duties between the parties. Unlike any contracts or agreements which suggest serious consequences when breached or violated, MOUs are merely a document stating the mutual expectations between the entities during the phase of negotiation (Kenton, 2020).

In the setting of the inquiry, the MOUs served as the research corpora mainly about the mutual understanding between certain HEI and its stakeholders. This document only highlights the outline of wide-range expectations between the higher educational institution and its industry partners. These are not bounded legally but it

does signal the willingness of the person or entities to move forward with a contract.

Moreover, fifteen (15) samples of the Memorandum of Understanding were acquired in one of the colleges in Kapalong, Davao del Norte. Preferably, these materials have been produced from 2015- 2020 for them to be accepted as research corpora. It is likewise coming from the different offices in the said educational institution. Also, ethical steps and measures were applied in the acquisition of these documents based on the set guidelines from SMCTI-REC.

In acquiring the said materials, the permission of the college president of the concerned HEI was secured first. In this regard, there was an orientation on what this study entails including the benefits and risks that the study may have. To emphasize, the confidentiality of data is highly prioritized to minimize the risk on the part of the institution in general. Censorship of names or parties written in the MOU document was strictly applied since the concern in my study was only on the structure itself, not on the content per se.

After the orientation, the person in authority signed a consent form, allowing the researcher to gain access to the MOUs from the different offices under the jurisdiction of the higher educational institution. Primarily, this was grounded on voluntary participation, wherein the involved person was highly encouraged to participate and no coercion happened on the account of the correspondent.

After securing the proper permission, the researcher was referred to the different offices and likewise, they were oriented on the same thing. The researcher also has them sign a consent form before the desired document was gathered. Similarly, voluntary participation was upheld. The same assurance has been made that the MOUs would be handled properly and confidentially throughout the study. The researcher ensured that all of the materials would only be utilized for the purposes indicated in this academic paper.

RESULTS AND DISCUSSION



1. Moves of Memorandum of Understanding between Higher Education Institutions and Stakeholders

Table 1

Moves of Memorandum of Understanding between Higher Education Institution and Stakeholders

MOVE	Memorandum of Understanding	Sample Statement
Move 1 (M1) Title	MOU_03	MEMORANDUM OF UNDERSTANDING between XXX and XXX
Move 3 (M3) Date of Agreement	MOU_02	IN WITNESS WHEREOF, the parties hereby affixed their signature this XXX day of January 2015 at XXX, Philippines.
Move 4 (M4) Parties' Identity		
Move 4 Step 1 (M4.S1) Parties' Names	MOU_02	This memorandum of Understanding is made and executed by and between: The XXX, an educational institution duly established and existing in accordance with the laws of the Republic of the Philippines with principal address at XXX represented in this agreement by its President, XXX, hereinafter referred to as XXX - and- The XXX is a government agency existing in accordance with the laws of the Republic of the Philippines with principal address at XXX, represented by its XXX, hereinafter referred to as the XXX.
Move 4 Step 2 (M4.S2) Parties' Addresses	MOU_01	This agreement was entered into by and between: The XXX (XXX), with office address at XXX, represented by XXX, XXX, hereinafter referred to as FIRST PARTY: -and- The XXX with its office address at XXX duly represented by its President XXX, hereinafter referred to as SECOND PARTY
		The XXX (XXX), a Department of the local government unit of XXX, with principal address at XXX, represented in this agreement by its Action
Move 4 Step 3 (M4.S3) Parties' Status/Position	MOU_08	Officer XXX, Filipino of legal age, and herein referred to as MDRMM-DISASTER RESPONSE; AND The XXX (XXX), with principal address at XXX, and represented in this agreement by its (OIC) President XXX, Filipino of legal age, hereinafter referred to as the EVACUATION CENTER.
Move 5 (M5) Aim of the MOU	MOU_03	WHEREAS, the above-mentioned colleges recognize the importance of library resource sharing as one of the mechanisms to improve the library services to their stakeholder and provide access to information to undergraduate and faculty on both the parties.
Move 6 (M6) Content		



<p>Move 6 Step 1 (M6.S1) Scope of Understanding</p>	<p>MOU_08</p>	<p>Article I. Responsibilities of the XXX Ensure the cleanliness of the evacuation center, has adequate lightings, functional generator set, and water supply, toilets are sanitized, inventory of stoves and fuel is sufficient, pre-positioned goods are sufficient, and availability of non-food items;</p>
<p>Move 6 Step 2 (M6.S2) Mutual expense and reliance</p>	<p>MOU_07</p>	<p>This agreement between both parties does not in any way create an EMPLOYER-EMPLOYEE relationship between parties and the services provided require no remuneration from both parties.</p>
<p>Move 6 Step 3 (M6.S3) Confidentiality</p>	<p>MOU_01</p>	<p>Retain the confidentiality of the documents acquired from SECOND PARTY and the said documents shall not be used for purposes other than the approved work plan.</p>
<p>Move 6 Step 4 (M6.S4) Implementation and Termination</p>	<p>MOU_07</p>	<p>II. Effectivity This agreement shall take effect upon signing by the PARTIES and shall remain in full force for a period mutually beneficial to both parties.</p>
<p>Move 6 Step 5 (M6.S5) Modifications</p>	<p>MOU_08</p>	<p>Any amendment to this agreement shall be made in writing and duly concurred by the XXX being the Chairperson of XXX Board of Trustees and XXX Council.</p>
<p>Move 7 (M7) Signatures</p>	<p>MOU_02</p>	<p>FOR XXX: XXX XXX College President FOR XXX: XXX XXX Deputy Penal Superintendent</p>
		<p>The Parties to this Memorandum of Understanding hereby confirm their agreement to its terms by the following signatures:</p>
<p>Move 7 Step 1 (M7.S1) Name</p>	<p>MOU_06</p>	<p>By: XXX OIC-College President XXX By: XXX Campus Director XXX</p>
<p>Move 7 Step 2 (M7.S2) Position</p>	<p>MOU_02</p>	<p>FOR XXX: XXX College President FOR XXX: XXX Deputy Penal Superintendent</p>
<p>Move 8 (M8) Focal Points</p>	<p>MOU_01</p>	<p>NAME COMPETENT XXX XXX XXX EVIDENCE OF IDENTITY PRC#XXX PRC#XXX DATE/PLACE ISSUE 10/21/23-Davao City 10/04/21- Tagum City</p>

Note: Moves identified are presented in bold text and the names, entities, and private information are presented in three consecutive X (XXX) for confidentiality purposes.



The first objective was to identify the moves found in different MOUS between higher education institutions. Results yielded the following findings: Move 1 (Title), Move 3 (Date of Agreement), Move 4 (Parties' Identities), Move 5 (Aim of the MOU), Move 6 (Content), Move 7 (Signatures), and Move 8 (Focal Points).

2. Comparison of Moves Found in the Memoranda of Understanding (MOUs) between Higher Education Institutions (HEIs) and Stakeholders towards the Existing Moves in Writing MOUs

Table 2

Presentation of Moves Found in the Memorandum of Understanding between Higher Education Institution and Stakeholders in Comparison to the Existing Moves in Writing MOUs

Salim and World Meteorological Organizations' Framework	Memorandum of Understanding between Higher Education Institution and Stakeholders
Move 1 (M1) Title	Move 1 (M1) Title
Move 2 (M2) Background	Move 4 (M4) Parties' Identity
Move 3 (M3) Date of Agreement	Move 4 Step 1 (M4.S1) Parties' Names
Move 4 (M4) Parties' Identity	Move 4 Step 2 (M4.S2) Parties' Addresses
Move 4 Step 1 (M4.S1) Parties' Names	Move 4 Step 3 (M4.S3) Parties' Status/Position
Move 4 Step 2 (M4.S2) Parties' Addresses	Move 5 (M5) Aim of the MOU
Move 4 Step 3 (M4.S3) Parties' Status/Position	Move 6 (M6) Content
Move 5 (M5) Aim of the MOU	Move 6 Step 1 (M6.S1) Scope of Understanding
Move 6 (M6) Content	Move 6 Step 2 (M6.S2) Implementation and Termination
Move 6 Step 1 (M6.S1) Scope of Understanding	Move 6 Step 3 (M6.S3) Modifications
Move 6 Step 2 (M6.S2) Mutual expense and reliance	Move 6 Step 4 (M6.S4) Mutual expense and reliance
Move 6 Step 3 (M6.S3) Confidentiality	Move 6 Step 5 (M6.S5) Confidentiality
Move 6 Step 4 (M6.S4) Implementation and Termination	Move 3 (M3) Date of Agreement
Move 6 Step 5 (M6.S5) Modifications	Move 7 (M7) Signatures
Move 6 Step 6 (M6.S6) Governing law and jurisdictions	Move 7 Step 1 (M7.S1) Name
Move 7 (M7) Signatures	Move 7 Step 2 (M7.S2) Position
Move 7 Step 1 (M7.S1) Name	Move 8 (M8) Focal Points
Move 7 Step 2 (M7.S2) Position	
Move 7 Step 3 (M7.S3) Logo of the company	
Move 8 (M8) Focal Points	
Move 9 (M9) Additional annexes as required	

Note: The criteria for classifying and justifying the frequency or the occurrence of each move and step are defined conferring to Kanoksilapatham (2005).



The second objective attempted to compare the moves found in the study's corpora as well as the moves illustrated in the framework of analysis. Results showed variance in terms of the patterns of moves found in both sets.

CONCLUSIONS

The results of the study identified 7 out of 9 moves. These moves include Move 1 (Title), Move 3 (Date of Agreement), Move 4 (Parties' Identities), Move 5 (Aim of the MOU), Move 6 (Content), Move 7 (Signatures), and Move 8 (Focal Points). In contrast, 2 moves were not found in the analysis of the MOU. These are Move 2 (Background) and Move 9 (Annexes as Required).

Moreover, the highlighted variations tell us that there exist certain local adaptations and differences in how MOUs are constructed and written. The above result, therefore, speaks that the widely accepted moves of writing MOUs in the research locale highly vary from the existing moves which are mentioned in the theoretical framework of the study. This justifies the intent of the research which is to investigate the structure of MOUs since new results are found and explained in this study.

Overall, the results mostly conformed to the theoretical lens of the study because 7 out of 9 moves in the framework have been found in the results. Only Move 2 and Move 9 did not emerge in the results of the study. As to the sequence of moves, there are minor variations that occurred between the sequence in theory and the sequence found in the results.

RECOMMENDATIONS

Analyzing the moves and sub-moves of a Memorandum of Understanding (MOU) would be a useful pedagogical guideline for MOU writers. To complete an acceptable MOU, for example, the writers must be aware of the structure, framework, and wording in the MOU by cross-referencing it with the analyzed MOU template. The discovery is expected to help both instructors

and students, as well as other MOU writers, produce effective MOUs.

On the part of the students, the study would be advantageous for them. As they are expected to engage in writing technical papers the moment they graduate from the academe, their future knowledge of writing the MOUs would certainly add to their repertoire of skills which they can use in the field of work. Writing MOUs may give them even more confidence to face the challenges and obstacles which they may encounter the moment they proceed to practice their acquired profession.

In retrospect, the study has produced the general implication that technical writing should be given more research emphasis. This is because technical writing is a skill that needs thorough pedagogy and knowledge on the part of the teachers. With research being focused on technical documents such as the MOU, the preservation and transmission of knowledge to the students would be much easier and more meaningful in the process.

Only the moves and sub-steps of MOUs in academic settings were studied for this study, so the results are only applicable to that field. As a result, additional research should be conducted to analyze or identify other fields such as law, business, and so on. With this, it may obtain comprehensive results which may assist with writing MOUs in wider contexts and environments. Furthermore, some additional details in MOUs were not present or missed, such as background, company logo, governing law and jurisdiction, and additional annexes as required. Therefore, it will be completed if further study can add these to their analysis.

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