Please note:
This document is intended as a sample agreement between a Board of Trustees and a Friends of the Library group in Vermont. This is not a legally binding document, nor does it constitute legal advice. Before agreeing to or changing any legal agreement, an organization should seek legal counsel.

Sample Agreement

Sample Agreement between Trustees and Friends

Tonya Ryals

Vermont Department of Libraries

Consultant of Governance and Management

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Memorandum of Understanding

Between The Friends of the [NAME] Library and the [NAME] Library Trustees

The following will constitute a Memorandum of Understanding (“MOU”) between the Friends of the [NAME] Library (“Friends”), and the [NAME] Library Trustees (“Trustees”). The Friends is a legally distinct 501c3 non-profit, formed under the laws of Vermont and the Library is a [municipal or incorporated] library in the town of [town name], Vermont and is managed by the Trustees.

Whereas the Friends and Trustees share a mutual goal of supporting the Library, they enter into this agreement on [DATE]. This agreement will stand until modified by the Friends executive board and Library Trustees.

The mission of the Library is [insert mission statement].

To encourage this mission, the Friends and Trustees agree to the following:

The Friends agree:

* To engage in advocacy efforts on behalf of the Library under the guidance of its administrators and Trustees.
* That no member of its executive board shall be a Library staff member or Trustee.
* To provide the Library with an annual financial report.
* To seek approval from the director before performing service or purchasing items for the Library.
* To provide support to the Library by serving as an extension of the community and assisting in efforts to gather community information.
* To include a member of Library staff or a Trustee as a non-voting presence at all meetings and allow room for an agenda item for a Library report.
* That any and all monies raised will be spent exclusively for augmenting Library programs, services, and other Library defined needs, unless otherwise agreed to by the Friends executive board.
* To provide the Trustees the Friends annual budget to inform the Trustees of overall funding levels available to benefit the Library.

The Trustees agree:

* To share their goals for the coming year(s) and discuss how the Friends resources and support would help these move forward.
* To keep the Friends informed of current needs and wants.
* To provide the Friends with surplus materials (such as used books and donated materials) they deem to no longer be necessary to the Library and its collection; the Trustees are not obligated to provide all surplus materials.
* That the director shall act as the communications coordinator between Friends and Trustees.
* That neither Trustees nor Library staff members shall serve on the Friends executive board.
* To provide Friends with a space within the Library for advertising membership information, holding book sales, and sorting materials.
* That all requests (financial, service, or product) made of the Friends will be utilized exclusively for augmenting Library programs, services, and other Library defined needs.
* To include a member of the Friends as a non-voting presence at all meetings and allow room for an agenda item for a report from the Friends.
* To not base Library expenditures on anticipated Friends’ revenues.
* To provide the Friends with the Library’s annual budget to inform them of the Library’s expected revenues and expenditures so that the Friends may be aware of anticipated funding needs.

In the event that the Friends group dissolves, they will provide unspent funds to the Library.

**For and on behalf of the [NAME] Library and its Board of Trustees:**

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Printed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date Signed: \_\_\_\_\_\_

**For and on behalf of the Friends of the [NAME] Library and its Executive Board:**

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Printed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date Signed: \_\_\_\_\_\_