



**State of New Jersey**  
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JON S. CORZINE  
Governor

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TO: County Prosecutors  
County Superintendents

FROM: Anne Milgram, Attorney General *AM*  
Lucille E. Davy, Commissioner, Department of Education *LED*  
Richard Cañas, Director, Office of Homeland Security and Preparedness *RC*

DATE: November 5, 2007

SUBJECT: Uniform State Memorandum of Agreement  
Between Education and Law Enforcement Officials

Attached please find a revised copy of the *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials*. The *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials* was developed by the Attorney General's Education and Law Enforcement Working Group, and is based upon earlier memoranda of agreement that were issued in 1988, 1992, and 1999. All school districts are required by regulations (*N.J.A.C.* 6A:16-6.2(b)13 through 15) promulgated by the New Jersey State Board of Education to adopt and implement policies and procedures that are consistent with the *State Memorandum of Agreement* approved by the Attorney General and the Commissioner of Education.

Accordingly, all public school districts, charter schools, jointure commissions, educational services commissions and approved private schools for the disabled are required to adopt and implement the attached revised *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials*. The County Superintendents of Schools and County Prosecutors shall disseminate the revised agreement to local education and law enforcement officials and ensure that the agreements are signed and implemented.

The revised Memorandum of Agreement (MOA) should be discussed and subsequently signed as soon as possible for every school district and municipality. The MOA will be available as both an Adobe Acrobat file and a Microsoft Word file on the Department of Education's (DOE) ([www.state.nj.us/education](http://www.state.nj.us/education)) and the Division of Criminal Justice's ([www.njdcj.org](http://www.njdcj.org))



internet pages. To assist in the process of completing the MOAs, the following points should be kept in mind:

**Revisions to the MOA:** While school districts are free to customize the MOA to include additional local provisions to address specific problems and concerns, districts are **not** permitted to delete or alter provisions of the uniform MOA, pursuant to *N.J.A.C. 6A:16-6.2(b)15ii*. This agreement is a product of careful and thorough negotiations conducted by state, county and local representatives throughout the educational and law enforcement communities. Attached is a summary procedure that can facilitate updating the MOA.

**Charter Schools, Jointure Commissions, Educational Services Commissions and Approved Private Schools for the Disabled:** These schools and educational agencies also are required to comply with the requirement for a signed MOA. County Superintendents should ensure that a copy of the MOA is provided to each of these schools, in addition to all public school districts, and is completed and signed consistent with the process established for local school districts.

**Private Services:** Public school districts that enter into contracts with private vendors, such as bus companies or private schools, should make sure these organizations are aware of the agreement and their responsibilities under the MOA. The agreement should follow the student, thereby requiring the private vendor or other organization to adhere to the signed MOA, especially as it relates to the reporting of incidents.

**Annual Updates:** Once the MOA has been signed, annual updates will be required for each subsequent school year, pursuant to *N.J.A.C. 6A:16-6.2(b)15*.

**Major new features of the revised agreement include:**

- Article 2 Liaisons; Law Enforcement Units
  - 2.2 Law Enforcement Units (new section)
  - 2.3 Inquiries Regarding Law Enforcement Operations (new section)
  - 2.4 Stationhouse Adjustments (new section)
  
- Article 4 Obligation to Report Offenses
  - 4.3.3 Records of Law Enforcement Units (new section)
  - 4.19 Reports of Child Abuse or Neglect; Potential Missing or Abused Children (new sections 4.19.1 - 4.19.6)
  
- Article 5
  - 5.8 Notification of Arrests or Charges Filed against School Personnel (new section)
  - 5.9 Notification of Emergencies (new section)
  
- Article 8 School Safety and Security (new article), which includes sections on school security plans and training, gang threats, recruitment information sharing, and hazing.

November 5, 2007

**MOA Format:** The MOA has been formatted to provide ease of access to its contents by including hyperlinks between the Table of Contents and the body of the MOA. Each Article and subsection listed in the Table of Contents can be accessed by placing the cursor over the desired Article or section in the Table of Contents and pressing the Control key and clicking the mouse on the desired item.

The MOA is a critically important vehicle for securing our schools through effective cooperation between school staff and law enforcement authorities. The assistance you provide to local schools in completing and implementing the MOA is appreciated. We are available should you have questions or require assistance.

AM/LED

Attachments

c: Governor Jon S. Corzine  
Members, State Board of Education  
Members, Attorney General's Education and Law Enforcement Working Group  
John Vazquez, First Assistant Attorney General  
Col. Rick Fuentes, Superintendent of State Police  
Scott Kisch, Chief of Staff, Office of Homeland Security and Preparedness  
Gregory A. Paw, Director, Division of Criminal Justice  
Willa Spicer, Deputy Commissioner, DOE  
John Hart, Chief of Staff, DOE  
Senior Staff, DOE  
Barbara Gantwerk, Assistant Commissioner DOE  
Susan Martz, Director, Office of Educational Support Services, DOE  
Gary Vermeire, Program Coordinator, Office of Educational Support Services, DOE  
Ronald Susswein, AAG  
Hester Agudosi, SDAG  
Thomas Fiskens, SDAG

**Procedures to Facilitate Updating**  
**the *Uniform State Memorandum of Agreement***  
***Between Education and Law Enforcement Officials (MOA)***

- The chief school administrator should schedule meetings with chiefs of police to discuss the revised MOA.
- A list of school and law enforcement contacts should be attached to the updated MOA.
- At the conclusion of the meeting, four copies of the MOA are signed by the chief of police and the chief school administrator.
- The four signed copies, with copies of additional provisions attached, are forwarded to the county superintendent for approval.
- The county superintendent signs the MOAs and forwards them to the county prosecutor for approval.
- The county prosecutor signs the MOA, retains one copy for his or her files, and arranges for delivery of one copy to each chief of police. The remaining two copies are returned to the county superintendent. The county superintendent retains one copy for his or her file and arranges for the delivery of the other copy to the chief school administrator.
- Annually, at the beginning of each school year, the county superintendent will provide the Attorney General's Education and Law Enforcement Working Group with a report on the status of the signed MOAs, which will be provided to the Commissioner of Education and Attorney General or their designees.