



State of New Jersey
 OFFICE OF THE ATTORNEY GENERAL
 DEPARTMENT OF LAW AND PUBLIC SAFETY
 PO Box 080
 TRENTON NJ 08625-0080

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

GURBIR S. GREWAL
Attorney General

DATE: January 8, 2019

TO: County Prosecutors
 Executive County Superintendents

FROM: Gurbir S. Grewal, Attorney General
 Dr. Lamont O. Repollet, Commissioner, Department of Education

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

We are pleased to announce the release of the revised *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials* (2019 Revisions). This revised MOA stemmed from the dedicated work of the Education and Law Enforcement Working Group, which is comprised of law enforcement and education officials from throughout New Jersey. The revised MOA is based on several earlier versions of the MOA, the last one being issued in 2015. Under regulations promulgated by the New Jersey State Board of Education (N.J.A.C. 6A:16-6.2(b)13 through 14), all school districts are required to adopt and implement policies and procedures that are consistent with the MOA approved by the Attorney General and the Commissioner of Education.

Thus, all public school districts, charter and Renaissance schools, jointure commissions, educational services commissions, and approved private schools for students with disabilities are required to adopt and implement this revised MOA. The Executive County Superintendents and county prosecutors shall disseminate the revised MOA to local education and law enforcement officials, and ensure that this revised MOA is signed and implemented.

As recent events around the country have tragically reminded us, the relationship between schools and law enforcement is critical. We know that schools are safer, and students achieve better outcomes, when schools have meaningful partnerships with law enforcement. Tragedy may potentially be avoided when school officials are comfortable notifying their law enforcement partners of concerning behavior, and in turn, law enforcement can better serve the community when it works with school officials in creating accountability and diversionary structures for students in appropriate cases,



rather than solely relying on the traditional tools of the criminal justice system. The availability of stationhouse adjustments for minor delinquency offenses is just one example.

In short, collaboration and mutual engagement are fundamental to achieve a safe educational environment. This revised MOA serves as the foundation for effective cooperation and relationship-building between school officials and law enforcement officials.

The revised MOA should be discussed and signed as soon as possible by each school district and municipality. Each county prosecutor's office and county office of education may already have an established procedure for obtaining the signatures and copies. If not, we recommend that each county prosecutor's office schedule the annual review and obtain the appropriate signatures of schools and law enforcement. The revised MOA will be available on the Department of Education's website¹ and the Department of Law and Public Safety's website.² For additional information on the review and approval process, please see "Guidance on the Annual Review and Approval of the *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials*" in Appendix B of the revised MOA.

A few points to highlight:

1. **Uniform MOA.** While school districts are free to customize the revised MOA to include additional local provisions to address specific problems and concerns, school districts are not permitted to remove or alter provisions of the revised uniform MOA. This agreement is a product of careful and thorough negotiations conducted by stakeholders throughout the educational and law enforcement communities.
2. **Private Services.** School districts that enter into contracts with private vendors, such as bus companies or private schools, should make sure that these organizations are aware of the revised MOA and their responsibilities under it. The agreement follows the student. Therefore, vendors must adhere to the revised MOA, especially as it relates to the reporting of incidents.
3. **Annual Reviews.** Once the revised MOA has been signed, annual reviews regarding the implementation of the revised MOA will be required, pursuant to *N.J.A.C. 6A:16-6.2(b)14*.

A summary of revisions that have been implemented in the revised MOA is attached. Lastly, a chart is attached that summarizes the mandatory reporting obligations for school officials under Article 3 of the revised MOA.

¹ <http://www.nj.gov/education/students/safety/behavior/law/moa.shtml>

² <https://www.state.nj.us/oag/dcj/guides.htm>

As always, your diligence in reviewing, signing, and implementing the revised MOA is appreciated. Our teams are available should you have any questions or need assistance.

Attachments

c: Governor Phil Murphy
Members, State Board of Education
Members, Education and Law Enforcement Working Group
Col. Patrick Callahan, Acting Superintendent of the State Police
Jared Maples, Director, Office of Homeland Security and Preparedness
Jennifer Davenport, First Assistant Attorney General
Veronica Allende, Director, Division of Criminal Justice
Rahat N. Babar, Director of Community Engagement, OAG
NJDOE Staff
Statewide Parent Advocacy Network
Garden State Coalition of Schools
NJ LEE Group