

**GUIDANCE ON THE ANNUAL REVIEW AND APPROVAL
OF THE UNIFORM STATE MEMORANDUM OF AGREEMENT
BETWEEN EDUCATION AND LAW ENFORCEMENT OFFICIALS**

The following points are intended to clarify the requirements for the annual review and approval of the *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials* (MOA) and describe general procedures for facilitating the annual review and approval.

Annual Review Process

- Pursuant to *N.J.A.C. 6A:16-6.2(b)14*, the district board of education’s policies and procedures **must** include an **annual process** for the chief school administrator and appropriate law enforcement officials to do the following:
 - **Discuss** the implementation of and the need for revising the MOA; and
 - **Review** the effectiveness of the policies and procedures adopted by the district board of education and implemented by the school district in accordance with the requirements in *N.J.A.C. 6A:16-6*, Law Enforcement Operations for Alcohol, Other Drugs, Weapons and Safety.

- There is **no set time period** for the review, but it must occur annually.

- Pursuant to *N.J.A.C. 6A:16-6.2(b)14i*, the **annual review must include input** from the executive county superintendent, community members (which could include board of education members) and **meeting(s)** with the county prosecutor and the law enforcement officials designated by the county prosecutor.

- There is no requirement or provision for an annual, one-page update form, **unless** a local update form is used to formally document the annual review and signatures **and** is a direct result of the proceedings and outcomes of the annual procedure for discussing the MOA **and** the effectiveness of the district’s policies and procedures implemented consistent with the requirements in *N.J.A.C. 6A:16-6*.

Signatures and Copies

The MOA must be approved by the following school and law enforcement officials:

- President of the district board of education;
- Chief school administrator (includes charter school lead persons and administrators of approved private schools for students with disabilities);
- Chief(s) of the police department or the station commander(s), as appropriate;
- Executive county superintendent; and
- County prosecutor.

Therefore, each of these officials must sign and receive a signed copy of the MOA annually, which means that, at a minimum, **five signed copies of the MOA** must be processed each year, **subsequent to the annual discussion**. Each county prosecutor’s office and county office of education may have an established procedure for obtaining the signatures and copies **subsequent to the annual discussion**. Please refer to Procedures

to Facilitate the Annual Review and Approval of the MOA below for additional guidance.

Applicable Educational Agencies

The MOA requirement, as is the case with all requirements in Chapter 16, Programs to Support Student Development (unless otherwise indicated), applies to all approved private schools for students with disabilities acting under contract to provide educational services on behalf of New Jersey public school districts, in addition to all public school districts, charter schools, jointure commissions and educational services commissions (see *N.J.A.C. 6A:16-1.2*, Scope). In the case of educational agencies without district boards of education (e.g., charter schools, approved private schools for students with disabilities), the authorized officer of the educational agency's governing body would sign where indicated for the president of the district board of education.

Procedures to Facilitate the Annual Review and Approval of the MOA

- The chief school administrator should *schedule meetings* with the chief(s) of police or station commander(s), as appropriate, to discuss the revised MOA.
- At the conclusion of the meeting, five copies of the MOA are *signed* by the chief school administrator and the chief(s) of police or the station commander(s), as appropriate. Any and all additional approved MOA provisions and all school and law enforcement contacts are attached to each signed copy of the MOA.
- The five signed copies are *forwarded* to the executive county superintendent for *approval*.
- The executive county superintendent *signs* the five MOAs and *forwards* them to the county prosecutor for *approval*.
- The county prosecutor *signs* the five MOAs, *retains* one copy for his or her files, and arranges for *delivery* of one copy to each chief of police or station commander. The remaining three copies are *returned* to the executive county superintendent.
- The executive county superintendent *retains* one copy for his or her file and arranges for the *delivery* of the other two copies, one for the chief school administrator and one for the president of the board of education.