

1. Recreational activities should provide a balance of group play, competitive games, and quiet individual activity.

(b) The detention facility shall provide the necessary equipment for conducting an appropriate indoor and outdoor recreational program.

(c) Coed recreational activities should be scheduled when appropriate.

Amended by R.2000 d.189, effective May 1, 2000.
See: 32 N.J.R. 651(a), 32 N.J.R. 1627(a).

13:92-9.3 Education

(a) The detention facility shall provide an educational program which meets the needs of each juvenile based on his or her age, level of ability, previous educational experience, and interest. All residents of county juvenile detention facilities shall participate in an educational program suited to meet his or her needs.

(b) The educational programs shall be operated on a 12-month basis and provide for the juvenile's cognitive and affective development that includes:

1. A program consisting of a minimum of four hours per day, during the days the juvenile detention facility holds classes (a minimum of 220 days per calendar year);

2. Physical education provided by a certified physical education teacher. Physical education shall be a part of the four-hour minimum required school day. At least 150 minutes of physical education shall be provided per week which may include classes in health and family life. Physical education shall not constitute more than one hour of the daily education program. All other recreational activities shall not be considered in determining the four-hour minimum required for the educational program;

3. A program consisting of basic academic instruction as appropriate to the individual program plan (IPP) or individualized education plan (IEP), as applicable;

4. A New Jersey State Attendance Register entry for all students at the facility, and a written schedule for the educational program; and

5. A modified education program may be conducted during the summer months.

(c) Each county juvenile detention facility shall establish and implement policies and procedures for educational services for juveniles consistent with this rule. The policies shall include provisions for continuing the delivery of educational services to disruptive pupils.

(d) Each county juvenile detention facility shall establish a written attendance policy that defines legitimate absences to include sickness, injury and required court appearance.

(e) The educational program delivery system shall provide remedial and special education.

(f) Within 48 hours of admission, exclusive of weekends, holidays and non-pupil contact days, an educational assessment of each juvenile shall be initiated. Standardized achievement and/or placement tests shall be administered to each juvenile.

(g) Within 30 days of admission, exclusive of weekends, holidays and non-pupil contact days, an individual program plan (IPP) shall be developed for each juvenile to ensure a continuum of program offerings for those students who were enrolled in an educational program that includes:

1. Input from the juvenile's home school district or other applicable educational program, whenever possible;
2. Individualized educational goals and objectives; and
3. A review at 30 days, 60 days, and 90 days with modifications as needed.

i. At the 90-day review, a long-term plan shall be initiated.

(h) An individualized education plan (IEP) shall be provided for every juvenile who has been classified as eligible for special education, in accordance with N.J.A.C. 6A:14. The detention facility's educational program shall utilize the existing IEP, as developed by the home school district or applicable educational program. If it is determined that the most recent IEP is outdated, the home district shall be advised.

(i) The basic curriculum shall consist of subjects which incorporate the New Jersey Core Curriculum Content Standards, each of which shall be provided to students at their individual level of functioning. These subjects may include:

1. Language Arts Literacy;
2. Social Studies;
3. Science;
4. Mathematics;
5. Comprehensive Health and Physical Education;
6. Life Skills;
7. Vocational Training;
8. Law-Related Education;
9. World Languages;
10. Visual and Performing Arts; and
11. Cross-Content Workplace Readiness Skills.

(j) Each county juvenile detention facility shall make library services available to all juveniles:

1. The facility administrator shall consult with a qualified librarian on the provision of these services.

2. The facility shall have a written policy that defines the principles, purposes and criteria to select and maintain age-appropriate library materials, including audio-visual materials, that reflect the typical interests of the youth population and are appropriate for various levels of competency.

(k) All educational programs shall be fully staffed to include substitute coverage when needed with the following ratios:

1. Single class population shall not exceed 12 students; and
2. The teacher-to-student classroom ratio shall be one teacher to 12 students.

(l) Classes shall be conducted separate from sleeping areas.

(m) Each teacher shall possess a valid New Jersey Teacher certificate appropriate to the teacher's assignment.

(n) Each facility shall provide, or make available, a Site Education Supervisor to oversee the facility's education program.

(o) Staff salary expenditures shall be supported by time and activity reports, and approved and signed by the Site Education Supervisor.

(p) Educational equipment and supplies to carry out the educational program shall be provided, as well as the appropriate storage area for such equipment and supplies, with:

1. Expenditures supported by purchase orders and receiving reports; and
2. Reports approved by the Site Education Supervisor.

(q) A request for educational records from the juvenile's home school district shall be initiated within five days of admission, exclusive of weekends, holidays and non-pupil contact days:

(r) If the most recent education program attended by the juvenile is not in his or her home district, for example, a foster, group, residential or institutional placement, a request shall be initiated to such educational programs for the juvenile's records, within five days and with notification to the home district.

(s) Appropriate records on each juvenile's work and progress shall be maintained in the facility to ensure proper credit is given for assignments and course work completed.

(t) Contact with the juvenile's home district shall be maintained and educational records furnished to the home district to ensure that proper credit is given for assignments and course work completed.

(u) Within 10 days of discharge from the facility, copies of the juvenile's educational records shall be transmitted to his or her home district, and next placement. Records of each transmittal shall be maintained at the facility.

(v) Pupil education records shall be maintained in a locked file, separate from non-educational records and safeguarded from public inspection. The safety and security of these records shall be the responsibility of the Site Education Supervisor.

Amended by R.2000 d.189, effective May 1, 2000.

See: 32 N.J.R. 651(a), 32 N.J.R. 1627(a).

Rewrote the section.

13:92-9.4 Social services

(a) Appropriate counseling and casework services shall be available to each juvenile in the detention facility.

(b) The social service program shall include the following:

1. An initial interview as soon as possible after admission to assess the emotional needs and concerns of each juvenile;
2. Frequent contacts to assist the juvenile in his or her adjustment to detention;
3. An assessment of the juvenile's problems and needs so that detention programs and services may be more effectively planned and utilized;
4. Crisis intervention counseling for juveniles experiencing serious or sudden adjustment problems or negative emotional states; and
5. Appropriate contacts with the juvenile, his or her parents, the court, and applicable agencies in preparing for the juvenile's return to the community.

Amended by R.2000 d.189, effective May 1, 2000.

See: 32 N.J.R. 651(a), 32 N.J.R. 1627(a).

In (b), rewrote 1, inserted a new 4, and recodified former 4 as 5.

13:92-9.5 Psychological and psychiatric services

(a) Psychological and/or psychiatric services shall be made available for juveniles as needed. Arrangements for these services may be provided by purchase of service with private practitioners, arrangements with mental health resources in the community, sharing of staff with other agencies, or direct employment of staff.

(b) Psychological and/or psychiatric consulting services shall be made available to staff in regard to the supervision and treatment of juveniles.

13:92-9.6 Religion

Each juvenile shall have the opportunity to participate in religious services of his or her faith at least once each week, but attendance shall be voluntary.