

PROBATION DIVISION
JUVENILE PROBATION SCHOOL-BASED ACTIVITY REPORT

August 5, 2011

The New Jersey Judiciary began its review of school-based probation best practices prior to the 2001 enactment of the legislation. In September 1999, focus groups consisting of Probation line staff were convened to identify juvenile probation best practices focused on increasing school enrollment and attendance. Juvenile Probation Services in the Administrative Office of the Courts encouraged the Probation Divisions in each county to consider implementing school-based probation in their respective school districts.

The 2001 legislation – L. 2001, c. 406 – thus codified something that the Judiciary was already pursuing. That enactment imposed a requirement on the Administrative Office of the Courts, in consultation with the Commissioner of Education, to submit an annual report to the Legislature on the effectiveness of school-based probation. This report is being submitted to fulfill that statutory reporting obligation.

New Jersey's system of decentralized school districts makes it difficult for the Department of Education to provide information on the status of such school-based programs or school/probation partnerships. That task thus fell to an AOC Probation Services' School-Based Best Practices Working Group, which consulted with a representative of the Department of Education (DOE). In order to assess the level of probation activity in the schools, a survey of probation officers was conducted in the spring of 2002, along with random follow-up interviews.

The Working Group set out its findings in a 2004 report, a copy of which report is appended here as Attachment A. Those findings were evaluated against the established school-based Pennsylvania model. The Working Group determined that there were no existing instances of the "school-based probation" model defined in the legislation, that is, in no school district was the school the "primary location of probation operations." Although the lack of funding and the decentralized administration were identified by the

DOE liaison as the impediments to a full-blown school-based model, Juvenile Probation Services continued to forge partnerships with individual schools through the school principals.

Probation activities in the schools continue to be divided into two main categories. The first involves communication with school officials about juveniles on probation; the second involves officers spending time in the schools on a scheduled basis, including making contact with the juveniles themselves in the school setting. The predominant practice continues to be that probation officers make routine contacts with the school to confer with school officials. A small number of schools permit officers to utilize dedicated office space ½ to 1 day a week for probation activities. This is particularly true in larger school districts, where there may be a greater number of juvenile probationers such that probation being on-site may expedite the communication process and increase the juvenile's potential for success. The attached list highlights those vicinages that have probation officers assigned to at least one school. **(Attachment B)**

While some level of school-based supervision may enhance the effectiveness of probation supervision and assist in school improvement, there have been ongoing concerns raised about preserving the juvenile's confidentiality in the school setting. It is recognized that the school experience should be positive for any juvenile; therefore, practices that may compromise confidentiality or further stigmatize a student have to be considered. In addition, Probation Divisions must weigh the cost of placing a probation officer in a school against the needs of the other probationers who are not in school and concomitant court, office and field duties.

Probation Services has taken a number of steps to enhance school-based best practices for New Jersey's youth on probation. The Probation Outcome Based Standards which called for quarterly school verification on the part of the Probation Officer were revised. The Conference of Family Presiding Judges expressed concern that quarterly verification of attendance suggests that an officer need only verify every ninety days and, further, that a juvenile's school attendance/behavior could deteriorate by the time the officer becomes aware and involved. Therefore Standards 15 and 16 (of the Juvenile Probation Supervision Standards) were modified to read as follows:

Standard 15: “Probation officers shall verify the enrollment of all juvenile probationers during the 30-day Intake period and within 30 days of notification of a change in address or a change in schools.”

Commentary: Enrollment and school status are key indicators of probation performance for juveniles and therefore officers should have regular and on-going communication with the schools in regard to juvenile probationers. Verification of enrollment should be accomplished through official documentation or contact with the school principal.

Standard 16: Probation Officers are expected to verify school status for juvenile probationers enrolled in school every 30 days.

Commentary: School status should include academic performance, behavior, and attendance. Verification is accomplished through communication with the principal/designee and/or review of progress reports, report cards, other documentation or school visits. The juvenile, parent/guardian should be informed that school status will be verified throughout the supervision period. Probation officers should work in partnership with family members, school officials and the juvenile to resolve individual issues.

This approach also took Probation Officers away from counting attendance days to a more holistic and realistic approach to a probationer’s educational experience. Awareness of school status in a timely manner will enable Probation Officers to take such actions as develop a plan in conjunction with school officials; ensure that parents/guardians are involved; advocate for the educational/special needs of the probationer; incorporate sanctions to move the juvenile into compliance. All of these factors are designed to support a successful school outcome.

Probation also developed a set of **Guidelines for Probation Partnerships with Schools (Attachment C)** which has been in use since 2006 with reviews and updates through the statewide Juvenile Managers’ Committee. Utilizing guidelines has enabled probation to work within a framework of standardization while acknowledging that each school has its own unique administration, physical plant, and resources.

With the assistance of the Information Technology Office, Probation has also developed an Education Screen in the Comprehensive Automated Probation System (CAPS). This Education Screen is the comprehensive data base for school enrollment and outcomes. Over the years, a number of work requests and modifications have been designed to enable the capture of the information needed to review aggregate data. Attached is a summary of juvenile probation clients who are enrolled in New Jersey public schools, private schools, alternative schools, home schooling, colleges,

Thus, a formal report establishing the effectiveness of school-based probation in consultation with the Commissioner of Education could not be completed. Probation Divisions continue to partner with local schools as needed to advocate for needs and services for juvenile probationers. Probation Officers work with school principals/designees and parents/guardians to address individual needs and these supervision strategies are monitored by supervisors through the case review process, case consultations and management reports.


[Attachment A]

CONFERENCE OF CHIEF PROBATION OFFICERS



**REPORT ON
SCHOOL-BASED BEST PRACTICES
2004**

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School-Based Probation Report

SUMMARY:

The purpose of this report is twofold: first, to identify the current status of school-related supervision in New Jersey; and second, to address the requirements of the recent legislation on school-based probation programs. With the need to implement the school-related standards in the Outcome-Based Supervision model, we were faced with the task of identifying differences in school probation activities and developing a way of evaluating both the process and the outcomes of officer contact with schools. In 2000, a School Best Practice Working Group was formed to undertake this task. A manual survey of every juvenile probation officer was completed to establish the status of probation activities in the schools. With this information, the Working Group was to make recommendations to provide for the full implementation of the three Outcome-Based Supervision Standards involving schools, most particularly, Standard 17, which reads:

All probation divisions shall establish formal partnerships with the schools in their county, to increase school attendance and reduce behavioral problems, including suspensions.

The recent legislation requiring an annual report to the legislature on school-based probation programs was enacted after this survey was underway. In accordance with the legislation, a liaison from the Department of Education was invited to join the Working Group. Because the Department of Education did not maintain data on probation activities in the schools either, it was agreed to utilize the Working Group's Survey to gather information for the annual report. The Working Group was then charged with examining the provisions within the law's definition of "school-based" as follows:

"School-based probation is an approach to the supervision of children which shifts the primary location of probation operations to the school environment."

P.L. 2001, CHAPTER 406, approved January 8, 2002
Assembly, No. 1903

The survey determined that while there is a substantial relationship between probation and schools in New Jersey, there is no "school-based probation program" in New Jersey that uses a school as a "primary location of probation operations." The Working Group proceeded with the task of clarifying the levels of school activity that do exist. In addition to the survey, officers were asked to respond to a question about the effect their presence may have on probationers (in terms of attendance, disciplinary referrals, and grades) and on their relationship with school administration. The responses were overwhelmingly positive, particularly in relation to the impact on attendance and behavior. They also felt their presence, at any level, improved communication with the school staff, thus allowing for early intervention in situations that might otherwise result in a juvenile's suspension/expulsion from school. Issues were identified in the survey that require additional review in order to facilitate probation

involvement with the schools. These issues include role definition, confidentiality, need for formal agreements, information sharing and resources.

The following report reveals that school-related activity can be divided into two main categories; the first involves communication with school officials about the juveniles on probation, and the second, involves officers making contact with the juveniles, formally and informally, which may include drug testing (urine monitoring). The Conference of Chief Probation Officers finds that some level of school-based supervision can enhance the effectiveness of probation supervision including the improvement of school performance. Moreover, its view is that the first category, communication with school officials, should occur statewide, but that the second category, involving direct in-school probation contacts, requires further evaluation. Other forms of school-based programs, including teacher mentoring programs, should be further developed. The Conference also finds that the reception of schools to the more enhanced probation supervision varies, and some schools decline any significant activity in this regard. Thus, any further development would be dependant on a supportive uniform educational policy. Furthermore, any enhanced school-based program will require some additional resources, particularly regular access to computer equipment and other office supplies. Finally, a number of standard protocols will need to be developed in order to guide future activity, particularly relating to issues such as confidentiality, the role of the probation officer and urine testing.

Below is a recap of the Working Group's activities, including a summary of the survey and recommendations that will assist us in reporting compliance with Probation Outcome-Based Standards, in addition to addressing the requirements of the annual report to the legislature.

BACKGROUND:

New Jersey AOC Juvenile Probation Services began reviewing school-based probation models in 1990, in particular, the pilot project in Allentown, Lehigh County, Pennsylvania. The Pennsylvania model initially placed probation officers in two middle schools as their primary work site. The rationale for this pilot was the fact that Probation and the schools, while working with the same clients, do not sufficiently work in concert. The school-based probation officers spent approximately 70% of their time providing on-site supervision and immediate intervention to students under court jurisdiction. The average caseload size was reported to be 35 juveniles per school-based officer. Because officers spent so much time in the school and because caseload sizes were kept small, many departments implemented a dual case management strategy which split the case responsibility between the school-based officer and a supervision officer who was responsible for non-school cases and other

court related duties. The range of involvement for the school-based officer included making presentations to classes, providing education and training to school personnel, tutoring probationers, developing alternatives to out-of-school suspensions, and participating in Student Assistance Programs (which included non-probation students). Officers were described as having full access to school documentation (academic and disciplinary records) for juveniles under their supervision. Officers also participated in making decisions regarding formal disciplinary actions taken with students on probation and some officers even sat in class with probationers who exhibited unruly behavior. The long term objectives were: 1) to decrease disciplinary problems in the school; 2) to decrease absenteeism; 4) to increase the number of positive school reports as measured by teacher quarterly comments; 5) to increase the percentage of completed homework assignments as well as eventual increase in grades; and 6) decrease the drop-out rate among probation students. The initial evaluation was promising in its overall objectives. The areas most affected by the school-based probation initiative were increased attendance, followed by a reduction in delinquency referrals and disciplinary referrals. Officers were least likely to rate the program effective in improving academic performance. In 1993, the funding was expanded to include additional counties in Pennsylvania.

New Jersey Juvenile Probation Services, based on the Pennsylvania experience, began to encourage Probation Divisions in individual counties to consider school-based probation in their respective school districts. While probation supervision has typically involved some form of probation officer contact with schools, the range of probation officer activities in the schools evolved over time. These activities were determined informally at the local level between the officer and the principal. "School-based probation" was loosely defined to describe all the activities, which is to say, there was no standard definition. By April, 1999, at least 13 counties had established various levels of school partnerships and/or "school-based" probation.

In September, 1999, Juvenile Probation Supervision Focus Groups were conducted with line staff from around the State for the purpose of identifying best practices to increase school enrollment and attendance. The value of school/probation partnerships was evident in their recommendation that the school-based probation officer approach be considered statewide. Moreover, in December, 2000, this initiative was adopted in the Outcome-based Supervision Standards, requiring that "all probation divisions should establish formal partnerships with the schools in their county, to increase school attendance and reduce behavioral problems, including suspensions." Since that time, various forms of Probation/school partnerships have continued to evolve.

Since school-based probation in Pennsylvania was supported by State and Federal funding, "it exploded across the Commonwealth in a relatively short amount of time." By March 1999, 16,000

youth were under the supervision of 150 school-based probation officers. New Jersey not only had the benefit of examining the Pennsylvania school-based model at its inception, but also the benefit of learning from their on-going experiences and evaluations as we considered our program.

SCHOOL BEST PRACTICES STUDY COMMITTEE:

In August, 2000, a Probation Division School Best Practices Committee, chaired by Bruce Fornelius, Vicinage Assistant Chief Probation Officer (VACPO), Sussex County, was formed to develop protocol for the implementation of the Outcome Based Standards relating to school enrollment and attendance and to develop model/s for school-based probation. (Attachment A) This committee was comprised of supervision probation officers from around the State who shared insight based on their own experiences. Discussions within the School Best Practices committee and the Conference of Chief Probation Officers, revealed that each county had formed a variety of school relationships. Some involved only shared insights between probation and school officials. In others, officers made periodic visits to a school, and yet others were assigned to particular schools (with or without written agreements). Relationships were contingent upon local school administrators and practices within varying school districts and/or resources within the Probation Division. In order to implement the school-related standards in the Outcome-based Supervision Model, there was a need to identify differences or similarities in the school probation activities and to define a statewide best practice. Recent legislation (P.L. 2001, CHAPTER 406) approved on January 8, 2002, requiring an annual report on school-based probation programs, assisted in this task by defining a school based program as “an approach to supervision of children which shifts the primary location of probation operations to the school environment”. Although this definition may apply to the Pennsylvania model, it does not exist in New Jersey at the present time. It was felt that decentralized school districts coupled with a lack of funding presented an impediment to a full-blown school-based model in New Jersey. In addition, identified issues needed further review in order to facilitate Probation involvement with the schools. To continue the process, a smaller working group was formed. (Attachment A)

SURVEY:

In an effort to identify school activities by probation officers in New Jersey, the working group developed a survey (Attachment B), which was conducted statewide, during the spring semester of school year 2002. Each probation officer who had at least one juvenile probationer in a school was requested to complete the survey. It should be noted that each juvenile probation unit submitted the

information for this survey manually. The staff at AOC Juvenile Probation Services then attempted to clarify the data by entering it onto an Excel spreadsheet. Until a case management system is modified to include specific information regarding schools (enrollment, attendance, etc.), the information is dependant upon complete and accurate reporting by the officers themselves, followed by computer-entry recapping by AOC staff. It should be further noted that the judiciary is currently planning for a Juvenile Probation data system conversion to the Comprehensive Automated Probation System (CAPS) as the primary case management system. This includes enhancements to capture school activity required by Probation's Outcome-Based Standards.

While the survey assisted in providing a "snapshot" of Probation involvement in public schools, the survey alone was insufficient and more detail was garnered through follow-up discussions. Probation officers were asked to submit information only on public or alternative schools; however, it was clear that the responses included some private and parochial schools. In addition, the survey did not reflect colleges or technical schools because the focus was on schools that would be considered for school-based probation. Because this was a manual process, we were unable to compare our results to the Department of Education's list of public schools. Once this information can be reported from CAPS, we will be able to differentiate public, private and alternative schools and make a statistical comparison to the NJ Department of Education database which contains all public schools.

Although it is extremely difficult to make detailed statewide comparisons of probation/school activities because they differ even within the same school district (sometimes within the same school), it may be helpful to summarize the survey, then define broad levels of activity with the schools, and, finally, suggest recommendations that will move Probation and the Department of Education closer to a formal partnership.

SURVEY RESULTS:

According to the Probation Supervision Staffing Model for Juvenile Supervision dated December 31, 2001, there were a total of 212 juvenile probation officers who supervise juvenile probation cases. The Statewide average caseload size during this reporting period was 64 juveniles per officer. The school survey reports 205 (97%) of juvenile officers were involved in some level of school activity. Probation officers reported having involvement with 5,810 juveniles (representing 55% of the total juvenile caseload) in 925 schools.

Probation officers were asked about their ability to obtain attendance, grades and discipline records for their probationers. Statewide, officers reported they were able to obtain school attendance

information from ninety five percent (95 %) of the surveyed schools and grades and discipline information from ninety three percent (93 %) of the schools. Anecdotally, officers reported that the reluctance to provide information by a minority of schools was related to privacy and confidentiality issues as interpreted by individual administrators. In some instances, parents have requested that officers not contact the school for fear of stigmatizing their child. Officers reported that the majority of schools recognize the importance of Probation's involvement and are willing to provide the necessary information. In fact, many officers reported that the school administrators contact them at the first sign of problems so intervention can occur before the situation becomes more serious.

Probation officers personally visited eighty five percent (85%) of the schools in the survey. Officers reported this personal connection with school administration/faculty is key to developing trust and communication which enables them not only to share information but also to approach problems and issues in a more consistent manner. The quality of this relationship was felt to have an impact on the positive outcomes for the probationers.

According to the survey, nineteen percent (19%) of the officers reported having office space in the schools. This represents space that is either formally assigned or provided on an as-needed basis. The rationale for officers to have office space and regular hours in the school is based on a variety of factors: the number of juvenile probationers within a school, the staffing resources of the probation division, and/or the comfort level of the school administration. In almost all instances, the Probation Division initiated the discussion of increasing Probation's presence in the school, however officers reported that, once in the schools, the schools recognized them as a valuable resource.

Every juvenile probation unit reports some level of "partnership" with the schools, although the survey indicates written agreements exist with only two percent (2%) of the schools. The survey indicated that in 30% of the schools, officers took part in Special Services meetings, and in 8% of the schools, officers participated in classroom or assembly programs as a preventive or educational event.

According to the survey, seventeen percent (17%) of the schools have some type of teacher/student mentoring program. However, it appears that in only two counties, Passaic and Cape May, these programs exist because of the Probation initiative.

LEVELS OF ACTIVITY:

In an attempt to further evaluate the information gathered in this survey, Probation officer activity with the schools was categorized into three major levels:

LEVEL ONE is defined as the officer having a dedicated room and regular reporting schedule

in the school from ½ to 1 day a week. Most probation services are performed in the school and the school acts as a satellite reporting station, although many offices are not equipped with telephones, computers or have access to a private lavatory for conducting urine monitoring. There are 14 counties in which Probation has this type of arrangement in one or more schools (Atlantic, Burlington, Camden, Cape May, Essex, Hudson, Mercer, Middlesex, Monmouth, Morris, Ocean, Somerset, Union and Warren). Probation Officers report that attendance and behavior is improved with some juveniles because the officer is monitoring on-site and can be alerted to negative behavior, such as cutting class, truancy or fighting. Officers also report their presence allowed them to assist in resolving problems at an earlier stage before they resulted in suspensions. It should be noted that these counties also reported activity described in Levels Two and Three below.

LEVEL TWO is defined as routine visits to the school to confer with school staff about grades, attendance and behavior or attend meetings. These visits are not for the sole purpose of seeing the probationer in the school setting although most officers report that schools are willing to provide a private room on an as-needed basis if they need to speak with the juvenile. The remaining seven counties typically monitor school activities in this manner. (Bergen, Cumberland, Gloucester, Hunterdon, Passaic, Salem, and Sussex). In Passaic County this approach is formalized by assigning juvenile probation officers to specific school districts which they visit up to three times a week. During these visits, the officers are involved in a variety of activities which include child study team meetings, disciplinary hearings, and meetings with substance abuse counselors, guidance counselors, and teacher/mentors. Probation officers utilizing this level of activity report that probationers are aware their PO is conferring with school administrators about grades, attendance and incidents and therefore, the probationer is more apt to behave and to be honest about their school performance. It should be noted that these counties also reported activity described in Level Three below.

LEVEL THREE is defined as those schools in which there is a juvenile on probation but the Probation officer does not visit the school. This may be due to an officer's decision with a particularly young probationer and the concern that the probation status may stigmatize that student. Some reasons involve local school board/principal policies which inhibit the exchange of information. In addition, parental objection to officer contact at school has typically been respected, (though not always considered appropriate). At this level, information on grades, attendance and disciplinary behavior is obtained via the telephone, letter, and parent contact or through the juvenile's report cards, which are shared with the Probation officer.

IDENTIFIED ISSUES:

The above report highlights the positive impact of probation activities with the schools. As we develop statewide policy on school partnerships and/or school-based probation; however, identified issues should be addressed in conjunction with this development. These are briefly discussed below:

Role Definition:

Some probation officers, particularly those who are situated within the school, felt that school administrators may misunderstand their role. This was similar to the Pennsylvania experience, where officers felt others perceived their primary role as law enforcement for the student body. On occasion, probation officers in New Jersey reported they were expected to act as a disciplinarian for probationers who “act up” during the school day; for example, an officer was summoned because a student didn’t bring his books to class and another because a student wouldn’t sit down in class.

Probation officers report school staff sometime become frustrated by the officer’s perceived inability to provide timely or serious sanctions to address unsatisfactory school behavior or attendance. This may be due in part to a misunderstanding of the criteria for returning a juvenile to court or remanding to detention. Related to this, officers have voiced concern about boundary issues in which they themselves are unsure in terms of execution of Violation of Probation warrants and urine monitoring in the school setting.

Confidentiality:

A review of school-based probation programs suggests that the more time the officer spends in the school the greater the chance that confidentiality will be compromised simply by the officer’s presence in hallways, lunchroom, events, etc. and their familiarity with the student body. Pennsylvania’s *School-Based Probation Manual of Guidelines* concedes that confidentiality in the school setting “has proven to be one of the most difficult issues to resolve” (Pennsylvania Juvenile Court Judges’ Commission, 1996). New Jersey probation officers report a concerted effort on their part and the part of school administration to secure confidential locations in which to meet with probationers. However, they did acknowledge speaking with probationers in hallways, lunchrooms and at school events such as football or basketball games, albeit quick exchanges. While the ability to see juvenile probationers within their “element” is reported in the literature to be one of the benefits of school-based probation, New Jersey probation officers reported that some parents and school

administrators raised a concern that students (and in some cases the school) would be stigmatized by the known presence of officers assigned to their facility.

Drug Testing:

Fourteen percent (14%) of officers reported that they conducted urine monitoring in the school. Although it may be assumed that officers conducting urine monitoring would have office space at the school, this was not always the case. Officers sometimes conduct urine monitoring during a routine visit to the school. Probation officers are not always sure what information they can share by virtue of the confidentiality guidelines and the officer's own role with the probationer. In addition, the enactment of P.L. 2002, c.60 on August 3, 2002 which criminalizes tampering with the sample during the administration of a drug test, presents other protocol questions in the school setting.

Resources:

One of the most significant challenges reported in literature on school-based models is the allocation of resources. While school-based probation may make sense in urban and suburban areas where probation cases are concentrated in a few schools, it may not be as feasible or productive in rural areas where caseloads and schools are spread out. This rationale was expressed by Vicinage Chief Probation Officers in some of the less populated counties in New Jersey. Even in the more concentrated areas, officers expressed concern about being unable to keep up with the demands of documentation, reporting and court-related responsibilities when they are out of the office. In addition, many officers do not have laptop computers, telephones or remote access to the automated Probation case management system which made timely documentation more difficult. As stated earlier, the Pennsylvania model uses both a dual case management approach and a single case management approach. While the dual approach allows the school-based officer to concentrate on the school activity with a smaller caseload, the effect on the traditional probation officer tends to be a higher caseload consisting of older juveniles probationers who are not in school. The issues surrounding the single case management approach in Pennsylvania were similar to the New Jersey experience in that officers are not able to spend as much time in the school because of other probation duties.

DEVELOPING BEST PRACTICES:

The school survey detailed in this report, not only assisted in providing a "snapshot" of Probation activities in the schools, it also clarified issues which will be addressed in Best Practice Recommendations:

School best practices should be based upon the Outcome Goals for juvenile probation as they relate to monitoring school enrollment and attendance and improving school behavior.

Standard language should be established for schools to be apprised of probation's need to access to student records, including attendance, grades, and progress reports. Meetings between the probation division and school administrators should be encouraged. Because the probation officer plays a crucial role in drawing the parent/guardian into the process, periodic parent/faculty/probation conferences should also be encouraged.

Probation activities should enhance the academic process and guard confidentiality.

Urine testing should only occur according to a protocol that ensures confidentiality, and alternatives, such as oral swabs, should be considered. While the Conference of Chief Probation Officers does recognize in-school contact as beneficial, students should not be removed from academic classes at the request of a probation officer and any probation contact must insure that confidentiality requirements are strictly followed. In addition, given the confidentiality, reporting and legal issues inherent in drug testing, this activity must be further evaluated in conjunction with Department of Education Regulations and will be further addressed by the Conference of Chief Probation Officers.

Probation should work closely with the schools to develop creative initiatives, such as the teacher/mentor program, to increase the likelihood of school success for probationers. An evaluation of the Pennsylvania model revealed that probation officers were least likely to rate the school-based program as effective in improving the probationer's academic performance. This was also true in the feedback obtained from New Jersey Probation Officers. While probation officers can utilize their enforcement and supervision strategies to enhance school attendance and perhaps behavior, the ultimate success of the school experience lies in the juvenile's ability to perform academically. The teacher/mentor program establishes an "in school liaison" to encourage and support the juvenile probationers in their academic and social endeavors. These programs have been established with both paid and volunteer mentors. In Cape May, for example, the teacher/mentor receives a stipend to work with approximately 10 juvenile probationers. The probation officer works closely with the mentor to resolve problems before they escalate. In Passaic County, the school partnership model established "Volunteers in Education" which utilizes teacher volunteers who are sworn in by the Judge. There are currently 35 volunteer teachers in twelve schools. A teacher/mentor is able to observe overall conduct, academic progress, extracurricular activities and any major changes in the probationer's physical or emotional state and relate this to the probation officer in a discreet and confidential manner.

Written agreements should be developed with those schools where Probation activities are

increased. Allocation of additional Probation resources to a particular school should be justified by the number of Family Court referrals. For those schools with a substantial number of probationers, the Probation Division should collaborate with the school administration to determine the means for achieving the outcome-based goals. This may include dedicating office space on a more formal basis for convenience and confidentiality in meetings. A written agreement should be developed with each school when a decision is made to have this type of arrangement. At a minimum, the agreement should contain: the goals and objectives of the program; a clear definition of the probation officer's role, duties and responsibilities; a clear definition of the school's support including provisions for office space with a telephone and privacy; protocols for obtaining and exchanging information; and provisions for ongoing meetings to discuss issues.

A State Level Probation/Education Partnership Committee (PEPC) should be established.

The establishment of such a committee would assist in planning, training and evaluating programs from a state perspective. It should meet with some regularity during the year and examine the progress of partnerships, making recommendations, when appropriate, to the Administrative Office of the Courts and to the Department of Education.

CONCLUSION:

In September, 2000, a School Best Practice Working Group was formulated to implement the school-related standards of the Outcome-Based Supervision Model. Subsequently, in December, 2001, legislation was signed by Acting Governor Donald DeFrancisco requiring an annual report from the Director of the Administrative Office of the Courts in consultation with the Commissioner of Education on school-based probation programs. The purpose of this report is twofold: first to identify the current status of school-related supervision in New Jersey; and second to address the requirements of the recent legislation. The statistics for this report were compiled through a survey conducted by the Probation School Best Practices Committee. In addition to the survey, officers were asked to respond to questions about the effect their presence may have on probationers (in terms of attendance, disciplinary referrals and grades) and on their relationship with school staff. In order to evaluate the information, Probation activity was divided into two main categories: the first involves communication with school officials about the juveniles on probation, and the second, involves contact with the juveniles, formally and informally, which may include drug testing. Our findings indicate that a pure school-based model, in which the Probation Officer's "primary" work location is in the school, is not practiced in New Jersey. The predominant practice is routine visits to the school to confer with school officials, however, a number of schools permit Probation Officers to utilize dedicated office

space ½ to 1 (one) day per week to conduct probation activities. These arrangements have evolved since the early 1990's, giving New Jersey Probation significant experience in the schools. The report reveals that both categories of activity yield positive results. Probation Officers report that attendance and behavior is improved because the officer is monitoring on-site and can be alerted to negative behavior, such as cutting class, truancy or fighting. Officers also report that close communication with school officials allows them to assist in resolving problems at an earlier stage, before they result in suspension. Despite these positive results, the Judiciary is concerned about the impact of Probation activities on confidentiality and the possibility of stigmatization. It is recognized that the more contact an Officer has in the school the more difficult it is to preserve that confidentiality. As a result, best practices will be developed to address confidentiality and other issues, such as role definition and written agreements, which were identified during the survey interviews. This report also calls for further dialogue with the educational community. Meetings have already commenced between the Department of Education and Probation Services that generated discussion about the possibility of focus groups representing a cross-section of interested parties (i.e. County Superintendents, Principals, Probation Officers) to further identify issues and practices. Groundwork has also been laid for continued experimentation with innovative programs to compliment the probation initiative, such as the mentoring programs in Passaic and Cape May Counties, or community services activities for students who are suspended. While there is much work to be done, the efforts thus far offer significant potential for strengthening partnerships and further development of school/probation activities.

Attachment A

**School Best Practices
Working Group**

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School Best Practices Committee

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Ellen Riley – PO Burlington
Michael Jones - PO Camden
Rhonda Dillard - PPO Camden
Carmilla Duffy - PO Cumberland
Diane Hughes - VACPO Essex
Scott Hicks – PO Essex
Michelle Smith - PO Gloucester
Rosita Purnell - PO Mercer
Steve Reilly - SPO Middlesex
Steve Wainwright – SPO Middlesex
Chris Burkhart - PPO Morris
Joe Hartman - Ocean
Dawn Briggs - SPO Passaic
Dave Bauman - Salem
Catherine O'Rourke - SPO Sussex
Larry Hammon - PPO Union
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Attachment B

JUVENILE PROBATION SERVICES - SCHOOL SURVEY

COUNTY: _____

PO NAME _____

SCHOOL NAME/LOCATION:

of Probationers on your caseload, in this school : _____

PLEASE ANSWER THE FOLLOWING BY CIRCLING Y or N:

**Does this school cooperate in providing: Attendance records? Y N Grades?
Y N Disciplinary records? Y N Meeting with the student on school
property? Y N**

Y N Is your contact with this school via letter or telephone only?

**Y N Do you visit this school to meet with probationer and/or designated staff?
If Yes, #hrs per
month**

**Y N Do you make presentations to students/faculty re juvenile justice?
(Prevention Programs) If Yes, #times per year**

**Y N Do you participate in school evaluations/services for probationer? #hrs per
month**

Y N Do you perform drug testing in this school? If Yes, # hrs per month

Y N Do you have dedicated office space available at this school?

Y N Is there a written agreement with this school? If "Yes", please attach a copy

**Y N Is there a separate form used to record your school activities (excluding FACTS
entries and field itineraries)? If "Yes", please attach a copy**

**Y N Does this school have teacher-to-student mentoring programs?
If yes, please describe your involvement, if any**

How do you maintain the juvenile's confidentiality in this school?

**How and with whom do you share information about a particular juvenile (including
drug test results)?**

[Attachment B]

Probation Officers Assigned to Schools

County	Schools	Officers	
Atlantic	6	5	
Bergen	0	0	
Burlington	0	0	
Camden	4	4	
Cape May	2	2	
Cumberland			
Essex	17	14	
Gloucester	1	1	
Hudson	8	7	
Hunterdon	0	0	
Mercer	10	1	Liaison
Middlesex			
Monmouth	0	0	
Morris	0	0	
Ocean	5	3	
Passaic	13	5	
Salem			
Somerset	3	3	
Sussex	8	3	
Union	0	0	
Warren	0	0	

[Attachment C]

**JUVENILE PROBATION SERVICES
GUIDELINES FOR PROBATION PARTNERSHIPS WITH SCHOOLS**

4-07-09

Research shows that the lack of school engagement is a risk factor for juvenile delinquency. National statistics further confirm that drop-outs are more likely than high school graduates to be unemployed, in poor health and living in poverty. School dropouts are over eight times more likely to be incarcerated than high school graduates. New Jersey Probation is committed to working with juvenile probationers, their parents/guardians and school personnel to assist the probationers to have positive educational outcomes. To accomplish this, Probation Officers (POs) engage in ongoing monitoring of school activities during the probation term. Probation Divisions throughout the State have diverse approaches to such monitoring which range from routine school contacts, to discuss a juvenile's progress, to more enhanced activity in which Probation has office space within a school. The following will assist Probation Divisions as they monitor school activities:

I. Enhanced school activity is defined as Probation Officers having formal reporting contact with the juvenile in the school setting.

Upon mutual agreement with the school, Probation Officers may be assigned to a school to conduct supervision activities of juveniles in grades six (6) through (12). This may be justified for those schools in which there are a significant number of probationers.

If the level of school activity is enhanced, the Probation Division and schools should clarify the respective roles and responsibilities of the Probation Officer and school personnel. This should include: how the PO will access designated school personnel during the day; a clear definition of the role of the PO (including that the officer will not function as a disciplinarian for the school); provision of probation office space within the school that considers safety and ensures confidentiality; protocol for safety drills and emergency situations; protocol for accessing student support services for probationers; clarifying the PO's participation on school committees, which may include Student Assistance Programs and protocol for probation substance abuse testing including a confidential collection site.

II. All Probation activity in the schools must insure that the confidentiality is protected.

Disclosure of juvenile information is prescribed by N.J.S.A. 2A:4A-60 which states in part that disclosure of social, medical, psychological, legal and emotional records of the court and probation divisions and records of law enforcement agencies pertaining to juveniles charged as delinquent or found to be part of a juvenile-family crisis, shall be strictly safeguarded from public inspection. An exception provided for by the statute is that on a confidential basis, the principal of the school where the juvenile is enrolled, for use by the principal and such members of the staff and faculty of the school as the principal deems appropriate for maintaining order, safety or discipline in the school or planning programs relevant to the juvenile's educational and social development, provided no record of such information shall be maintained except as authorized by regulation of the Department of Education. The statute further provides that whoever, except as provided by law, knowingly discloses, publishes, receives or makes use of or knowingly permits the unauthorized use of information

concerning a particular juvenile derived from records listed in subsection 'a' or required in the course of court proceedings, probation or police duties, shall upon conviction thereof, be guilty of a disorderly persons offense.

If the Principal/designee inquires about a student's pending charges or circumstances surrounding such charges, the Probation Officer should refer them to local law enforcement for information.

While the statute refers to overt sharing of information with the school principal/designee, POs must be aware of unintentional breaches of confidentiality, for example, conversations with the probationer in the presence of other students or non designated personnel should be avoided.

III. School enrollment should be established during the initial Intake period for ALL juveniles on probation.

During the 30-day Intake period, the PO should establish whether or not the juvenile is enrolled in school. If the juvenile is over 16 and not enrolled in school, the education history should be completed in the CAPS Education Screen and the enrollment status (casebook code VNSE) should be entered. This information will allow Probation to refine supervision strategies to better address the needs of this population and to advocate for educational or vocational services. If the juvenile is not enrolled in school, but is employed, the Employment Screen should be completed in CAPS.

If the juvenile is enrolled in school, the current education status should be completed in the CAPS Education Screen and the enrollment status (casebook code VSE) should be entered. The Education Screen should be updated within 30 days of notification of a change of enrollment status, a change of address or a change of schools.

IV. The communication protocol with the school should also be established during Probation Intake.

The communication protocol, which will enable the PO to monitor the student's progress, should be established with the Principal. The PO should discuss contact with the vice-principal, guidance counselor, student assistance coordinator, school resource officers or other school staff as deemed appropriate. A CAPS case note (SCH) should include the communication protocol with contact names and numbers.

V. The Case Plan should reflect the educational needs and range of services/ programs offered by the school district in an effort to increase school attendance/performance and reduce behavioral problems.

Probation Officers should be familiar with the range of services and programs offered by the school district, and should assist the student to obtain services and resolve problems in partnership with the parent/guardian and school personnel.

VI. Probation Officers are expected to verify school status for juvenile probationers enrolled in school every 30 days.

School status includes academics, behavior and attendance. Verification is accomplished through communication (in person, via telephone, e-mail, reports or letter) with the Principal and/or designee(s) and/or a review of interim reports, report cards and other documentation. School status may also be verified through a school's web-site if available and approved by the parent/guardian. A CAPS case note (SCH) should be entered to document this school status. At intake, the juvenile and parent/guardian should be informed that school status will be verified throughout the supervision period. Probation officers should work in partnership with family members, school officials and the juvenile to resolve individual issues.

VII. School activity should be discussed with the probationer at each contact.

Ongoing discussion about attendance, behavior, class work or extra curricular activities not only informs the PO of problem areas that need to be addressed but also provides an opportunity for the PO to reinforce and encourage positive behaviors such as improved or continued efforts. Improvement and success should be acknowledged not only to the probationer but also to the parent/guardian(s) when possible and documented in CAPS as part of the verification of school status.

VIII. Attendance and behavior problems should be addressed as soon as possible.

If the probationer begins to establish a pattern of absences, unruly behavior or if there is a serious discipline problem, the PO should discuss the situation with the parent/guardian, probationer and school officials to insure that a plan is developed to correct the situation. If the behavior does not improve, and depending on the specifics of the court order or seriousness of the behavior, the PO may utilize appropriate intervention, intermediate sanctions or notify the Court.

IX. Under the guidance of the school Principal, the Probation Officer should take all reasonable efforts to minimize disruption to academic classes.

Probationers are often included in meetings with the Probation Officer, parents, Principal or other school staff during the school day; this is true whether a Probation Officer is situated within the school or stops by the school. The Principal/designee should determine the most suitable time within that probationer's school day to have such a meeting. A Probation Officer should not directly remove any student from a classroom.

X. Probation Officers cannot conduct or participate in searches on school property.

Search or seizure on school property may only be conducted by school officials or law enforcement based on the school official's independent authority to conduct reasonable investigations as provided in New Jersey v. T.L.O. or by a law enforcement authority in accordance with the rules and procedures governing law enforcement searches. Probation Officers should not be asked nor should they participate in these searches on school property.

XI. Lab-based oral swab testing is the recommended method for substance abuse testing by probation officers on school property.

Because urine testing presents unique issues in terms gender, collection sites, storage of the sample, tampering of a specimen and spills, POs are encouraged to use lab-based oral swabs if it is determined that random tests are part of the supervision and treatment strategy. Like other forms of testing, oral swab testing must be conducted in a location that insures confidentiality. Urine testing may be used if a school has facilities that offer privacy and a suitable arrangement for collecting and monitoring the specimen and the supervision and monitoring of the juvenile's substance use is enhanced by using a urine test. No instant tests should be conducted by Probation Officers on school property.

Schools have specific rules and regulations if they suspect that a student is under the influence of an illegal substance while on school property. If school authorities have reasonable suspicion that a student is under the influence, they may require an evaluation which includes a substance abuse test. The results will be used to develop a plan and response which could include suspension from school pending further evaluation or disciplinary action. A probation substance abuse test or the results thereof must not be used in place of the school's test. Probation officers should not be asked nor should they conduct substance abuse testing under these circumstances. However, POs should work in concert with the student assistant coordinators or designees to insure that probationers have all the treatment resources available to them and the PO should notify the counselor if they suspect the juvenile is under the influence on school property.

XII. Probation Officers should monitor school activity for probationers who are Home Schooled.

Home-schooled juveniles and their parents/guardians should be advised per the conditions of probation and supervision standards that the PO must verify school activity at least once a month and this includes home schooling. The parent/guardian is expected to provide verification of educational activity to the Probation Officer. The Probation Officer should advise the supervisor if there are concerns about whether education is taking place or other concerns regarding the home schooling situation. Depending on the specific concerns, a decision will be made to consult with the Superintendent of Schools, DYFS or the Judge.