

# 2A:12-5.1

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2001 **CHAPTER:** 406  
**NJSA:** 2A:12-5.1 (AOC Director—report on school based probation)  
**BILL NO:** A1904 (Substituted for S1445)  
**SPONSOR(S):** DiGaetano and Thompson  
**DATE INTRODUCED:** March 2, 2000  
**COMMITTEE:** **ASSEMBLY:** Education  
**SENATE:** Law and Public Safety  
**AMENDED DURING PASSAGE:** No  
**DATE OF PASSAGE:** **ASSEMBLY:** June 28, 2001  
**SENATE:** January 7, 2002  
**DATE OF APPROVAL:** January 8, 2002  
**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL** (Original version of bill enacted)

**A1904**

**SPONSORS STATEMENT:** (Begins on page 3 of original bill) Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes

**SENATE:** Yes

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL NOTE:** Yes

**S1445**

**SPONSORS STATEMENT:** (Begins on page 3 of original bill) Yes

Bill and Sponsors Statement identical to A1904

**COMMITTEE STATEMENT:** **ASSEMBLY:** No

**SENATE:** Yes

Identical to Assembly Statement for A1904

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL NOTE:** Yes

Identical to fiscal note to A1904

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

### FOLLOWING WERE PRINTED:

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**REPORTS:** Yes

974.90 New Jersey. Legislature. Assembly Task Force on Adolescent Violence

J97 Findings and recommendations June 7, 1999

1999b (see pp. xii, Recommendation #44)

**HEARINGS:** Yes

974.90 New Jersey. Legislature. Assembly. Task Force on Adolescent Violence

J97 Public hearing, held 9-23-1998. Trenton, 1998

1998a

974.90 New Jersey. Legislature. Assembly. Task Force on Adolescent Violence

J97 Public hearing, held 10-17-1998. Trenton, 1998

1998

974.90 New Jersey. Legislature. Assembly. Task Force on Adolescent Violence

J97 Public hearing, held 11-24-1998. Trenton, 1998

1998b

974.90 New Jersey. Legislature. Assembly. Task Force on Adolescent Violence

J97 Public meeting, held 1-20-1999. Trenton, 1999

1999

**NEWSPAPER CLIPPINGS:** No

# ASSEMBLY, No. 1904

## STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED MARCH 2, 2000

**Sponsored by:**

**Assemblyman PAUL DIGAETANO**

**District 36 (Bergen, Essex and Passaic)**

**Assemblyman SAMUEL D. THOMPSON**

**District 13 (Middlesex and Monmouth)**

**Co-Sponsored by:**

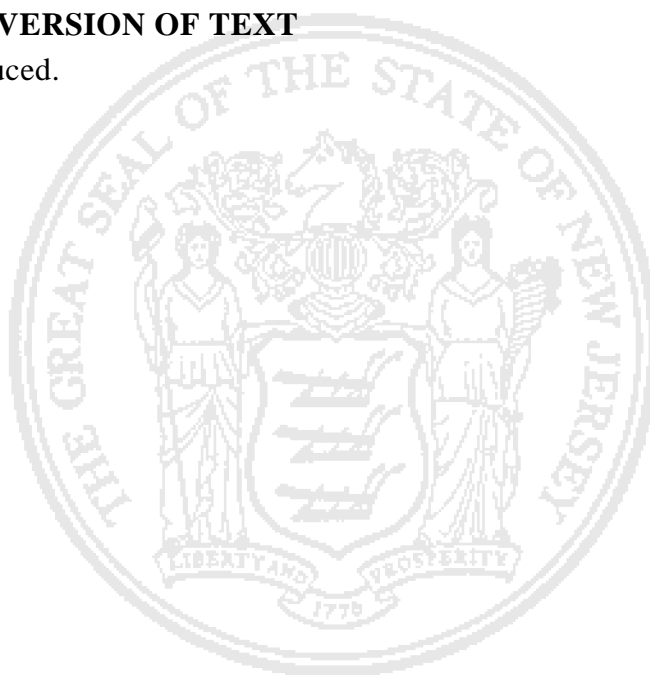
**Assemblymen O'Toole, Gibson, Rooney, Arnone, Azzolina, Blee, DeCroce,  
LeFevre, T.Smith, Zecker, Felice, Bateman, Senators Robertson, Vitale  
and Allen**

**SYNOPSIS**

Requires the Administrative Director of the Courts to annually report on the school-based probation program.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/8/2002)**

1 AN ACT concerning an annual report on the school-based probation  
2 program and supplementing Title 2A of the New Jersey Statutes.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. The Legislature finds and declares that:

8 a. School-based probation is an approach to the supervision of  
9 children which shifts the primary location of probation operations to  
10 the school environment;

11 b. School-based probation is designed to provide closer monitoring  
12 of a juvenile's behavior in order to improve school attendance and  
13 academic performance, lower school drop-out rates and reduce  
14 recidivism and out-of-home placements resulting from delinquent  
15 behaviors;

16 c. School-based probation programs have stimulated much interest  
17 and enthusiasm because they are believed to enhance both the school  
18 environment and probation services;

19 d. Studies that have been conducted on the program are very  
20 encouraging and have shown that children who have been assigned to  
21 school-based probation are more likely to be in the community longer  
22 prior to their first charge after their assignment to probation and are  
23 also more likely to be charged with probation violation and status  
24 offenses rather than new charges of a more serious nature;

25 e. Children who have been assigned to school-based probation tend  
26 not to "penetrate" the juvenile justice system as deeply as do children  
27 who are assigned to more traditional forms of supervision, resulting in  
28 not only cost savings, but also reductions in the destructive effects of  
29 extended placements and involvement in the more restrictive  
30 components of the juvenile justice system;

31 f. Various models of school-based probation have been  
32 implemented in many counties of this State, each designed to address  
33 the particular needs of the individual county or school district; and

34 g. The Legislature would benefit from input by probation  
35 departments currently involved in school-based probation and the  
36 school districts with which they are in partnership on their evaluation  
37 of the program and any recommendations regarding the expansion and  
38 replication of the program throughout the State.

39  
40 2. a. The Administrative Director of the Courts, in consultation  
41 with the Commissioner of Education, shall submit an annual report to  
42 the Legislature evaluating the effectiveness of the school-based  
43 probation program. The report shall include, but need not be limited  
44 to: information on the cost-effectiveness of the program as compared  
45 to the more traditional model of juvenile probation; the methods by  
46 which the confidentiality of the child involved in the program has been

1 protected and any information-sharing protocols which have been  
2 developed between school and probation staff; information on the  
3 impact of the program in such areas as drop-out rates, disciplinary  
4 referrals, tardiness, absenteeism and academic performance;  
5 recommendations as to the preferred model or models of school-based  
6 probation to implement on a Statewide basis or any specific  
7 parameters of the program that should be mandated; and any other  
8 recommendations regarding the expansion of the program.

9 b. For the purposes of compiling the report required pursuant to  
10 subsection a. of this section, the Administrative Director of the Courts  
11 shall have access to the pupil record of any child who has been  
12 assigned to school-based probation. Information which is provided  
13 to the Administrative Director of the Courts pursuant to this  
14 subsection regarding a student who has been assigned to school-based  
15 probation shall be used under strict conditions of anonymity and  
16 confidentiality.

17 No liability shall attach to any member, officer or employee of any  
18 board of education for the furnishing of any pupil records pursuant to  
19 this subsection.

20  
21 3. This act shall take effect immediately.

22  
23  
24 STATEMENT

25  
26 This bill would require the Administrative Director of the Courts,  
27 in consultation with the Commissioner of Education, to annually report  
28 to the Legislature on the effectiveness of the school-based probation  
29 program that has been implemented in some school districts in the  
30 State. The report would include, but need not be limited to the  
31 following information: the cost-effectiveness of the program as  
32 compared to the more traditional model of juvenile probation; the  
33 methods by which the confidentiality of the child involved in the  
34 program has been protected and any information-sharing protocols  
35 which have been developed between school and probation staff;  
36 information on the impact of the program in such areas as drop-out  
37 rates, disciplinary referrals, tardiness, absenteeism and academic  
38 performance; recommendations as to the preferred model or models of  
39 school-based probation to implement on a Statewide basis or any  
40 specific parameters of the program that should be mandated; and any  
41 other recommendations regarding the expansion of the program.

42 The bill also includes a provision that permits the Administrative  
43 Director of the Courts to have access to the pupil records of any child  
44 who has been assigned to school-based probation for the purposes of  
45 compiling the annual report. Information regarding a student which  
46 is provided to the Administrative Director of the Courts pursuant to

**A1904 DIGAETANO, THOMPSON**

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- 1 the provisions of this bill will be used under strict conditions of
- 2 anonymity and confidentiality.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1904**

**STATE OF NEW JERSEY**

DATED: MAY 7, 2001

The Assembly Education Committee reports favorably Assembly Bill No. 1904.

This bill requires the Administrative Director of the Courts, in consultation with the Commissioner of Education, to annually report to the Legislature on the effectiveness of the school-based probation program that has been implemented in some school districts in the State. The report would include, but need not be limited to, the following information: the cost-effectiveness of the program as compared to the more traditional model of juvenile probation; the methods by which the confidentiality of the child involved in the program has been protected and any information-sharing protocols which have been developed between school and probation staff; information on the impact of the program in such areas as drop-out rates, disciplinary referrals, tardiness, absenteeism and academic performance; recommendations as to the preferred model or models of school-based probation to implement on a Statewide basis or any specific parameters of the program that should be mandated; and any other recommendations regarding the expansion of the program.

The bill also includes a provision that permits the Administrative Director of the Courts to have access to the pupil records of any child who has been assigned to school-based probation for the purposes of compiling the annual report. Information regarding a student which is provided to the Administrative Director of the Courts pursuant to the provisions of this bill will be used under strict conditions of anonymity and confidentiality.

This bill is part of a package of bills introduced as a result of the work of the Assembly Task Force on Adolescent Violence.

**FISCAL NOTE**  
**ASSEMBLY, No. 1904**  
**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

DATED: JULY 11, 2001

**SUMMARY**

**Synopsis:** Requires the Administrative Director of the Courts to annually report on the school-based probation program.

**Type of Impact:** General Fund expenditure

**Agencies Affected:** Judiciary

**Executive Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	Minimal	Minimal	Minimal

- ! The Office of Legislative Services (OLS) **concurs** with the Judiciary estimate.
- ! The bill requires the Administrative Director of the Courts, in consultation with the Commissioner of Education, to annually report to the Legislature on the effectiveness of the school-based probation program that has been implemented in some school districts in the State.
- ! The Administrative Office of the Courts (AOC) states that it would be able to implement the provisions of this bill with current staff at minimal cost to the State.

**BILL DESCRIPTION**

Assembly Bill No. 1904 of 2000 requires the Administrative Director of the Courts, in consultation with the Commissioner of Education, to annually report to the Legislature on the effectiveness of the school-based probation program that has been implemented in some school districts in the State. The report would include, but need not be limited to, the following information: the cost-effectiveness of the program as compared to the more traditional model of juvenile probation; the methods by which the confidentiality of the child involved in the program has been protected and any information-sharing protocols which have been developed between school and probation staff; information on the impact of the program in such areas as drop-out rates, disciplinary referrals, tardiness, absenteeism and academic performance; recommendations as to the preferred model or models of school-based probation to implement on a Statewide basis or any specific parameters of the program that should be

mandated; and any other recommendations regarding the expansion of the program.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

The Administrative Office of the Courts (AOC) states that it would be able to implement the provisions of this bill with current staff at minimal cost to the State.

### ***OFFICE OF LEGISLATIVE SERVICES***

The Office of Legislative Services (OLS) concurs with the Judiciary estimate.

Section: *Judiciary*

Analyst: *Anne C. Raughley*  
*Lead Fiscal Analyst*

Approved: *Alan R. Kooney*  
*Legislative Budget and Finance Officer*

This fiscal note has been prepared pursuant to P.L.1980, c.67.



# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 1904**

# **STATE OF NEW JERSEY**

DATED: NOVEMBER 29, 2001

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 1904.

This bill requires the Administrative Director of the Courts, in consultation with the Commissioner of Education, to annually report to the Legislature on the effectiveness of the school-based probation program that has been implemented in some school districts in the State. The report would include, but need not be limited to, the following information: the cost-effectiveness of the program as compared to the more traditional model of juvenile probation; the methods by which the confidentiality of the child involved in the program has been protected and any information-sharing protocols which have been developed between school and probation staff; information on the impact of the program in such areas as drop-out rates, disciplinary referrals, tardiness, absenteeism and academic performance; recommendations as to the preferred model or models of school-based probation to implement on a Statewide basis or any specific parameters of the program that should be mandated; and any other recommendations regarding the expansion of the program.

The bill also includes a provision that permits the Administrative Director of the Courts to have access to the pupil records of any child who has been assigned to school-based probation for the purposes of compiling the annual report. Information regarding a student which is provided to the Administrative Director of the Courts pursuant to the provisions of this bill will be used under strict conditions of anonymity and confidentiality.

This bill is part of a package of bills introduced as a result of the work of the Assembly Task Force on Adolescent Violence.

# SENATE, No. 1445

## STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED JUNE 15, 2000

**Sponsored by:**

**Senator NORMAN M. ROBERTSON**

**District 34 (Essex and Passaic)**

**Senator JOSEPH F. VITALE**

**District 19 (Middlesex)**

**Co-Sponsored by:**

**Senator Allen**

**SYNOPSIS**

Requires the Administrative Director of the Courts to annually report on the school-based probation program.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning an annual report on the school-based probation  
2 program and supplementing Title 2A of the New Jersey Statutes.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. The Legislature finds and declares that:

8 a. School-based probation is an approach to the supervision of  
9 children which shifts the primary location of probation operations to  
10 the school environment;

11 b. School-based probation is designed to provide closer monitoring  
12 of a juvenile's behavior in order to improve school attendance and  
13 academic performance, lower school drop-out rates and reduce  
14 recidivism and out-of-home placements resulting from delinquent  
15 behaviors;

16 c. School-based probation programs have stimulated much interest  
17 and enthusiasm because they are believed to enhance both the school  
18 environment and probation services;

19 d. Studies that have been conducted on the program are very  
20 encouraging and have shown that children who have been assigned to  
21 school-based probation are more likely to be in the community longer  
22 prior to their first charge after their assignment to probation and are  
23 also more likely to be charged with probation violation and status  
24 offenses rather than new charges of a more serious nature;

25 e. Children who have been assigned to school-based probation tend  
26 not to "penetrate" the juvenile justice system as deeply as do children  
27 who are assigned to more traditional forms of supervision, resulting in  
28 not only cost savings, but also reductions in the destructive effects of  
29 extended placements and involvement in the more restrictive  
30 components of the juvenile justice system;

31 f. Various models of school-based probation have been  
32 implemented in many counties of this State, each designed to address  
33 the particular needs of the individual county or school district; and

34 g. The Legislature would benefit from input by probation  
35 departments currently involved in school-based probation and the  
36 school districts with which they are in partnership on their evaluation  
37 of the program and any recommendations regarding the expansion and  
38 replication of the program throughout the State.

39  
40 2. a. The Administrative Director of the Courts, in consultation  
41 with the Commissioner of Education, shall submit an annual report to  
42 the Legislature evaluating the effectiveness of the school-based  
43 probation program. The report shall include, but need not be limited  
44 to: information on the cost-effectiveness of the program as compared  
45 to the more traditional model of juvenile probation; the methods by

1 which the confidentiality of the child involved in the program has been  
2 protected and any information-sharing protocols which have been  
3 developed between school and probation staff; information on the  
4 impact of the program in such areas as drop-out rates, disciplinary  
5 referrals, tardiness, absenteeism and academic performance;  
6 recommendations as to the preferred model or models of school-based  
7 probation to implement on a Statewide basis or any specific  
8 parameters of the program that should be mandated; and any other  
9 recommendations regarding the expansion of the program.

10 b. For the purposes of compiling the report required pursuant to  
11 subsection a. of this section, the Administrative Director of the Courts  
12 shall have access to the pupil record of any child who has been  
13 assigned to school-based probation. Information which is provided  
14 to the Administrative Director of the Courts pursuant to this  
15 subsection regarding a student who has been assigned to school-based  
16 probation shall be used under strict conditions of anonymity and  
17 confidentiality.

18 No liability shall attach to any member, officer or employee of any  
19 board of education for the furnishing of any pupil records pursuant to  
20 this subsection.

21

22 3. This act shall take effect immediately.

23

24

25

#### STATEMENT

26

27 This bill would require the Administrative Director of the Courts,  
28 in consultation with the Commissioner of Education, to annually report  
29 to the Legislature on the effectiveness of the school-based probation  
30 program that has been implemented in some school districts in the  
31 State. The report would include, but need not be limited to the  
32 following information: the cost-effectiveness of the program as  
33 compared to the more traditional model of juvenile probation; the  
34 methods by which the confidentiality of the child involved in the  
35 program has been protected and any information-sharing protocols  
36 which have been developed between school and probation staff;  
37 information on the impact of the program in such areas as drop-out  
38 rates, disciplinary referrals, tardiness, absenteeism and academic  
39 performance; recommendations as to the preferred model or models of  
40 school-based probation to implement on a Statewide basis or any  
41 specific parameters of the program that should be mandated; and any  
42 other recommendations regarding the expansion of the program.

43 The bill also includes a provision that permits the Administrative  
44 Director of the Courts to have access to the pupil records of any child  
45 who has been assigned to school-based probation for the purposes of

**S1445 ROBERTSON, VITALE**

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1 compiling the annual report. Information regarding a student which  
2 is provided to the Administrative Director of the Courts pursuant to  
3 the provisions of this bill will be used under strict conditions of  
4 anonymity and confidentiality.

**FISCAL NOTE**  
**SENATE, No. 1445**  
**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

DATED: JULY 19, 2001

**SUMMARY**

**Synopsis:** Requires the Administrative Director of the Courts to annually report on the school-based probation program.

**Type of Impact:** General Fund expenditure

**Agencies Affected:** Judiciary

**Executive Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	Minimal	Minimal	Minimal

- ! The Office of Legislative Services (OLS) **concurs** with the Judiciary estimate.
- ! The bill requires the Administrative Director of the Courts, in consultation with the Commissioner of Education, to annually report to the Legislature on the effectiveness of the school-based probation program that has been implemented in some school districts in the State.
- ! The Administrative Office of the Courts (AOC) states that it would be able to implement the provisions of this bill with current staff at minimal cost to the State.

**BILL DESCRIPTION**

Senate Bill No. 1445 of 2000 requires the Administrative Director of the Courts, in consultation with the Commissioner of Education, to annually report to the Legislature on the effectiveness of the school-based probation program that has been implemented in some school districts in the State. The report would include, but need not be limited to, the following information: the cost-effectiveness of the program as compared to the more traditional model of juvenile probation; the methods by which the confidentiality of the child involved in the program has been protected and any information-sharing protocols which have been developed between school and probation staff; information on the impact of the program in such areas as drop-out rates, disciplinary referrals, tardiness, absenteeism and academic performance; recommendations as to the preferred model or models of school-based probation to implement on a Statewide basis or any specific parameters of the program that should be mandated; and any other recommendations regarding the expansion of the program.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

The Administrative Office of the Courts (AOC) states that it would be able to implement the provisions of this bill with current staff at minimal cost to the State.

### ***OFFICE OF LEGISLATIVE SERVICES***

The Office of Legislative Services (OLS) concurs with the Judiciary estimate.

Section: *Judiciary*

Analyst: *Anne C. Raughley*  
*Lead Fiscal Analyst*

Approved: *Alan R. Kooney*  
*Legislative Budget and Finance Officer*

This fiscal note has been prepared pursuant to P.L.1980, c.67.

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### SENATE, No. 1445

# STATE OF NEW JERSEY

DATED: NOVEMBER 29, 2001

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 1445.

This bill would require the Administrative Director of the Courts, in consultation with the Commissioner of Education, to annually report to the Legislature on the effectiveness of the school-based probation program that has been implemented in some school districts in the State. The report would include, but need not be limited to the following information: the cost-effectiveness of the program as compared to the more traditional model of juvenile probation; the methods by which the confidentiality of the child involved in the program has been protected and any information-sharing protocols which have been developed between school and probation staff; information on the impact of the program in such areas as drop-out rates, disciplinary referrals, tardiness, absenteeism and academic performance; recommendations as to the preferred model or models of school-based probation to implement on a Statewide basis or any specific parameters of the program that should be mandated; and any other recommendations regarding the expansion of the program.

The bill also includes a provision that permits the Administrative Director of the Courts to have access to the pupil records of any child who has been assigned to school-based probation for the purposes of compiling the annual report. Information regarding a student which is provided to the Administrative Director of the Courts pursuant to the provisions of this bill will be used under strict conditions of anonymity and confidentiality.



P.L. 2001, CHAPTER 406, *approved January 8, 2002*  
Assembly, No. 1904

1 **AN ACT** concerning an annual report on the school-based probation  
2 program and supplementing Title 2A of the New Jersey Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6

7 1. The Legislature finds and declares that:

8 a. School-based probation is an approach to the supervision of  
9 children which shifts the primary location of probation operations to  
10 the school environment;

11 b. School-based probation is designed to provide closer monitoring  
12 of a juvenile's behavior in order to improve school attendance and  
13 academic performance, lower school drop-out rates and reduce  
14 recidivism and out-of-home placements resulting from delinquent  
15 behaviors;

16 c. School-based probation programs have stimulated much interest  
17 and enthusiasm because they are believed to enhance both the school  
18 environment and probation services;

19 d. Studies that have been conducted on the program are very  
20 encouraging and have shown that children who have been assigned to  
21 school-based probation are more likely to be in the community longer  
22 prior to their first charge after their assignment to probation and are  
23 also more likely to be charged with probation violation and status  
24 offenses rather than new charges of a more serious nature;

25 e. Children who have been assigned to school-based probation tend  
26 not to "penetrate" the juvenile justice system as deeply as do children  
27 who are assigned to more traditional forms of supervision, resulting in  
28 not only cost savings, but also reductions in the destructive effects of  
29 extended placements and involvement in the more restrictive  
30 components of the juvenile justice system;

31 f. Various models of school-based probation have been  
32 implemented in many counties of this State, each designed to address  
33 the particular needs of the individual county or school district; and

34 g. The Legislature would benefit from input by probation  
35 departments currently involved in school-based probation and the  
36 school districts with which they are in partnership on their evaluation  
37 of the program and any recommendations regarding the expansion and  
38 replication of the program throughout the State.

39

40 2. a. The Administrative Director of the Courts, in consultation  
41 with the Commissioner of Education, shall submit an annual report to  
42 the Legislature evaluating the effectiveness of the school-based  
43 probation program. The report shall include, but need not be limited

1 to: information on the cost-effectiveness of the program as compared  
2 to the more traditional model of juvenile probation; the methods by  
3 which the confidentiality of the child involved in the program has been  
4 protected and any information-sharing protocols which have been  
5 developed between school and probation staff; information on the  
6 impact of the program in such areas as drop-out rates, disciplinary  
7 referrals, tardiness, absenteeism and academic performance;  
8 recommendations as to the preferred model or models of school-based  
9 probation to implement on a Statewide basis or any specific  
10 parameters of the program that should be mandated; and any other  
11 recommendations regarding the expansion of the program.

12 b. For the purposes of compiling the report required pursuant to  
13 subsection a. of this section, the Administrative Director of the Courts  
14 shall have access to the pupil record of any child who has been  
15 assigned to school-based probation. Information which is provided  
16 to the Administrative Director of the Courts pursuant to this  
17 subsection regarding a student who has been assigned to school-based  
18 probation shall be used under strict conditions of anonymity and  
19 confidentiality.

20 No liability shall attach to any member, officer or employee of any  
21 board of education for the furnishing of any pupil records pursuant to  
22 this subsection.

23

24 3. This act shall take effect immediately.

25

26

27

## STATEMENT

28

29 This bill would require the Administrative Director of the Courts,  
30 in consultation with the Commissioner of Education, to annually report  
31 to the Legislature on the effectiveness of the school-based probation  
32 program that has been implemented in some school districts in the  
33 State. The report would include, but need not be limited to the  
34 following information: the cost-effectiveness of the program as  
35 compared to the more traditional model of juvenile probation; the  
36 methods by which the confidentiality of the child involved in the  
37 program has been protected and any information-sharing protocols  
38 which have been developed between school and probation staff;  
39 information on the impact of the program in such areas as drop-out  
40 rates, disciplinary referrals, tardiness, absenteeism and academic  
41 performance; recommendations as to the preferred model or models of  
42 school-based probation to implement on a Statewide basis or any  
43 specific parameters of the program that should be mandated; and any  
44 other recommendations regarding the expansion of the program.

45 The bill also includes a provision that permits the Administrative  
46 Director of the Courts to have access to the pupil records of any child

1 who has been assigned to school-based probation for the purposes of  
2 compiling the annual report. Information regarding a student which  
3 is provided to the Administrative Director of the Courts pursuant to  
4 the provisions of this bill will be used under strict conditions of  
5 anonymity and confidentiality.

6

7

8

9

10 Requires the Administrative Director of the Courts to annually report  
11 on the school-based probation program.

## CHAPTER 406

AN ACT concerning an annual report on the school-based probation program and supplementing Title 2A of the New Jersey Statutes.

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

C.2A:12-5.1 Findings, declarations relative to school-based probation.

1. The Legislature finds and declares that:
  - a. School-based probation is an approach to the supervision of children which shifts the primary location of probation operations to the school environment;
  - b. School-based probation is designed to provide closer monitoring of a juvenile's behavior in order to improve school attendance and academic performance, lower school drop-out rates and reduce recidivism and out-of-home placements resulting from delinquent behaviors;
  - c. School-based probation programs have stimulated much interest and enthusiasm because they are believed to enhance both the school environment and probation services;
  - d. Studies that have been conducted on the program are very encouraging and have shown that children who have been assigned to school-based probation are more likely to be in the community longer prior to their first charge after their assignment to probation and are also more likely to be charged with probation violation and status offenses rather than new charges of a more serious nature;
  - e. Children who have been assigned to school-based probation tend not to "penetrate" the juvenile justice system as deeply as do children who are assigned to more traditional forms of supervision, resulting in not only cost savings, but also reductions in the destructive effects of extended placements and involvement in the more restrictive components of the juvenile justice system;
  - f. Various models of school-based probation have been implemented in many counties of this State, each designed to address the particular needs of the individual county or school district; and
  - g. The Legislature would benefit from input by probation departments currently involved in school-based probation and the school districts with which they are in partnership on their evaluation of the program and any recommendations regarding the expansion and replication of the program throughout the State.

C.2A:12-5.2 Annual report to Legislature.

2. a. The Administrative Director of the Courts, in consultation with the Commissioner of Education, shall submit an annual report to the Legislature evaluating the effectiveness of the school-based probation program. The report shall include, but need not be limited to: information on the cost-effectiveness of the program as compared to the more traditional model of juvenile probation; the methods by which the confidentiality of the child involved in the program has been protected and any information-sharing protocols which have been developed between school and probation staff; information on the impact of the program in such areas as drop-out rates, disciplinary referrals, tardiness, absenteeism and academic performance; recommendations as to the preferred model or models of school-based probation to implement on a Statewide basis or any specific parameters of the program that should be mandated; and any other recommendations regarding the expansion of the program.
  - b. For the purposes of compiling the report required pursuant to subsection a. of this section, the Administrative Director of the Courts shall have access to the pupil record of any child who has been assigned to school-based probation. Information which is provided to the Administrative Director of the Courts pursuant to this subsection regarding a student who has been assigned to school-based probation shall be used under strict conditions of anonymity and confidentiality.

No liability shall attach to any member, officer or employee of any board of education for the furnishing of any pupil records pursuant to this subsection.

3. This act shall take effect immediately.

Approved January 8, 2002.