

PUBLIC NOTICE

EDUCATION

STATE BOARD OF EDUCATION

Notice of Receipt and Action of Petition for Rulemaking

Youth Court

N.J.A.C. 6A

Petitioner: Nicole Crincoli.

Take notice that on February 28, 2018, the New Jersey State Board of Education (State Board) received a petition for rulemaking from the above petitioner requesting the State Board of Education amend Title 6A of the New Jersey Administrative Code to establish youth court programs in the State's schools.

The petitioner specifically requests for the State Board to add new rules at "N.J.A.C. 6A:5.1(a)" to institute youth court programs, which the petitioner stated is a restorative justice approach and an alternative, positive disciplinary system that seeks to interrupt the school-to-prison pipeline.

The petitioner stated youth court programs replicate the judicial system in a mock trial setting whereby students who commit minor school infractions appear before their peers serving as the judge, jury, and officers of the court. The petitioner also stated that participating students who have committed minor offenses are not suspended and are kept in school while accepting responsibility for their behavior.

The petitioner stated peer participants go through weeks of lesson plans and training that are geared toward civics and government and ultimately are tasked with determining an appropriate response for a particular circumstance or offense. The petitioner stated the youth court

program also encourages peer participants to think critically and carefully and integrates numerous skills and standards found in the New Jersey Student Learning Standards for social studies.

The petitioner stated youth court also could be implemented through the Juvenile Justice Commission but is more properly suited for the Department of Education (Department) since students are first exposed to the criminal justice system in schools through zero-tolerance discipline policies.

N.J.A.C. 6A:16, Programs to Support Student Development, is the most likely chapter to locate rules related to youth court. However, N.J.A.C. 6A:16-5.1 contains rules for school safety and security plans and not school discipline.

The Department has been unable to discern what chapter and section the petitioner is requesting to amend, whether the petitioner is asking for the youth court program to be optional for school districts and/or charter schools or a requirement, and if a particular association or agency has created a model youth court program that the petitioner is seeking to replicate in New Jersey schools.

Therefore, the petitioner's request is denied.