

**TOWNSHIP OF LONG HILL
RESOLUTION 15-121**

To establish a policy for fingerprinting and conducting background checks for employees and volunteers in all Township-sponsored Recreation Programs or co-sponsored Recreation and Sports Programs.

WHEREAS, the Township Committee of the Township of Long Hill (the "Township Committee") wishes to ensure that the Township is providing the safest possible recreation programs for its youth; and

WHEREAS, the Director of Parks and Recreation has recommended that all employees and volunteers of programs sponsored by the Township of Long Hill, or co-sponsored by the Township of Long Hill in connection with the Township of Long Hill Parks and Recreation Department, who have regular, unsupervised access to minors involved in such programs, be required to submit to criminal history background checks; and

WHEREAS, P.L. 1999, Chapter 432 (N.J.S.A. 15A:3A-1 et seq.) authorizes and provides for criminal history record background checks of employees and volunteers of non-profit youth servicing organizations as defined in said statute; and

WHEREAS, N.J.S.A. 15A:3A-1 permits non-profit youth-serving organizations to request the State Police to perform a criminal background check on current and prospective employees or volunteers, in order to check the criminal histories of those employees or volunteers who have direct contact with minors in order to eliminate those with convictions for certain crimes and disqualify prospective employees or volunteers who have been convicted of certain offenses; and,

WHEREAS, the Township of Long Hill would like all youth programs using township facilities, that are funded or supported by the Township, in whole or in part, be required to perform criminal background checks as a condition of using township facilities.

NOW, THEREFORE, BE IT RESOLVED by the Township of Long Hill, County of Morris, and State of New Jersey as follows:

The policy of the Township of Long Hill shall be as follows:

"Fingerprinting and Background Checks for the Township's employees and volunteers in all Township-sponsored Recreation Programs or co-sponsored Recreation and Sports Programs"

1. It is the policy of Long Hill Township that all individuals involved in any Township-sponsored Recreation Program or co-sponsored Recreation and Sports Program involved with children under the age of 18, shall submit to being fingerprinted in accordance with applicable State, federal laws, rules and regulations, and shall further provide that the official or officer is authorized to exchange fingerprint data with and receive criminal history record information from the State Bureau of Identification in the Division of State Police and the Federal Bureau of Investigation. The Township Administrator is authorized to receive the criminal history record information.
2. The initial fingerprinting and background check will be conducted by Identogo, and it is up to the individual to contact and schedule an appointment to get fingerprinted for the first background check. After complying with the State fingerprinting requirements, the individual's associated program will perform a background check every three (3) years with an approved on-line background check company. All co-sponsored Recreation and Sports

Programs using Township facilities will be required to submit a list of all individuals each year to the Parks and Recreation Director. All costs associated with background checks shall be the responsibility of the associated program. (Note: For sports leagues combining participants on a regional sending district level, approved volunteer lists may be shared between the Recreation Directors of Long Hill, Warren, Watchung, & Green Brook.)

3. Coaches and other volunteers in any Township-sponsored Recreation Program or co-sponsored Recreation and Sports Program who have already paid for and undergone a criminal background check within the last two years for that Program shall not be required to undergo the fingerprinting process until the due date of their next background check, not to exceed three years from the date of passage of this resolution.
4. For any background checks initiated through the Township of Long Hill, if and when the Township Administrator is notified by the State Bureau of Investigation that any individual has a criminal record with a disqualifying offense, the Township Administrator will send a notice to the individual advising them they are not permitted to participate within the program as requested.
5. Any individual advised of a disqualifying event in their background check, shall have the right to appeal the determination within five (5) days of the receipt of the formal notification. This appeal shall be made to the Township Committee for review of the determination made by the Township Administrator. The individual shall be entitled to speak to the Township Committee on his or her own behalf, and shall be entitled to provide information stating why the event in the individual's criminal record should not be considered a disqualifying event.

Once an appeal is made, the Township Committee shall review the entire file, the circumstances surrounding the criminal record and any statement or information provided by the individual, and shall make a final determination within thirty (30) days as to whether an event on the criminal record constitutes a disqualifying event. The Township Committee may affirm or reverse the decision of the Township Administrator and shall set forth their final determination in writing. All proceedings conducted pursuant to this paragraph shall be held in executive session unless all the individual volunteers whose rights could be adversely affected requests in writing that the matter or matters be discussed at a public meeting.

If the individual does not appeal the initial determination of the Township Administrator, the individual shall be barred from their position or intended position immediately following the five (5) day period after the receipt of notification. If and when an appeal is made, the individual shall be removed from his or her position or intended position, until a determination from the appeal is made. If the determination of the Township Committee affirms the initial decision of the Township Administrator deeming there to be a disqualifying event(s), the individual shall be permanently removed from this and all future Township employment or volunteer positions associated with the Township of Long Hill Parks and Recreation Department involved with children under the age of 18.

6. Conditions under which person is disqualified from service (15A:3A-3):
 3. A person may be disqualified from serving as an employee or volunteer of a nonprofit youth serving organization if that person's criminal history record background check reveals a record of conviction of any of the following crimes and offenses:
 - a. In New Jersey, any crime or disorderly persons offense:
 - (1) involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S.2C:11-1 et seq., N.J.S.2C:12-1 et seq., N.J.S.2C:13-1 et seq., N.J.S.2C:14-1 et seq. or N.J.S.2C:15-1 et

seq.;

(2) against the family, children or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S.2C:24-1 et seq.;

(3) involving theft as set forth in chapter 20 of Title 2C of the New Jersey Statutes;

(4) involving any controlled dangerous substance or controlled substance analog as set forth in chapter 35 of Title 2C of the New Jersey Statutes except paragraph (4) of subsection a. of N.J.S.2C:35-10.

(Exceptions include possession of 50 grams or less of marijuana or five grams or less of hashish.)

b. In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offenses described in subsection a. of this section.

7. The criminal history record background check and fingerprinting procedure set forth in this policy will be conducted, to the extent possible, in a manner intended to preserve the privacy of all parties. To the extent possible, privacy and confidentiality will be maintained.

Adopted with changes by the Township Committee on April 8, 2015

I, Cathy Reese, Township Clerk of the Township of Long Hill, County of Morris, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Township Committee on April 8, 2015.



Cathy Reese, RMC
Township Clerk

INTRODUCED	SECONDED	COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
	x	DORSI	x			
x		MERINGOLO	x			
		PISERCHIA				x
		SCHULER		x		
		RAE	x			