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DIVISION OF FAMILY DEVELOPMENT PROGRAM INSTRUCTION	
SUBJECT: CCDBG Comprehensive Criminal Background Check Requirements (FCC and Approved Homes)	DATE:
	EFFECTIVE DATE: Immediately
DFDI NO.: (Rescinds DFD Instruction No.: 10-7-3)	IMPACTED PROGRAM(S): Child Care Program

V. POLICY

A. Background Check Requirements. Effective immediately all Family Child Care (subsidy and non-subsidy) and Approved Home Providers are required to complete the following five (5) mandatory components to the comprehensive background check via the CHRI, CARI, and the interstate criminal background checks (if applicable), at **no cost** to the provider:

- National - National Crime Information Center's (NCIC) National Sex Offender Registry (NSOR) check;
- National - A Federal Bureau of Investigation (FBI) criminal history check, using the Next Generation Identification;
- State (In-State/Inter-State) - State criminal history registry or repository check in the state where the child care staff member resides and each additional state where such staff member resided within the preceding five (5) years;
- State (In-State/Inter-State) - State sex offender registry or repository check in the state where the child care staff member resides and each additional state where such staff member resided within the preceding five (5) years; and
- State (In-State/Inter-State) - State child abuse and neglect registry and database checks in the state where the child care staff member resides and each additional state where such staff member resided within the preceding five (5) years.

B. Scope of the Requirement. Background check requirement applies to the provider, staff, any adult household member 18 years old and older, including volunteers who are

responsible for the direct care or supervision of children, or who has unsupervised access to children. Household members ages 14-17 are only required to undergo CARI checks.

C. Child Care Resource & Referral Agencies Oversight Responsibility. CCR&Rs are responsible for ensuring that all Family Child Care and Approved Home Providers are informed of the policy and procedures set forth in this Instruction, provide the appropriate resources and technical assistance, and provide the link to the criminal background check policy page on the New Jersey Child Care website (www.childcarenj.gov), to ensure full compliance and provide continual oversight and monitoring.

D. Frequency of Background Checks. Background checks must be completed at least once every five (5) years. Background checks must also be completed every time a provider relocates to another county. Additional background check requirements by other regulatory entities may be imposed, as required by law.

E. Interstate Background Checks. Providers, staff or other household members who have resided in another state within the preceding five (5) years must obtain background check clearance from those respective states, which includes the following clearance:

- State criminal registry or repository check in the state where they resided;
- State sex offender registry or repository check in the state where they resided; and
- State child abuse and neglect registry and database checks.

F. Background Findings. If any of the following result from the background check of the provider, the provider will no longer be eligible as a Family Child Care Provider:

- The background check reveals that an incident of child abuse or neglect was substantiated;
- The background check reveals that one of the listed disqualifying crimes is substantiated (See "Federal Disqualifying Crimes" attached.);
- If an employee refuses to consent to the criminal background check;
- If the sponsor or sponsor representative refuses to consent to the background check; or
- If an employee knowingly makes a materially false statement related to the criminal background check.

G. Confidentiality. All information and correspondence related to the background checks must be kept confidential and secure. All providers will be subject to unannounced annual visits from the OOL and DHS, during which they will verify that all required documentation are in the provider file, among other compliance requirements.

H. Disclosure of Criminal Conduct. If at any time, providers becomes aware that a household member has a pending criminal charge(s), they must notify the CCR&R immediately [within three (3) business days], who will then coordinate with ECCU and OOL.