

NJ Criminal History FAQ's

1. Who is required to undergo a NJ Criminal History Record Check?

If the job position is mentioned in the statute (**N.J.S.A.18A:6-7.2** i.e. any and all full time/part-time **paraprofessionals, one-to-one aides, or substitute teachers, substitute teacher aides, substitute school nurse, substitute custodians, substitute cafeteria workers, substitute school secretary or clerical workers, etc.**) or any other individual that may have "pupil contact" must undergo the criminal history record check.

2. When an applicant is approved by the state, what will they receive indicating the approval and how long will this take? What is acceptable proof of approval for applicants?

The applicant will be able to view and print their approval by accessing the "**Applicant Approval Employment History**" on the Criminal History Review Unit's [website](#). The process should take approximately two weeks from when the applicant is fingerprinted unless follow-up investigation is required. Valid proof of approval for applicants is a copy of the "**Applicant Approval Employment History**" obtained from the department's website.

3. If an applicant has been fingerprinted in the State of New Jersey for another purpose, is the applicant required to go through the Criminal History Record Check (CHRC) process again?

Yes, since the regulations concerning dissemination of criminal history information prohibit sharing that material outside of the intended purpose. Federal and state security and privacy regulations dictate that dissemination of this information may only be for the purpose expressed in the "Reason Fingerprinted."

4. Are substitute employees (i.e., teachers, custodians, nurses etc.) required to undergo the CHRC process again when changing educational facilities?

For the first calendar year after the approval date, a substitute employee may be put on any substitute list in any educational facility in the state without providing proof of continuous employment, until their job position changes to a non-substitute position. After the first calendar year of the approval date, there is no need to have the substitute reapply for a criminal history record check when adding a new educational facility as long as one of the original educational facilities is annually rehiring the substitute and there is no break in service. However, the new employer should require **proof of continuous employment (Verification of Employment/VOE)**.

Approval Date	County Code	District Code	School Code	Contractor Code	Job Position	PCN	Transfer (Y/N)
02/11/2015	07	7001	000	7001	SUBSTITUTE TEACHER		N

5. What procedure should be followed for individuals in substitute positions who change or add on new employers?

Applicants must follow the [Transfer](#) procedure.

6. If an applicant/employee is disqualified for employment, when will the Department of Education notify the applicant of his/her disqualification?

Simultaneously, with notification to Source4Teachers, the applicant/employee is also notified via regular mail of their disqualification from employment. The applicant has 14 days, to challenge the accuracy of the criminal history record; however, the applicant/employee may **not** have student contact during the challenge.

7. Under what circumstances may Source4Teachers re-instate a disqualified applicant/employee?

When an applicant/employee is disqualified, suspended, or released by Source4Teachers based on a notification of ineligibility by the CHRU, we may not rehire that individual until we receive written notification from the CHRU office.

8. What are the disqualifying statutes and the year of their enactment?

- Child Abuse as set forth in R.S.9:6-1 et seq.
- Sexual Offenses or child molestation as set forth in 2C:14-1 et seq.
- Endangering the welfare of a child or incompetent as set forth in 2C:P24-4 and 2C:24-7.
- Crime or offense involving the manufacture, transportation, sale, possession or habitual use of a controlled dangerous substance as defined in the New Jersey Controlled Dangerous Substances Act.
- A crime involving the use of force or the threat of force to or upon a person or property including: armed robbery, aggravated assault, kidnapping, arson, manslaughter and murder, or simple assault involving the use of force which results in bodily injury.
- In any other state or jurisdiction, a conviction involving conduct which, if committed in New Jersey would constitute any of the crimes or disorderly persons offense described in this section of this act.
- All first or second degree crimes.
- Drug offense changed to reflect "as defined in the Comprehensive Drug Reform Act of 1987 2C:35-1 et al. or drug paraphernalia as defined in 2C:36-1 et seq.
- A crime involving the use of force or the threat of force to or upon a person or property including, but not limited to, robbery, aggravated assault, stalking, kidnapping, arson, manslaughter and murder.
- A crime as set forth in Chapter 39 of Title 2 C (Weapons), a third degree crime as set forth in Chapter 20 (Theft) and the following crimes:

Recklessly endangering another person	2C:12-2
Terroristic threats	2C:12-3
Criminal restraint	2C:13-2
Luring, enticing child into MV, structure. Isolated Area.	2C:13-6
Causing or risking widespread injury or damage	2C:17-2
Criminal Mischief	2C:17-3
Burglary	2C:18-2
Usury	2C:21-19
Threats and other improper influence	2C:27-3
Perjury and false swearing	2C:28-3
Resisting arrest	2C:29-2
Escape	2C:29-5

- Or Conspiracy to commit or an attempt to commit any of the crimes described in this act.
- Applies if crime occurs in any other state or jurisdiction and is comparable to NJ law.
- Legislation enacted that mandated the NJ State Police retain the state fingerprint image on all applicants for school employment. Should the applicant be arrested subsequent to their approval, the CHRU will be notified and will contact the employing facility to take the appropriate action.
- Legislation enacted that mandated school bus drivers must have a motor vehicle abstract check of their driving record for DWI and drug related offenses. If they are convicted of driving under the influence of alcohol or narcotics on 2 occasions during a 10 year period or 1 conviction while operating a school bus, they are permanently disqualified from public school employment. The responsibility for the searches rests with the CHRU.
- Law amended to allow unpaid volunteers to be submitted by the educational facilities for a criminal history background check. However, the educational facility must reimburse the volunteer for the cost of the check. This amendment makes it optional for the facility to reimburse paid employees.
- School bus driver law amended to include sections concerning "leaving a child on a school bus at completion of tour." Includes, notifications to DOE and Superintendent of school; list incident on department Web site; action by MVC on "S" endorsement of driver.
- Bias Intimidation
- Fourth Degree Crimes involving a victim that is a juvenile.

9. Can a prospective job applicant use a vendor other than the state-authorized vendor (MorphoTrust) to have their fingerprints processed (LiveScan) through DOE for pre-employment screening?

No, MorphoTrust is the ONLY state-authorized vendor for fingerprint screening.

10. What are the fees for a NJ Criminal History Record Check?

- Initial Fingerprinting: \$62.70 (payable to Morpho Trust) + \$11.00 (payable to DOE)
- Archive Submission Process: \$27.50
- Transfer Process: \$6.00