

NEW JERSEY STATE POLICE,
RECORDS AND
IDENTIFICATION SECTION
STATE BUREAU OF
IDENTIFICATION (SBI),
CRIMINAL INFORMATION
UNIT (CIU)

REGISTRATION
PACKET FOR THE
VOLUNTEER REVIEW
OPERATION (VRO)

Public Law 1999, Chapter 432 (C. 15A:3A-1) permits nonprofit youth serving organizations to request criminal history record background checks on persons wishing to serve as a volunteer or an employee. The law defines a nonprofit youth serving organization as a corporation, association, or other organization established pursuant to Title 15 of the Revised Statutes, Title 15A of the New Jersey Statutes, or other laws of this State, but excluding public and nonpublic schools, which provides recreational, cultural, charitable, social, or other activities or services to persons under 18 years of age, and is exempt from federal income taxes. Organizations interested in submitting under this law must be registered with the New Jersey Department of Treasury, Commercial Recording Unit, as a nonprofit organization and have a determination of federal tax exemption from the Internal Revenue Service (IRS). Qualified organizations may request nationwide, fingerprint based criminal history checks of the repositories of the Federal Bureau of Investigation (FBI) and the State Bureau of Identification (SBI) at the Division of State Police. The New Jersey State Police has established the Volunteer Review Operation (VRO) to process these requests.

NON-PROFIT ORGANIZATIONS ONLY

The following guidelines will assist you in registering your organization for this program.

Interested organizations must:

- ▶ Provide the VRO with a copy of the organizations “**Short Form of Standing**.” This document is available from the New Jersey Department of Treasury, Commercial Recording Unit and verifies an organization as nonprofit. Request must be made via mail to the following address: Status and Certification Unit, P.O. Box 452, Trenton, NJ 08625-0451. Online services are available at: www.state.nj.us/treasury/revenue/standcert.htm.
- ▶ Provide the VRO with a copy of the “**Determination Letter of Tax Exemption**” from the Internal Revenue Service (IRS).
- ▶ Execute the VRO “**Memorandum of Understanding**.” This document is included in the VRO registration packet and confirms that the organization will maintain a nonprofit status with the state of New Jersey and a federal tax exemption status with the IRS during the time it requests criminal history background checks under the VRO program.
- ▶ Submit a copy of the Short Form of Standing, the Determination Letter of Tax Exemption, the executed Memorandum of Understanding and the number of request you plan on submitting for a year to the VRO at:

Division of State Police
P.O. Box 7068
West Trenton, NJ 08628-0068
Attn: CIU/VRO

The Volunteer Review Operation will respond to your registration submission and provide you with complete instructions and the materials needed to successfully complete and submit your requests for criminal history information on your prospective volunteers.

Questions? Contact the VRO, at (609) 882-2000, extension 2762.

MEMORANDUM OF UNDERSTANDING
RESPONSIBILITIES OF THE NONPROFIT YOUTH SERVING ORGANIZATION UNDER
NEW JERSEY STATUTES ANNOTATED (N.J.S.A.) 15A:3A-1

In accordance with the provisions of N.J.S.A. 15A:3A-1 (hereinafter the “Law”), the Volunteer Review Operation (hereinafter “VRO”) has been established for the purpose of conducting criminal history record checks for nonprofit youth serving organizations, but excluding public and nonpublic schools, which provide recreational, cultural, charitable, social, or other activities or services for persons under 18 years of age, and is exempt from federal income tax. The following agreement outlines the responsibilities of the nonprofit youth serving organization, their agents, officers, and employees, when submitting requests for criminal history record information to the New Jersey State Police under this “Law”.

RESPONSIBILITIES OF THE YOUTH SERVING ORGANIZATION

- The youth serving organization (hereinafter “YSO”) must be registered with the New Jersey Department of Treasury, Commercial Recording Unit, as a nonprofit organization. The “YSO” must maintain this status in order to submit criminal history requests under the “Law.”
- The “YSO” must be registered with the Internal Revenue Service (IRS) for a determination of tax exemption. The “YSO” must maintain this status in order to submit criminal history record requests under the “Law.”
- The “YSO” agrees to submit requests for criminal history record information only for the authorized purpose as enumerated in the “Law.”
- The “YSO” agrees to submit requests for criminal history record information in accordance with the guidelines enumerated in the YSO Instructions for Registration and YSO Instructions for Submission.

VOLUNTEER REVIEW OPERATION (VRO)
MEMORANDUM OF UNDERSTANDING ACKNOWLEDGEMENT

Acknowledgment - We hereby acknowledge the receipt of the New Jersey State Police VRO Instructions for Registration. We acknowledge the duties and responsibilities set forth in this Memorandum of Understanding. We further acknowledge that failure to comply with this agreement will terminate our ability to access criminal history record information under N.J.S.A. 15A:3A-1. A copy of this agreement shall be made available or be readily accessible to all personnel.

ORGANIZATION INFORMATION

ORGANIZATION NAME: _____

ADDRESS: _____

MAILING ADDRESS: _____

CITY: _____ COUNTY: _____

STATE: _____ ZIP: _____

PHONE NUMBER: _____

AUTHORIZATION NAME: _____

AUTHORIZATION SIGNATURE: _____

CONTACT PERSON INFORMATION

NAME: _____

MAILING ADDRESS: _____

CITY: _____ COUNTY: _____

STATE: _____ ZIP: _____

PHONE
NUMBER: _____

Completed form to be returned prior to conducting transactions:

By Fax: (609) 530-5780

By Mail: Division of State Police
Attn: Criminal Information Unit, VRO
P.O. Box 7068
West Trenton, NJ 08628-0068

Public Law 1999, CHAPTER 432

AN ACT concerning criminal history record background checks of employees and volunteers of nonprofit youth serving organizations 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.15A:3A-1 Definitions relative to criminal history background checks for employees, volunteers of youth serving organizations.

1. As used in this act:

“Criminal history record background check” means a determination of whether a person has a criminal record by cross-referencing that person’s name and fingerprints with those on file with the Federal Bureau of Investigation, Identification Division and the State Bureau of Identification in the Division of State Police.

“Department” means the Department of Law and Public Safety.

“Nonprofit youth serving organization” or “organization” means a corporation, association or other organization established pursuant to Title 15 of the Revised Statutes, Title 15A of the New Jersey Statutes, or other law of this State, but excluding public and nonpublic schools, and which provides recreational, cultural, charitable, social or other activities or services for persons younger than 18 years of age, and is exempt from federal income taxes.

C.15A:3A-2 Youth serving organization request for criminal background check; costs.

2. a. A nonprofit youth serving organization may request, through the department, that the State Bureau of Identification in the Division of State Police conduct a criminal history record background check on each prospective and current employee or volunteer of the organization.

b. For the purpose of conducting the criminal history record background check, the division shall examine its own files and arrange for a similar examination by federal authorities. The division shall inform the department whether the person’s criminal history record background check reveals a conviction of a disqualifying crime or offense as specified in section 3 of this act.

c. The division shall conduct a criminal history record background check only upon receipt of the written consent to the check of the prospective or current employee or volunteer.

d. The organization or the prospective or current employee or volunteer shall bear the costs associated with conducting criminal history background checks. Notwithstanding any law or regulation to the contrary, the department shall not charge a fee for a criminal history record background check that exceeds the actual cost of conducting that check, as determined by the Attorney General. The Attorney General shall annually certify to the State Treasurer the cost per criminal history background check in the immediately preceding year.

C.15A:3A-3 Conditions under which a person is disqualified from service

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.

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.

C.15A:3A-4 Submissions, exchange of background check information.

4. a. Prospective or current employees and volunteers of nonprofit youth serving organizations shall submit their name, address, fingerprints and written consent to the organization for the criminal history record background check to be performed. The organization shall supply this documentation to the Attorney General, who shall coordinate the background check.

b. The Attorney General is authorized to exchange fingerprint data with, and receive criminal history record information for use by nonprofit youth serving organization from the Federal Bureau of Investigation, Identification Section and the Division of State Police, Bureau of Identification and such other law enforcement agencies and jurisdictions as may be necessary for the purposes of this act.

c. The department shall act as a clearinghouse for the collection and dissemination of information obtained as a result of conducting criminal history record background checks pursuant to this act.

C.15A:3A-5 Rules, regulations.

5. The Attorney General, pursuant to the "Administrative Procedure Act," PL. 1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and regulations to effectuate the purposes of this act concerning access to and dissemination of information obtained as a result of conducting a criminal history record background check.

6. This act shall take effect 90 days following enactment.

Approved January 18, 2000.