

**AN ORDINANCE CREATING A NEW CHAPTER 6 IN THE MUNICIPAL CODE OF THE TOWNSHIP OF READINGTON ENTITLED “BACKGROUND CHECKS – YOUTH-SERVING ORGANIZATIONS” TO REQUIRE BACKGROUND CHECKS FOR EMPLOYEES AND VOLUNTEERS UNDER CERTAIN CIRCUMSTANCES**

**Ordinance #10-2026**

**WHEREAS**, it is the desire of the Township Committee to create a new chapter in the municipal code thereof concerning background checks for employees and volunteers that serve non-profit youth-serving organizations as defined below; and

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Committee of Readington Township as follows:

**Section I**

There is hereby established Chapter 6 in the municipal code of the Township of Readington entitled “Background Checks – Youth-Serving Organizations.”

**Section II**

Section 4-1 is hereby created in Chapter 6 of the municipal code of the Township of Readington and shall appear as follows (all text novel):

Section 6-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**TOWNSHIP-SPONSORED PROGRAMS** — Any programs sponsored by the Township which provide and utilize Township facilities and/or Township property.

**CRIMINAL HISTORY RECORD BACKGROUND CHECK** — A determination of whether a person has a criminal record by cross-referencing that person's name and/or fingerprints with those on file with the Federal Bureau of Investigation, Identification Division and/or the State Bureau of Identification of the New Jersey State Police.

**CRIMINAL HISTORY RECORD INFORMATION OR CHRI** — Information collected by criminal justice agencies concerning persons and stored in the computerized databases of the New Jersey State Police SBI Criminal History Information System, the National Law Enforcement Telecommunications System or other states' computerized repositories containing criminal history record information consisting of identifiable descriptions and notations of arrests, indictments, or other formal criminal charges, and any dispositions arising therefrom, including convictions, dismissals, correctional supervision and release.

**DEPARTMENT** — The Township of Department of Recreation.

**NON-CRIMINAL JUSTICE PURPOSE** — Any purpose, other than administration of criminal justice

or criminal justice purpose, including employment and licensing, for which applicant fingerprints or name search requests are submitted by authorized requesters, as required or permitted by a federal or state statute, rule or regulation, executive order, administrative code provision, local ordinance, resolution or by this chapter, to the State Bureau of Identification for the dissemination of criminal history record information.

**NONPROFIT YOUTH-SERVING ORGANIZATION OR ORGANIZATION** — A corporation, association or other organization established pursuant to any law of the State of New Jersey, organized and sponsored by the Township of Readington (Township-Sponsored Programs), 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.

**STATE BUREAU OF IDENTIFICATION OR SBI** — The New Jersey State Bureau of Identification created by P.L. 1930, c. 65 (N.J.S.A. 53:1-12 et seq.) as a bureau within the Division of State Police.

### **Section III**

Section 6-2 is hereby created in Chapter 6 of the municipal code of the Township of Readington and shall appear as follows (all text novel):

Section 6-2 Request for criminal background checks; cost.

- A. The Township requires that all employees and volunteers of a nonprofit youth-serving organization 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. The Division of State Police shall inform the Department whether the person's criminal history record background check reveals a conviction of a disqualifying crime or offense set forth in § 6-3 of this chapter.
- C. The Township shall conduct a criminal history record background check only upon receipt of the written consent to the check from the prospective or current employee or volunteer.
- D. The Township shall bear the costs associated with conducting the criminal history record background checks.

### **Section IV**

Section 6-3 is hereby created in Chapter 6 of the municipal code of the Township of Readington and shall appear as follows (all text novel):

Section 6-3 Conditions under which a person is disqualified from service.

- A. 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 or offenses:

- (1) In New Jersey, any crime or more than one disorderly persons offense:
  - (a) Involving danger to the person, meaning those crimes and disorderly persons offenses set forth in:
    - [1] N.J.S.A. 2C:11-1 et seq., homicide/manslaughter;
    - [2] N.J.S.A. 2C:12-1 et seq., assault (atrocious through simple);
    - [3] N.J.S.A. 2C:13-1 et seq., kidnapping/criminal restraint/false imprisonment;
    - [4] N.J.S.A. 2C:14-1 et seq., sexual assault through lewdness; or
    - [5] N.J.S.A. 2C:15-1 et seq., robbery.
  - (b) Against the family, children or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:14-1 et seq.
  - (c) Involving theft as set forth in Chapter 20 of Title 2C of the New Jersey Statutes.
  - (d) 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.A. 2C:35-10, Drug Offenses.
- (2) 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(1) of this section.

- B. For purposes of interpreting the information recorded in a criminal history record to determine the qualifications of the employee or volunteer of a nonprofit youth-serving organization and/or the employee or volunteer involved with the Township-sponsored programs involving minors, the Township shall presume that the employee or volunteer is not guilty of any charges or arrests for which there are no final dispositions on the record. The search results of the employee or volunteer determine whether the employee or volunteer is qualified or disqualified. The search results shall be sent by the New Jersey State Police to the Director of Recreation, who shall inform the employee or volunteer of the disqualification. Any employee or volunteer dissatisfied with the determination of the background search shall be entitled to file an appeal with the Criminal Background Check Appeal Panel created pursuant to Section 6-6 of this chapter.

## Section V

Section 6-4 is hereby created in Chapter 6 of the municipal code of the Township of Readington and shall appear as follows (all text novel):

Section 6-4 Submissions; Exchange of background check information.

- A. Prospective or current employees and volunteers of nonprofit youth-serving organizations and/or employees and volunteers of Township-sponsored programs involving minors 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 submit this documentation to the Director of Recreation for the Township of Readington, or their designee, who shall coordinate the background check.

- B. 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 chapter.
- C. The Township may, in its discretion, engage the services of a third-party independent agency to conduct the criminal history record background checks authorized under this chapter.

## **Section VI**

Section 6-5 is hereby created in Chapter 6 of the municipal code of the Township of Readington and shall appear as follows (all text novel):

Section 6-5    Limitation on access and use of criminal history record background checks.

- A. Access to criminal history record information for non-criminal justice purposes, including licensing and employment, is restricted to authorized personnel of the nonprofit youth-serving organization and/or the Township-sponsored program involving minors, on a need- to-know basis, as authorized by federal or state statute, rule or regulation, executive order, administrative code, local ordinance or resolution regarding obtaining and dissemination of criminal history record information obtained under this chapter.
- B. Such persons or organizations shall limit their use of criminal history record information solely to the authorized purpose for which it was obtained, and criminal history record information furnished shall not be disseminated to persons or organizations not authorized to receive the records for authorized purposes. Use of this record shall be limited solely to the authorized purpose for which it was given and it shall not be disseminated to any unauthorized persons. This record shall be destroyed immediately after it has served its intended and authorized purpose. Improperly disclosing criminal history record information intentionally shall be deemed a petty disorderly conduct and subject to a fine of \$200 and up to 30 days in jail.

## **Section VII**

Section 6-6 is hereby created in Chapter 6 of the municipal code of the Township of Readington and shall appear as follows (all text novel):

Section 6-6    Disqualification; Notification; Appeal.

Any employee or volunteer disqualified pursuant to this Article shall be notified by the Department or the Recreation Director at the conclusion of the background check process. Any employee or volunteer so disqualified shall have the right to appeal said disqualification, including the accuracy of the criminal history record, upon notice to the Department or Recreation Director in writing within five (5) business days of the receipt of the determination of disqualification. The employee or

volunteer must request a copy of their criminal history report and, upon receipt by the employee or volunteer of said report, the employee or volunteer shall contact the Department or Recreation Director to schedule an appeal meeting.

Any appeal filed with the Township pursuant to this section shall be before a three-person appeal panel consisting of: 1) Township Administrator or his/her designee; 2) Police Chief or his/her designee; 3) Recreation Director or his/her designee. It shall be the obligation of the employee or volunteer to provide the appeal panel with a copy of the criminal history report and any other information that may be relevant to the consideration of the appeal. The appeal panel shall be empowered to hear and adjudicate the appeal of the employee or volunteer's disqualification and may uphold or dismiss the disqualification at its sole discretion. The appeal panel shall transmit its decision to the employee or volunteer within seven (7) business days of the hearing.

### **Section VIII**

Section 202-3 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

- A. All coaches and assistant coaches for youth sports must possess a valid coach's card and must have attended and passed the Rutgers Youth Sports Council's Safety Clinic (or another equivalent training program approved by the Readington Township Recreation Committee and Director) prior to coaching. This requirement may be temporarily waived by the Readington Township Director of Recreation for up to a maximum of 90 days if such training is unavailable. However, in all cases, the training must be completed within 21 days after the first day that the sports program begins.
- B. Every coach and assistant coach of a youth sport must **complete a satisfactory background check pursuant to Chapter 6 of this code and comply with all provisions thereof prior to participation in any Township-sponsored program or event** ~~first successfully pass a background investigation by the New Jersey State Police as described by the Volunteer Review Operation (VPR) Program.~~
- C. All individual players, coaches and parents shall be required to sign the Township's form of code of conduct prior to participation. The applicable codes of conduct are on file at the Recreation Director's office at the Readington Township Municipal Building.

### **Section IX**

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

### **Section X**

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

### **Section XI**

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law.

A TRUE COPY OF WHICH ORDINANCE IS PRINTED ABOVE WAS INTRODUCED AT THE MEETING OF THE TOWNSHIP COMMITTEE ON **APRIL 6, 2026** AND THAT IT IS THE INTENTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON TO CONSIDER PASSAGE OF SAID ORDINANCE AT THE REGULAR MEETING OF THE TOWNSHIP COMMITTEE TO BE HELD AT THE MUNICIPAL BUILDING, 509 ROUTE 523, WHITEHOUSE STATION, NEW JERSEY, ON **MAY 4, 2026 AT 6:30 P.M.** AT WHICH TIME AND PLACE, OR AT ANY TIME OR PLACE TO WHICH THE MEETING SHALL BE FROM TIME TO TIME ADJOURNED AN OPPORTUNITY WILL BE GIVEN TO ALL PERSONS WHO MAY BE INTERESTED THEREIN TO BE HEARD CONCERNING SAID ORDINANCE.

ANN MARIE LEHBERGER, *RMC*  
MUNICIPAL CLERK