

JUNE 9, 2011

TO: Chief School Administrators/Charter School Administrators

FROM: Robert J. Cicchino, Director  
Office of Fiscal Accountability and Compliance

SUBJECT: Criminal History Record Checks for School Board Members and Trustees  
Of Charter Schools

**IMPORTANT UPDATE INFORMATION CONCERNING CRIMINAL HISTORY FINGERPRINTING PROCEDURES – PLEASE INFORM STAFF PERSONNEL RESPONSIBLE FOR PROCESSING THE BACKGROUND CHECKS OF THE UPDATED CHANGES TO THE PROCEDURES. THE NEW PROCEDURES ARE NOT REQUIRED FOR KINDERGARTEN PROGRAMS OPERATED BY LICENSED CHILD CARE CENTERS.**

On May 26, 2011, Governor Chris Christie signed into law, Assembly Bill 444 amending N.J.S.A. 18A: 12-1 et seq., that members of a board of education or members of a board of trustees of a charter school, undergo a criminal history record check. This law takes effect immediately and requires that the criminal history record check be conducted within thirty (30) days of election or appointment to that board. Further, each board member or trustee of a charter school holding office on the effective date of the act shall comply with the criminal history background investigation requirements within thirty (30) days of the effective date.

Prior to the Department implementing the provisions of this law, notification must be made to the federal authorities who will review the provisions of N.J.S.A.18A:12-1 et seq. and, if acceptable, allow the Department access to the federal criminal history record database. Thereafter, the private LiveScan fingerprint vendor, as well as the Department, must implement changes to its system to accept the new law.

The Department is cognizant of the 30 day time frame for complying with the amendments to the law. This office will contact all educational facilities affected by the legislation with instructions on completing the necessary forms and scheduling appointments for the LiveScan fingerprinting process when the foregoing issues have been resolved.

Please do not submit board members or trustees of a charter school for the criminal history record check until notified by this office.

RJC/CHC/cc/criminal history record checks for board/trustee members

c: Members, State Board of Education  
Acting Commissioner Christopher D. Cerf  
Assistant Commissioners  
Executive County Superintendents  
Carl H. Carabelli