

**MANSFIELD TOWNSHIP  
BURLINGTON COUNTY**

**ORDINANCE 2011-4**

**AN ORDINANCE TO AMEND CHAPTER 9, BACKGROUND CHECKS**

**BE IT ORDAINED** by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that:

**WHEREAS**, background checks are required for volunteers for the Mansfield Township Recreation Association, and

**WHEREAS**, according to Section 9-1, the background checks are required for returning volunteers at the commencement of a new season.

**WHEREAS**, it has been determined that yearly background checks are not necessary every year for returning volunteers.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mansfield that Section 9-1 reflect that there be an every three year requirement for background checks for returning volunteers and should be amended as follows:

**Section 9-1. Background check required.**

- A.** General Requirement. All individuals seeking a volunteer or paid position within the Township shall be required to submit to mandatory background checks as outlined below, including both local background checks and national background checks. These requirements shall apply to new volunteers, elected officials and/or paid employees, as well returning volunteers, official and/or employees. Volunteers shall be considered “returning” upon the start of their third term in their position, or, in the case of coaches and related volunteers, at the commencement of their third consecutive season. Employees shall be considered “returning” in the event of separation of employment and rehire. The requirement may not be waived by the Township Committee or any other entity.

**BE IT FURTHER RESOLVED** Section 9-2 and Section 9-3 will be amended to indicate that the background checks will now be conducted by the State and Township Approved Company as follows:

**Section 9-2. Local background check.**

All Volunteers and employees shall be required to first submit to a local background check, which shall be conducted by a State and Township approved company. If the individual is found to be currently charged or previously convicted with any felony or any misdemeanor involving fraud, misrepresentation, dishonesty, violence or in any way involving a child, then that person shall be deemed to have failed the local background

check and shall not be permitted to remain in the position of employee or volunteer, as applicable. If there is no such finding(s), then the individual will be deemed to have passed the local background check and shall be considered, as appropriate, a “probationary volunteer” or “probationary employee.”

**Section 9-3. National background check.**

Following the local background check, all probationary volunteers and probationary employees shall be required to submit to a national background check, which will be processed through the State and Township approved company. The Township approved company is hereby authorized to use whatever database search processes necessary to effectuate this check. It is anticipated that this process will take approximately four to six weeks. If the national background check reveals that the probationary volunteer is currently charged or was previously convicted with any felony or any misdemeanor involving fraud, misrepresentation, dishonesty, violence or in any way involving a child, then that probationary volunteer or probationary employee shall be deemed to have failed the national background check and he or she shall not be permitted to remain in the position of employee or volunteer, as applicable. If there is no such finding, then the volunteer will be deemed to have passed the national background check and shall be permitted to proceed in his or her position without probationary status.

**REPEALER, SEVERABILITY AND EFFECTIVE DATE**

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
  
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable to any reason, then the Township Committee hereby declares its intent that the balance of the ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
  
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

INTRODUCED:        March 9, 2011  
ADOPTED:            March 23, 2011