



New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	122C	Manual of Requirements for Resource Family Parents	2-13-2012
Subchapter:	5	Personal Requirements	
Section	5	Child Abuse Record Information background checks (N.J.A.C. 10:122C-5.5)	

§10:122C-5.5 Child Abuse Record Information background checks

(a) Level I Child Abuse Record Information requirements are as follows:

1. As a condition of securing and maintaining a license, the resource family parent or applicant shall provide written consent to the Division for a Child Abuse Record Information (CARI) background check from each resource family parent or applicant, each household member at least 18 years of age, each new household member at least 18 years of age, and each household member who reaches 18 years of age.

2. If any person specified in (a)1 above refuses to consent to a CARI background check, the Office of Licensing shall deny the application or suspend, revoke or refuse to renew the license, as applicable. The resource family parent or applicant may appeal the denial, suspension, revocation or refusal to renew, as specified in N.J.A.C. 10:122C-2.5.

3. Upon receipt of written consent from a person specified in (a)1 above, the Division shall conduct a search of its records to determine if an incident of child abuse or neglect has been substantiated, pursuant to section 4 of P.L. 1971, c. 437 (N.J.S.A. 9:6-8.11), against the person. The Department shall consider incidents of child abuse or neglect that were substantiated on or after June 29, 1995, to ensure that the perpetrator has had an opportunity to appeal a substantiated finding. The Department may consider substantiated incidents prior to that date if the Department, in its judgment, determines that the perpetrator poses a risk of harm to a child in a resource family home. In cases involving incidents substantiated prior to June 29, 1995, the Department shall offer the perpetrator an opportunity for a hearing to contest the substantiation, in accordance with N.J.A.C. 10:120A.

4. The Division shall request information from another state's child abuse and neglect registry when any resource family parent or applicant

or household member is at least 18 years of age and has resided in any state other than New Jersey during the past five years.

(b) If the Department determines that an incident of child abuse or neglect by any person specified in (a)1 above has been substantiated, the Office of Licensing shall deny the application or suspend, revoke or refuse to renew the license, as applicable; except that the Office may issue a license if all of the following conditions have been met:

1. No person specified in (a) above has been responsible for an incident of sexual abuse of a child or an incident of child abuse or neglect that caused serious injury or harm to a child, or has caused death to a child through abuse or neglect, or has put a child at risk of serious injury or harm;
2. A child in placement is already living in the home, or a child is recommended for placement in the home;
3. The Division or contract agency having supervision of the child has determined that there is no danger to the child if he or she remains or is placed in the home;
4. The Division or contract agency having supervision of the child has determined that it is in the child's best interest to remain or to be placed in the home; and
5. The Office of Licensing has given approval for the resource family home to be open for all children already in placement or recommended for placement in the home.