

<i>Policy</i>	<i>Title</i> CORI REQUIREMENTS	<i>Code</i> ADDA
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HOLLISTON

It shall be the policy of the Holliston Public School District to obtain all available Criminal Offender Record Information (CORI) from the Criminal History Systems Board (CHSB) on any person whose services are to be utilized in any of the following capacities:

1. Prospective employees or volunteers of the school department, including any individual who regularly provides school related transportation to children, who may have direct and unmonitored contact with children prior to their hiring or acceptance as a volunteer.
2. Current employees, individuals who regularly provide school related transportation, and volunteers who may have direct and unmonitored contact with children on a periodic basis, not less than every three years.
3. Any employee of a taxicab company, which has contracted to provide transportation to students, who may have direct and unmonitored contact with such students, prior to the commencement of such transportation.

In accordance with state law, all current and prospective employees, volunteers, and persons regularly providing school related transportation to children of the school district shall sign a request form authorizing receipt by the district of all available CORI data from the CHSB. In the event that a current employee has questions concerning the signing of the request form, he/she may meet with the Superintendent; however, failure to sign the CORI request form will result in disciplinary action, up to and including termination of employment. Completed request forms will be kept in secure files in Central Office. As part of the CORI process, all applicants shall provide Holliston with a government-issued photographic form of identification that allows Holliston to verify the applicant's identity. Holliston shall maintain a copy of any such photographic identification to document the verification process.

CORI is not subject to the public records law and must be kept in a secure location in Central Office, separate from personnel files and may be retained for not more than three years. CORI may be shared with the individual to whom it pertains by application submitted with 24-hour notice to the Superintendent. Applicants challenging the accuracy of the report shall be provided a copy of CHSB's ***Information Concerning the Process in Correcting Criminal Record.***

Access to CORI material must be restricted to the Superintendent, Assistant Superintendent (or their certified designees) and Executive Assistant. Only the Superintendent and Assistant Superintendent shall be agents of the District authorized to request CORI from the CHSB. In order to provide an informed review of a criminal record the Superintendent and Assistant Superintendent will be thoroughly familiar with the educational materials made available by CHSB. The Executive Assistant is authorized to process forms and maintain CORI files. The School Committee shall have the authority to request and review CORI for the Superintendent. If confidentiality is breached by any of these individuals, disciplinary action will result. In the case of prospective employees or volunteers, CORI material should be obtained only where the Superintendent or Assistant Superintendent has determined that the applicant is qualified and may forthwith be recommended for employment or volunteer duties.

The hiring authority, subject to applicable law, reserves the exclusive right concerning any employment decision made pursuant to Chapter 385 of the Acts of 2002. Ultimate decisions regarding employment are fully within the executive prerogative of the administrator and will be based on an assessment whether the individual poses a threat to himself or others. If administration deems adverse action on employment must be taken, then the individual will be afforded all contractual and legal rights available to them.

Where CORI checks are part of a general background check for employment, volunteer work or licensing purposes, the following practices and procedures will generally be followed.

1. CORI checks will only be conducted as authorized by CHSB. All applicants will be notified that a CORI check will be conducted. If requested, the applicant will be provided with a copy of the CORI policy.
2. An informed review of a criminal record requires adequate training. Accordingly, all personnel authorized to review CORI in the decision-making process will be thoroughly familiar with the

educational materials made available by CHSB.

3. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determination of suitability based on CORI checks will be made consistent with this policy and any applicable law or regulations.
4. If a criminal record is received from CHSB, the authorized individual will closely compare the record provided by CHSB with the information on the CORI request form and any other identifying information provided by the applicant, to ensure the record relates to the applicant.
5. If Holliston is inclined to make an adverse decision based on the results of the CORI check, the applicant will be notified immediately. The applicant shall be provided with a copy of the criminal record and the organization's CORI policy, advised of the part(s) of the record that make the individual unsuitable for the position or license, and given an opportunity to dispute the accuracy and relevance of the CORI record.
6. Applicants challenging the accuracy of the policy shall be provided a copy of CHSB's ***Information Concerning the Process in Correcting a Criminal Record***. If the CORI record provided does not exactly match the identification information provided by the applicant, Holliston will make a determination based on a comparison of the CORI record and documents provided by the applicant. Holliston may contact CHSB and request a detailed search consistent with CHSB policy.
7. If Holliston reasonably believes the record belongs to the applicant and is accurate, based on the information as provided in section 6 above, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but are not limited to the following:
 - (a) Relevance of the crime to the position sought;
 - (b) The nature of the work to be performed;
 - (c) Time since the conviction;
 - (d) Age of the candidate at the time of the offense;
 - (e) Seriousness and specific circumstances of the offense;
 - (f) The number of offenses;
 - (g) Whether the applicant has pending charges;
 - (h) Any relevant evidence of rehabilitation or lack thereof;
 - (i) Any other relevant information, including information submitted by the candidate or requested by the hiring authority.
8. Holliston will notify the applicant of the decision and the basis of the decision in a timely manner.

The Superintendent shall ensure that on the application for employment and/or volunteer form there shall be a statement that as a condition of employment or volunteer service the school district is required by law to obtain CORI for any employee, individual who regularly provides school related transportation, or volunteer who may have direct and unmonitored contact with children. Current employees, persons regularly providing school related transportation and volunteers shall also be informed in writing by the Superintendent prior to the periodic obtaining of their CORI.

The Superintendent shall revise contracts with special education schools and other providers to require a signed statement that the provider has met all the legal requirements of the state where it is located relative to criminal background checks for employees and others having direct and unmonitored contact with children.

As soon as possible after the district obtains the certification from the CHSB to receive CORI data, the Superintendent shall obtain such data for any person then providing volunteer service, as a condition of continued service.

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Second Reading:	December 17, 2003
Third Reading:	February 4, 2004, April 1, 2004
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Legal References:	M.G.L. 71:38R, 151B, 276, § 100A, St.2002, c.385; MCAD Regulations and D.O.E. Advisory on CORI Law (February 17, 2003); M.G.L. Chapter 6, Section 172I
Policy Cross Reference:	Replaces GCF
Procedure Reference:	ADDA-P (CORI Checks)

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