

C.O.R.I REQUIREMENTS

It shall be the policy of the Saugus Public Schools (“SPS”) to obtain all available Criminal Offender Record Information (CORI) from the Department of Criminal Justice Information Services (“Department”)¹ of: (1) prospective employee(s) or volunteer(s) of SPS, who may have direct and unmonitored contact with children, including any individual who regularly provides transportation to children; (2) subcontractors or laborers who have been commissioned by the School Committee to perform work on school grounds, who may have direct and unmonitored contact with children; (3) employees of taxicab companies that have contracted with SPS to provide transportation for its students, who may have direct and unmonitored contact with children.

The School Committee, Superintendent, or Principal and his/her certified designees shall periodically, but not less than every three (3) years, obtain all available Criminal Offender Record Information from the Department on all employees, individuals who regularly provide school related transportation to children, including taxicab company employees, and volunteers who may have direct and unmonitored contact with children, during their term of employment or volunteer service.

The Superintendent, and or his/her certified designees may also have access to Criminal Offender Record Information for any subcontractor or laborer who performs work on school grounds, and who may have direct and unmonitored contact with children, and shall notify them of this requirement and comply with the appropriate provisions of this policy.

Pursuant to a Department of Education CORI Law Advisory dated May 7, 2007, “‘Direct and unmonitored contact with children’ means contact with a child when no other CORI cleared employee of the school or district is present. A person having only the potential for incidental unsupervised contact with children in commonly used areas of the school grounds, such as hallways, shall not be considered to have the potential for direct and unmonitored contact with children. These excluded areas do not include bathrooms and other isolated areas (not commonly utilized and separated by sight or sound from other staff) that are accessible to students.”

In accordance with state law, all current and prospective employees, volunteers and persons regularly providing school transportation to children of the School District shall sign a request form authorizing receipt by the district of all available CORI data from the Department. If requested, a copy of the SPS CORI policy will be provided. In the event that a current employee has questions concerning the signing of the request form, he/she may meet with the Principal or Superintendent; however, failure to sign the CORI request form may result in a referral to local counsel for appropriate action. Completed request forms must be kept in secure files. The School Committee, Superintendent, Principal or their designees certified to obtain information under this

¹ Effective November 4, 2010, the Criminal History Systems Board (“CHSB”) was renamed the Department of Criminal Justice Information Services.

policy, shall prohibit the dissemination of school information for any purpose other than to further the protection of school children.

CORI is not subject to the public records law and must be kept in a secure location, separate from personnel files and may be retained for not more than three (3) years. CORI may be shared with the individual to whom it pertains, upon his or her request, and in the event of an inaccurate report the individual should contact the Department.

Access to CORI material must be restricted to those individuals certified to receive such information. In the case of prospective employees or volunteers, CORI material should be obtained only where the Superintendent or his designee 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 for the Acts of 2002. The employer may consider the following factors when reviewing CORI: the type and nature of the offense; whether the charge resulted in a conviction; the type of sentence; whether the individual successfully completed probation; the date of the offense; and, whether the individual has subsequently been arrested.

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 that SPS is required by law to obtain Criminal Offender Record Information 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 Criminal Offender Record Information.

Employment applications will comply with M.G.L. c. 151B, § 4(9½).

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.

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