

## BROCKTON PUBLIC SCHOOLS SCHOOL COMMITTEE POLICY

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Where Criminal Offender Record Information (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.

- I. The Brockton Public Schools will conduct criminal record information (CORI) checks on the following **Individuals** who may have direct and unmonitored contact with children: current and prospective employees, volunteers, transportation providers employed or contracted by the Brockton Public Schools, subcontractors or laborers commissioned to do work on school grounds. The CORI checks shall be completed on said individuals not less than once every three years.

Pursuant to a Massachusetts D.E.S.E. Advisory on CORI Law dated May 7, 2007, "Direct and unmonitored contact with children" means contact with a child when no other CORI cleared employee of the school district is present. A person having only the potential for incidental unsupervised contact with children in the 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."

- II. CORI checks will only be conducted as authorized by the Department of Criminal Justice Information Services (DCJIS). All individuals will be notified that a CORI check will be conducted. A copy of the Brockton Public Schools CORI Policy shall be provided to any individual whose CORI check is returned with a criminal history. Upon request, any individual for whom a CORI check was completed will be provided with a copy of the Brockton Public Schools CORI policy.
- III. 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 the DCJIS and will be currently certified to access CORI by the DCJIS.
- IV. Unless otherwise provided by law, a criminal record will not automatically disqualify an individual. Rather, determinations of suitability based on CORI checks will be made consistent with this policy and any applicable law or regulations. Any CORI, other than a "No Record" CORI will be reviewed by the District's CORI review panel which shall include the Executive Director of Operations, the CORI Administrator and the Brockton Police Department liaison. Their determination will be based on items outlined in Item # VIII.
- V. If a criminal record is received from the DCJIS, the review panel will closely compare the record provided by the DCJIS with the information on the CORI request form and

any other identifying information provided by the individual, to ensure the record relates to the individual.

- VI. If the Brockton Public Schools is inclined to make an adverse decision based on the results of the CORI check, the individual will be notified immediately. The individual shall be provided with a copy of the criminal record and the Brockton Public Schools' CORI policy, advised of the part(s) of the record that make the individual unsuitable for the position and given an opportunity to dispute the accuracy and relevance of the CORI record.
- VII. Individuals challenging the accuracy of the record shall be provided a copy of The DCJIS'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 individual, the Brockton Public Schools will make a determination based on a comparison of the CORI record and documents provided by the individual. The Brockton Public Schools may contact DCJIS and request a detailed search consistent with DCJIS policy.
- VIII. If the Brockton Public Schools reasonably believes the record belongs to the individual and is accurate, based on the information as provided in section V of this policy, then the determination of suitability for the position will be made.

Unless otherwise provided by law, factors considered in determining suitability may include, but not be 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 offense;
  - (d) Age of the individual at the time of the offense;
  - (e) Seriousness and specific circumstances of the offense;
  - (f) The number of offenses;
  - (g) Whether the individual has pending charges;
  - (h) Any relevant evidence of rehabilitation or lack thereof;
  - (i) Any other relevant information, including information submitted by the individual or requested by the hiring authority
- IX. The Brockton Public Schools will notify the individual of the decision and the basis of the decision in a timely manner.