



CORI REQUIREMENTS

Background In 2002 the Massachusetts Legislature passed Chapter 385 of the Acts of 2002, An Act Further Protecting Children. This statute required all schools to conduct Criminal Offender Record Information (CORI) checks on all current and prospective employees, including school transportation drivers, and any volunteers who may have "direct and unmonitored contact with children."

The Department of Education (DOE) issued an advisory on the new CORI laws in February 2003, in which it clarified for school departments how to interpret and implement the CORI laws. In addition, the DOE recommended that school districts develop, amend and adopt CORI policies to reflect the changes in the law. The DOE clearly spelled out elements that should be considered in developing and adopting a district-wide CORI policy. The Legislature enacted new regulations effective July 1, 2005. These regulations require the collection of additional information in order to verify an applicant's identity, the opportunity for an applicant to challenge the accuracy and relevance of the CORI prior to an adverse decision, and that CORI authorized employees meet enhanced administrative responsibilities and comply with the agency's CORI certification.

Definitions The most important clarification is what is meant by "direct and unmonitored contract with children." According to the DOE Advisory on CORI from February 2003, "Direct and unmonitored contract 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 school grounds, such as hallways, shall not be considered to have the potential for direct and unmonitored contract 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."

A CORI Policy for the Lincoln Public Schools

1. All current and prospective employees of the Lincoln Public Schools, including faculty, aides, tutors, administration, custodial staff, transportation providers and any other employees who may have direct and unmonitored contact with children will be required to undergo CORI checks as a condition of their employment. In addition, individuals providing consulting services, subcontractors and certain categories of volunteers will be asked to undergo CORI checks: these include chaperones for all field trips (both day trips and overnight), METCO host families, and any other volunteers or consultants who may have direct and unmonitored contact with a child other than their own.

The Superintendent's Office will maintain a list of volunteers who have undergone CORI checks, and will provide this list to the principal's office. In planning volunteer assignments for a field trip, teachers will have to check their list of volunteers against the list in the school office, and get in touch with the Superintendent or his/her designee with any questions.

2. Current employees will be informed of the Lincoln Public Schools' CORI policy in writing. All prospective employees will be informed of the policy at the time of their interview.

Volunteers are encouraged to work in the Lincoln Public Schools, and their contributions are valued. Anyone volunteering for a job that has been determined by the staff to potentially place volunteers in direct and unmonitored contact with children, such as those volunteering to chaperone field trips, must undergo a CORI check. Volunteers will be informed of the need for a CORI check and the procedures for doing so through a letter sent home with an attached application form.

3. In the event that a current employee refuses to sign the CORI Request Form, a meeting with the Superintendent will be scheduled to review concerns, and legal counsel will provide advice. Future employees or volunteers who refuse to sign the CORI Request Form will not be allowed to work or volunteer in positions that put them in direct and unmonitored contact with children in the Lincoln Public Schools.
4. In accordance with Massachusetts General Law, Chapter 385 of the Acts of 2002, all current and prospective employees, transportation providers, and volunteers who may have direct and unmonitored contact with children, must sign a request form that authorizes the school district to request and maintain all available CORI data. CORI data that is returned to the district will be kept in separate locked files. The authorized CORI recipients at the school (the Superintendent and his/her designee, the Assistant Superintendent, the Executive Assistant to the Superintendent) will ensure that completed CORI data is maintained and not disseminated. Absolute confidentiality about results of CORI checks will be maintained.
5. The Superintendent or his/her designee, the Assistant Superintendent, and the Executive Assistant to the Superintendent are the only ones who will request, review and maintain CORI records.
6. The Superintendent shall have the ultimate discretion as to the determination of an individual's eligibility for employment or service based on the CORI record. He/she will consider both the nature of any offenses and when they took place. Legal counsel will be consulted with any questions as to an employee or prospective employee's eligibility.
7. If the Lincoln Public Schools 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 and given an opportunity to dispute the accuracy and relevance of the CORI record.

Applicants challenging the accuracy of the CORI information shall be provided a copy of the Criminal History Systems Board's (CHSB) *Information Concerning the Process in Correcting a Criminal Record*. If the CORI record does not exactly match the identification information provided by the applicant, the Lincoln Public Schools will make a determination based on a comparison of the CORI record and the documents provided by the applicant. The Lincoln Public Schools may contact CHSB and request a detailed search consistent with CHSB policy.

Lincoln Public Schools will notify the applicant of the decision and the basis of the decision in a timely manner.

8. Staff handbooks, employment applications and other relevant documents will be amended to include updated information about CORI policies and procedures.

Legal Reference: Chapter 385 of the Acts of 2002, An Act Further Protecting Children
M.G.L. Ch.71§38R