Criminal And Sex Offender Background Check Policy For Camp Employees and Volunteers

This policy is applicable to the criminal history screening of prospective and current summer camp employees and volunteers.

Gordon College (the “College”) conducts criminal background checks by obtaining Criminal Offender Record Information/Juvenile Report (“CORI”) from the Massachusetts Department of Criminal Justice Information Services (“DCJIS”) and national criminal record databases and Sex Offender Registration Information (“SORI”) from the Sex Offender Registry Board (“SORB”) and other state sex offender registries.

Where CORI and other criminal history checks may be part of a general background check for employment or volunteer service, the following practices and procedures will be followed.

Conducting CORI Screening

CORI checks will be conducted as authorized by the DCJIS and MGL c. 6, § 172, after the College obtains a completed CORI Acknowledgement Form.

If a new CORI check is to be conducted on an individual within a year of his/her signing of the CORI Acknowledgement Form, the individual will be given seventy two (72) hours notice that a new CORI check will be conducted.

Access To CORI

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a “need to know.” This may include, but not be limited to: hiring managers, staff submitting CORI requests, and staff responsible for processing job applications. The College will maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list will be updated every six (6) months and is subject to inspection upon request by the DCJIS.

Secondary Dissemination Logs

All CORI obtained from the DCJIS is confidential and will only be disseminated as authorized by law and regulation. A “secondary dissemination log” shall be used to record any dissemination of CORI outside of the College, including dissemination at the request of the individual who is the subject of the CORI.

CORI Training

An informed review of a criminal record requires training. Accordingly, all College personnel authorized to review or access CORI or any other information obtained via criminal history background checks will review, and will be thoroughly familiar with, the
educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

Use Of Criminal History In Background Screening

CORI used for employment purposes will only be accessed for applicants who are otherwise qualified for the position for which they have applied and who have received a conditional offer of employment.

Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this policy and applicable laws and regulations.

Procedures

A. Each individual will be required to complete and sign a CORI Acknowledgement Form in conjunction with any application for employment with the College. If the College decides to make an offer of employment or approves an individual for service as a volunteer, such offer or approval is expressly conditioned upon receipt of satisfactory CORI report, as determined in the sole discretion of the College.

B. Individuals may also be required to complete and sign a CORI Acknowledgement Form on a periodic basis. This form must be completed within three (3) business days following receipt of the form. Continued employment or volunteer service is expressly conditioned upon receipt of a satisfactory CORI check, as determined in the sole discretion of the College.

C. The College will send a request for SORI to the SORB and other state sex offender registries. The process of obtaining SORI reports can take several days. The College will send a request for CORI to the DCJIS. CORI Reports are available online, and are usually available immediately after the request is made.

D. A SORI report identifying an individual as a sex offender will result in disqualification from employment with the College.

E. If a criminal record is received from the DCJIS, the information will be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the individual, to ensure that the criminal record belongs to the individual.

If the information in the CORI record provided does not exactly match the identification information provided by the individual, a determination will be made, by an individual authorized to make such determinations, based on a comparison of the CORI record and documents provided by the individual.

F. If a determination is made that the criminal record belongs to the individual, then a determination of suitability for the position will be made by the College. In
determining whether an individual’s CORI Report is acceptable, the College will consider applicable laws and regulations and the nature of the conviction and/or pending charge information. A conviction or pending charge for certain child-related offenses, such as acts of violence against individuals or property, drug offenses or sexual offenses, as mentioned above, will almost always result in disqualification from employment with the College. A conviction or pending charge for other offenses may result in disqualification from employment with the College, as determined within the sole discretion of the College.

G. If the College is inclined to: (1) rescind an offer of employment or volunteer service based on information contained in a CORI Report, (2) terminate the employment of a current employee or volunteer service of a current volunteer based on information contained in a CORI Report, or (3) question an applicant, employee, or volunteer regarding his or her CORI Report, the College will first:

- Notify the individual of the potential adverse decision based on the CORI Report;
- Provide a copy of the CORI Report to the individual which shall include the source of the CORI Report;
- Provide a copy of the College’s Criminal and Sex Offender Background Check Policy to the individual;
- Provide a copy of the DCJIS “Information Concerning the Process in Correcting a Criminal Record” to the individual;
- Inform the individual of the specific part of the CORI that appears to make the individual ineligible for employment;
- Provide the individual with an opportunity to dispute the accuracy and relevance of the CORI Report, including whether the CORI Report relates to the specific individual;
- Consider the following factors in determining suitability for employment or volunteer service unless otherwise provided by law:
  (1) Relevance of the record to the position sought;
  (2) The nature of the work to be performed;
  (3) Time since the conviction or completion of any resulting sentence;
  (4) Age of the individual at the time of the offense;
  (5) Nature, seriousness and specific circumstances of the offense;
  (6) The number of offenses;
  (7) Whether the applicant has pending charges;
  (8) Any relevant evidence of rehabilitation or lack thereof;
  (9) The degree of satisfaction of any parole or probation conditions;
  (10) The length and consistency of employment before and after the offense;
  (11) Employment or character references and any other information regarding fitness for the particular position, as evaluated in light of the CORI Report (as distinguished from
the reference check conducted prior to making an offer for employment);
(12) Whether the individual presents evidence that he or she is bonded under a federal, state, or local bonding program; and
(13) Any other relevant information, including information submitted by the candidate or requested by the College.

- Upon receipt of additional documentation from the individual and/or the DCJIS, review the information with the individual and inform the individual of the College’s final decision in a timely manner; and
- Document all steps taken to comply with this regulation.

Self-Reporting

In accordance with applicable law, employees are required to self-report any felony convictions to Human Resources. The College will review the nature of the crime and make a determination on what, if any, action should be taken. Failure to report being charged with a felony conviction may result in disciplinary action, up to and including termination of employment.