



Human Resources Department

UMass Lowell Criminal Offender Record Information (CORI) Policy **(For Faculty/ Staff)**

PURPOSE

The University of Massachusetts, Lowell seeks to provide a safe and productive environment for faculty and staff, students and visitors. To accomplish this goal, the University performs criminal history record checks for certain positions to identify individuals who have committed serious crimes and are disqualified from employment by law or because their presence in the work place would create an unacceptable risk to our University community.

SCOPE

This policy is applicable to all full-time, part-time, or temporary faculty, staff, volunteer and contract positions where it is required by law or prudent to complete a CORI check and exclude persons with a criminal history from employment. The University currently conducts criminal history record checks for positions in safety, residence life, education, outreach programs and other positions with the potential for unmonitored access to minors, underage students, the elderly, disabled or the infirm. The University reserves the right to perform criminal history record checks for other positions, such as those requiring financial or fiduciary responsibility, or in individual circumstances whenever it is deemed appropriate to protect the interests of the University.

POLICY REQUIREMENTS:

- All personnel who would be part of the CORI review process must be CORI certified to participate in the review.
- 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 available by the Criminal History Systems Board (CHSB).
- Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on CORI checks will be made consistent with this policy and any applicable laws or regulations.

PROCEDURE

1. The Human Resources Department will initiate a CORI check for current employees and for candidates seeking positions or assignments for which a CORI review is required; as needed and governed within the scope of this policy. If requested, the applicant or employee will be provided with a copy of the CORI policy.

2. Current and prospective employees and/or volunteers must complete and sign the CORI request form acknowledging that a CORI check will be conducted by the Criminal History Systems Board and submit the form in addition to a copy of a government issued photo ID; witnessed by Human Resources or the appropriate University designee.
3. The CORI Request form must be completed within two working days of the job offer. Conditional job offers may be extended pending the results of the criminal history record check.
4. Human Resources will process the signed CORI Request form with the Criminal Systems History Board (CHSB) after a request form is received.
5. If no criminal record is received from the CHSB, HR will notify the certified staff members in the respective departments.
6. If a criminal record is received from CHSB, Human Resources 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.
7. Once HR has ensured that the record relates to the individual; HR will consult with the appropriate Department Head or designee on the relevance of the record to the placement and if it would disqualify the individual.
8. If the record does not disqualify the individual, HR will document the reasons for the decision.
9. If after discussion with the Department Head or designee, UMass Lowell is inclined to make an adverse decision based on the results of the CORI check and no evidence of inaccuracy is determined, HR will notify the applicant or employee. The applicant / employee shall be provided with a copy of the report, a copy of this 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, before a final decision is made.
10. Applicants challenging the accuracy of the criminal record shall be provided a copy of CHSB's *Information Concerning the Process in Correcting a Criminal Record*. If the criminal record provided does not exactly match the identification information provided by the applicant, UMass Lowell will make a determination based on a comparison of the CORI record and documents provided by the applicant. UMass Lowell may contact CHSB and request a detailed search consistent with CHSB policy.
11. If UMass Lowell reasonably believes the record belongs to the applicant and is accurate, then the determination of suitability for the position will be made. Human Resources will determine whether or not the employee or candidate should be disqualified from employment due to legal requirements or other considerations. Except where employment is expressly prohibited by law, the University will review each individual's criminal history and consider factors such as, but 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.

Other factors to be considered include the position sought and job duties, the candidate's

- employment history, and references.
13. The University of Massachusetts, Lowell will notify the applicant of the decision and the basis of the decision in a timely manner.
 14. The decision made by Human Resources may be appealed to the Chancellor's designee. Decision made by the Chancellor's designee would be final.

Important Notes:

- CORI records will be kept separate from other personnel files and will be secured in a locked file cabinet when not being reviewed. Only one copy of an individual's CORI is to be kept in the files at any time.
- CORI may always be shared with the applicant/employee/volunteer to whom it pertains. CORI must not be disseminated to any other person or agency. Access to CORI records will be limited only to Human Resources and University personnel who have signed an Individual Agreement of Non-Disclosure and Statement of CORI Certification Compliance and who are approved by the CHSB or as otherwise required by law.
- CORI records will be kept on file for up to three years; for purposes of defending against any employment discrimination action.
- For purposes of this policy, evidence of a criminal history includes any conviction or plea of guilty, a plea of no contest, a suspended imposition of sentence, any suspended execution of sentence, any period of probation or parole, or other action involving a finding that an individual committed or attempted to commit a crime.
- Arrest records and expunge convictions will not be considered evidence of criminal history.
- If a candidate did not disclose a criminal history on her/his Employment Application form and is found to have such a record, a job offer may be rescinded or employment terminated due to falsification of records. Human Resources will notify the department and the candidate.
- This policy and procedure is subject to change at the discretion of UMass Lowell, within the scope of CHSB regulations. Please contact the Human Resources Department for a copy of the current CORI policy or with questions regarding this policy.

For additional information on the CHSB and CORI regulations:

The official website of the Executive Office of Public Safety:

[http://www.mass.gov/?pageID=eopssubtopic&L=4&sid=Eeops&L0=Home&L1=Crime+Prevention+%26+Personal+Safety&L2=Background+Check&L3=Criminal+Offender+Record+Information+\(CORI\)](http://www.mass.gov/?pageID=eopssubtopic&L=4&sid=Eeops&L0=Home&L1=Crime+Prevention+%26+Personal+Safety&L2=Background+Check&L3=Criminal+Offender+Record+Information+(CORI))

University Contact:

Raina Gaurishankar
Assistant Director of Human Resources
Tel: 978-934-3545
Email: raina_gaurishankar@uml.edu