

Background Record Checks Are Changing -- What You Need To Know!

EEC will now require Sex Offender Registry Information (SORI) checks and fingerprint-based national and state criminal history database checks in addition to Criminal Offender Record Information (CORI) and Department of Children and Families (DCF) background record checks.

All programs are required to maintain a list of all staff/interns/volunteers and transportation providers hired on or after September 1, 2013 so that their SORI and fingerprint checks may be run as soon as they are made available. All individuals licensed or employed prior to September 1, 2013 will be fingerprinted beginning in April 2014.

Below are some questions and answers to provide you with additional information.

Q. What is Sex Offender Registry Information (SORI)?

- A. A person's Sex Offender Registry Information (SORI) is a record of convictions for specified sexual offenses committed as an adult or juvenile. SORI includes the type of sex offense(s) committed, the date(s) of conviction, the sex offender's home and work/school addresses, and identifying information about the sex offender, such as age, height, and weight. Anyone with a conviction for a specified sexual offense in Massachusetts, who is classified as a Level 1, Level 2, or Level 3 Sex Offender by the Sex Offender Registry Board (SORB), is included in the Massachusetts Sex Offender Registry. EEC only receives information about Level 2 and Level 3 offenders.

Q. Why are SORI and fingerprint checks now required?

- A. These additional checks will better protect children in programs licensed, approved or funded by EEC and will comply with legislative changes enacted on September 3, 2013.

Q. How do I know if I will need a SORI and a fingerprint check?

- A. Everyone who currently needs a CORI and DCF Background Record Check (BRC) will need a SORI and fingerprint check. See the chart below to determine who is included:

Family Child Care	<ul style="list-style-type: none"> Applicants for a family child care license, their household members, age 15 and older, and persons regularly on the premises, age 15 or older (*Note: SORI checks apply to <i>all</i> household members and people regularly on the premises.); Applicants for a family child care assistant certificate or approval; Current family child care educators, household members/persons regularly on the premises age 15 or older*; and Current family child care assistants.
Small/Large Group and	<ul style="list-style-type: none"> Applicants for licensure;

School-Age Child Care Programs	<ul style="list-style-type: none"> • Applicants to be EEC-approved reviewers • Applicants for employment or volunteer or intern positions who have the potential for unsupervised contact with children; • Individuals who provide transportation services to EEC licensed and/or funded programs who have the potential for unsupervised contact with children; • Current licensees and reviewers; and • Current employees, interns and regular volunteers who have the potential for unsupervised contact with children.
Residential and Placement Programs	<ul style="list-style-type: none"> • Applicants for licensure • Applicants to be EEC-approved reviewers; • Applicants for employment or volunteer or intern positions who have the potential for unsupervised contact with children; • Individuals who provide transportation services to EEC licensed and/or funded programs who have the potential for unsupervised contact with children; • Current licensees and reviewers; and • Current employees, interns and regular volunteers who have the potential for unsupervised contact with children.
Adoptive and Foster Parents	<ul style="list-style-type: none"> • Applicants to be adoptive or foster parents and their household members age 15 and older**(Note: SORI checks apply to <i>all</i> household members).
EEC-Funded Caregivers	<ul style="list-style-type: none"> • All in-home, non-relative caregivers. • Only SORI checks will apply to EEC-funded relative caregivers – there will be no CORI, DCF or fingerprint-based national checks.

Q. When will I need to have my SORI and fingerprint checks completed?

a. There will be different timeframes for completing SORI and fingerprint checks.

- SORI checks will be completed at the same time as CORI and DCF background record checks. EEC will establish a timetable for current EEC-funded relative caregivers to undergo SORI checks.
- The fingerprint database check is a new process for EEC and requires a vendor to establish locations throughout the Commonwealth. EEC anticipates that the vendor sites will be operational by late October 2013. As a result, the following individuals must submit a fingerprint check application **as soon as it becomes available**:
 - New employees, volunteers or interns beginning work on or after September 1, 2013.
 - Individuals hired on or after September 1, 2013 to provide transportation services to EEC licensed and/or funded programs with the potential for unsupervised contact with children.
 - Individuals employed or licensed on or after September 1, 2013 for any of the following categories must complete a fingerprint check **as soon as the process**

becomes available:

- Family child care educators, including their household members, and persons regularly on the premises;
 - Family child care assistants;
 - Licensee of an EEC-licensed program;
 - Adoptive or foster parents and their household members age 15 and older; and
 - In-home, non-relative caregivers.
- Current employees, volunteers, interns, licensees, reviewers, family child care educators and their household members/people regularly on the premises, family child care assistants, and individuals providing transportation services to EEC licensed and/or funded programs must complete a fingerprint check by **September 1, 2016**.

Q. How do I get my fingerprints scanned?

- A. Once your CORI, DCF and SORI checks have been approved, EEC will instruct you how to register for a fingerprint scan. You will be able to register by phone or on-line, and will receive an appointment at one of eight designated locations across Massachusetts (additional sites will be available within the next few months). The fee is \$35 per person and you can pay by credit or debit card at the time of registration or by bank check or money order at the time of fingerprinting (personal checks and cash will not be accepted). The appointment will take approximately 5 to 10 minutes. Once the fingerprint scan results are returned to EEC, you and, if applicable, your employer, will be notified as to whether you have been approved.

Q. Why does it cost \$35.00 and can this fee be reduced?

- A. The \$35.00 fee includes the amount the FBI charges to process the prints, the amount the Massachusetts State Police charges for receiving and processing the information from the FBI, and the amount charged by the vendor. While \$35.00 is a maximum amount, the fee is unlikely to be reduced because of the total processing costs. None of the fee goes to EEC.

Programs may reimburse applicants for employment, internship or volunteer positions, for all or part of the fee on the grounds of financial hardship.

Q. What happens once my fingerprints are scanned?

- A. Once your fingerprints are scanned, you will receive a receipt. If you are an employee of an EEC-licensed or approved program, you will bring this receipt to your employer/potential employer as proof that your prints were taken. Your scanned prints will be sent to the FBI where they will be matched against the FBI's national and state databases. The results will be returned to the Massachusetts State Police and forwarded to EEC. EEC staff will then review the results. If there is no adverse information, EEC will notify the program that you

may be hired. If there is adverse information, EEC will conduct a discretionary review and contact you directly for further information. Once the discretionary review process is completed, EEC will notify the program whether or not you can be hired. EEC will notify the program of its determination regarding hiring in writing.

For applicants or renewals for any type of EEC licensure or certification (family child care, small and large group and school age, residential and placement, and family child care assistant), EEC will notify you directly.

Federal law prohibits EEC from sharing the results of fingerprint-based database checks directly with employers. CORI, DCF and SORI checks do not have such limitations.

Q. How long will the SORI and fingerprint review process take?

- A. It is anticipated that the SORI check will take as long as the CORI and DCF process, typically 3-4 weeks. After your fingerprints are submitted for processing, the approval process may require 4-6 weeks before you are notified of the results.

Q. Must providers of transportation services have fingerprint and SORI checks?

- A. Programs that provide transportation services or have contracted for transportation services must ensure that all drivers, monitors and other transportation staff with the potential for unsupervised contact with children have a SORI and a fingerprint check, in addition to the required CORI and DCF checks.

Q. What do I do in the meantime if I need to hire new staff to maintain ratios?

- A. A program may hire new staff after the CORI, DCF, and SORI checks are completed and approved. Such hires will be conditional until the fingerprint database checks are reviewed and approved. Conditionally hired employees may have unmonitored contact with children as necessary.

If a program or transportation provider seeks to hire a conditional employee, the program or transportation provider may request that the individual provide additional information regarding the individual's history of criminal convictions, if any, to assist the program or transportation provider in determining the individual's suitability for unsupervised contact with children.

Please note that programs that hire staff on or after September 1, 2013 must maintain a list of these employees, volunteers and/or interns so that they receive fingerprint checks once the checks become available.

Q. What if my license is expiring in September 2013 or soon after?

- A. License renewals will be processed as they have been in the past, but with the required SORI checks. EEC anticipates that beginning in April 2014, programs renewing their licenses will then be required to complete the CORI, DCF, SORI and fingerprint criminal history database checks as a condition of license renewal. EEC will provide information to all existing programs to ensure that fingerprint checks are completed by September 1, 2016.

Q. How will I know when I can register to have my fingerprints scanned?

- A. EEC will notify you as soon as the process becomes available. Information will be provided by EEC licensors at license renewal and potential provider meetings and will be available on the EEC website.

If you have any questions that are not answered by this Q&A document, please feel free to email your question to: EECFingerPrint@Massmail.State.MA.US or call EEC at (617) 988-6600 and state that you have a question regarding SORI or Fingerprint checks.

EEC will continue to update information regarding the new Background Check Process as it becomes available. Please check EEC's website regularly: www.mass.gov/eec.