



Commonwealth of Massachusetts
Division of Professional Licensure
Office of Private Occupational School Education
1000 Washington Street • Boston • Massachusetts • 02118

**Questions and Answers Regarding DPL's CORI/SORB Process
for Occupational Schools**

- 1) **Question:** If a school cannot locate an instructor's last approval letter from DPL, which is required when submitting an already-approved instructor, what should a school do?
Answer: If a school cannot locate an instructor's last approval from DPL, then the school should send in the instructor certification form and make a note on the form that the last approval letter cannot be located. In such instances, DPL staff will work with the school to process the instructor certification form in a timely manner; however, please be aware that there might be a delay in the processing of the form without the submission of the last approval from DPL.
- 2) **Question:** Who is required to comply with the new CORI and SORB checks?
Answer: All staff and instructors involved in the day-to-day operations of a school are required to comply with the new CORI and SORB checks.
- 3) **Question:** What about the requirement of a staff member or instructor to receive DPL approval prior to beginning work at a school? In certain instances, staff and instructors require some number of days/weeks of training before they can effectively perform the duties required of their position, and that needing DPL approval may negatively impact a school's ability to properly staff their school in a timely matter.
Answer: DPL seeks to balance the business operations of a school with DPL's mandate to protect the safety of students and staff. To maintain a proper balance, DPL has established a goal of having a two-week turnaround time for all new staff and instructor certification applications. In addition, schools will be allowed to train their proposed staff and instructors while their applications are pending, provided that the staff and/or instructors do not have any interactions with students prior to receiving DPL approval, or otherwise perform duties related to their job (other than being trained by the school). In addition, by removing the burden of performing CORI checks from the school and taking it upon ourselves, schools' expected workload during the hiring process should be lessened.
- 4) **Question:** Is there an appeals process for denials made by DPL regarding staff and instructor applications based on their CORI or SORB results?
Answer: Per section G. of the "Massachusetts Division of Professional Licensure Policy Regarding Review of Conviction and Pending Criminal Case Data Regarding Applicants for Private Occupational School Licensure", each individual denied approval would have the opportunity to review the results of their own CORI or SORB checks, to request a hearing, and to otherwise challenge DPL's decision (please review the policy for complete information).
- 5) **Question:** Are SORB checks necessary if a school only does adult education.
Answer: Yes, SORB checks are necessary for all occupational schools.

- 6) **Question:** What about the ‘Due Diligence’ and ‘School Certification’ attestations on the Staff Certification and Approval forms? Do schools still need to fill these out?
Answer: Yes, schools will still need to complete these sections. DPL understands that schools will know better what qualifications their staff will need in each position, and that the attestations are DPL’s method of holding schools accountable for ensuring their staff have met or exceeded the necessary qualifications.
- 7) **Question:** What happens if DPL denies the application of an existing instructor or staff?
Answer: The denial of previously-approved instructor or staff would indicate that the individual does not have the approval to instruct or work at the school. In limited circumstances, such as an immediate threat to the safety, health, and/or welfare of the public, the denial would take effect immediately. Otherwise, the individual will still have the right to appeal DPL’s decision before any denial takes effect.
- 8) **Question:** May a school be involved in a staff person’s or instructor’s appeal of a denial?
Answer: As CORI and SORB results contain sensitive information, it is up to the individual in question to decide whether or not they would like the school to become involved in their appeal.
- 9) **Question:** Do individuals who’ve recently had their CORI run by the school still need to submit a CORI Authorization form to DPL?
Answer: CORI checks will be required for all proposed and existing staff and instructors, whether or not the school has recently performed these checks themselves. In addition, new CORI acknowledgment forms for each staff member and instructor will be required as part of the renewal process for all schools going forward.
- 10) **Question:** What is the expected turnaround time for staff and instructor certification applications after the April 29th, 2016 deadline?
Answer: While DPL expects there could be a large group of applications around the April 29 deadline, the priority will be placed on the applications for new staff members and instructors. Furthermore, all existing staff members and instructors for whom applications are submitted are still considered approved by DPL until DPL notifies the school otherwise. Schools who are concerned about turnaround times are encouraged to contact DPL directly.
- 11) **Question:** Are instructors for online courses subject to CORI and SORB checks?
Answer: Yes, such instructors must undergo CORI and SORB checks by DPL.
- 12) **Question:** What if a school contracts with a third-party vendor to provide certain services, such as cleaning and maintenance? Do such individuals need to submit CORI Acknowledgement forms to DPL?
Answer: It is not necessary to have employees of third-party vendors to submit CORI Acknowledgement forms to DPL as these are not employees of the school, but of the vendor. However, schools should be taking steps to ensure the safety of their students. Schools should make sure that when they contract with a third-party vendor that these entities are performing adequate background checks on their employees.
- 13) **Question:** What parts of the CORI Acknowledgement form need to be filled out?

Answer: Both pages of the CORI Acknowledgement form must be completed (in addition to the other relevant pages of the application), and the CORI forms must either be notarized by an official US notary, or brought in to DPL offices to be verified by DPL staff.

14) Question: For schools that are renewing at the end of June and September of 2016, will they need to submit CORI Acknowledgement forms for existing staff and instructors who were submitted to DPL in order to meet the April 29, 2016 deadline?

Answer: No, schools that are renewing in either June or September of 2016 will not need to submit CORI Acknowledgement forms for existing staff and instructors who had already been submitted to DPL in order to meet the April 29, 2016 deadline. Beginning with the December 2016 renewals, all current staff and instructors will need to submit attestation forms and new CORI Acknowledgment forms.

15) Question: What if a school contracts with a temp agency? Do such individuals need to submit CORI Acknowledgement forms to DPL?

Answer: (This only applies to staff; schools will always need to submit CORI Acknowledgement forms for instructors, even if that instructor comes for a third-party vendor) It is not necessary to have staff employed by temp agencies to submit CORI forms to DPL for approval as such individuals are not employees of the school, but of the temp agency. However, schools should be taking the utmost precautions to ensure the safety of their students. Schools should make sure that when they contract with a temp agency that these entities are performing adequate background research on their employees.

16) Question: While a school is waiting for approval of a staff member or an instructor, what job duties, if any, may that staff member or instructor perform at the school?

Answer: Staff members or instructors who have not yet been approved by DPL, but for whom DPL has received a certification from the school, may be trained by the school and may shadow others provided that the person does not interact alone with students.

17) Question: Does a school need to submit staff certifications for students who are working at the school through federal work study?

Answer: No. Students who work at the school and are paid through federal work study do not need to be approved by DPL as a staff member. If a school is paying the student solely through its own funding (meaning the school is not being reimbursed by the federal government), then that student would need to be submitted for approval by DPL as a staff member.

18) Question: Which members of a business or corporation must be sent to DPL for owner/staff approval?

Answer: DPL's predominant concern is the protection of the students while attending a licensed private occupational school. As such, DPL's focus is to make sure that all individuals who are involved in the day-to-day operations of a school are in compliance with the new policies. This would include individuals who may or may not personally interact with the students on a daily basis, such as accountants, but whose primary functions includes assisting in the operations of the school.

19) Question: What type of convictions will result in a staff member or instructor being denied by

DPL?

Answer: Schools should consult DPL's CORI Policy for Occupational Schools, which is available on DPL's website for Occupational Schools.

20) Question: Do licensed schools that also have programs/courses not overseen by DPL (ESL, for example) need to submit to DPL certification forms for instructors who teach those exempted programs/courses?

Answer: No. Only instructors who teach licensed programs/courses need to be submitted to DPL for approval.

21) Question: Can the forms be updated to include a reference as to who at the school should receive the approved certification form (HR, for example)?

Answer: Yes. The forms have been updated to include this reference.

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