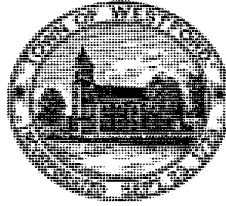


EVERETT V. OLSEN, Jr., M.B.A.
Superintendent of Schools

CHRISTINE M. FRANCIS, Ed.D.
Assistant Superintendent of
Curriculum & Instruction



COURTNEY L. MORAN, M.Ed.
Director of Pupil Services

KATHLEEN AUTH
Director of School Finance

Westford Public Schools

Administrative Offices

23 Depot St. • Westford, Massachusetts 01886
www.westfordk12.us • (978) 692-5560 • FAX (978) 392-4497

NATIONAL CRIMINAL BACKGROUND CHECK **(FINGERPRINTING)**

WHAT ARE THE NEW NATIONAL CRIMINAL BACKGROUND CHECK REGULATIONS?

- On January 10, 2013, Governor Patrick signed into law H. 4307, *An Act Relative To Background Checks*. The new law requires all public school employees in Massachusetts to submit to fingerprint-based state and national criminal background checks.
- School volunteers and subcontractors/laborers commissioned by schools to perform work on school grounds, may need to submit their fingerprints for the state national checks if asked to do so, and they must continue to submit to state CORI checks. At the discretion of the school employer, subcontractors or laborers commissioned by schools to perform work on school grounds may be required to submit both a CORI check and fingerprint-based state and national background checks.
- Under the new law, *all school employees hired for the 2013-2014 school year* are required to submit their fingerprints for state and national criminal history checks no later than June 30, 2014. *All school employees hired prior to the 2013-2014 school year* are required to submit to fingerprint-based background checks no later than June 30, 2015.

The vendor selected to do the fingerprinting is MorphoTrust USA. Their website is:

<http://www.identogo.com/Home.aspx>

The Provider ID for Westford Public Schools is 03260000

| OVERVIEW OF THE FINGERPRINTING PROCESS | | | |
|--|--|---|--|
| Register for your fingerprinting appointment via website at www.identogo.com or call 866-349-8130. | Bring approved form of ID & registration confirmation to your appointment and have fingerprints taken. | The results from your criminal record checks are sent to MA DCJIS for review. | Results are returned to the district(s) identified by you during the registration process. |

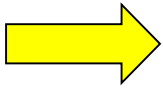
Fingerprinting Steps

| | |
|-------------------|---|
| Step One | Go to this website and click on Massachusetts: http://www.identogo.com/BookanAppointment.aspx |
| Step Two | Click on Online Scheduling or call 866-349-8130. You may pay by credit card at the time of registration or by check or money order at the time of your appointment. The fee is \$55 if you hold a DESE license and \$35 for all others. You will enter Provider ID 03260000 for Westford Public Schools. |
| Step Three | Bring a copy of your registration confirmation to your scheduled appointment with approved form of ID. |
| Step Four | Go to your scheduled appointment. <u>Please retain the receipt from your appointment.</u> |

IMPORTANT INFORMATION

MA state regulations require that all school employees hired for the 2013-2014 school year be fingerprinted no later than June 30, 2014. All school employees hired prior to the 2013-2014 school year must be fingerprinted no later than June 30, 2015.

Rescheduling and refunds: There are very specific conditions for refunds and missed appointments. The link to reschedule and refund policy is: <https://ma.ibtfingerprint.com/?static=1&page=refundpolicy>



SELECTED FAQs

1. **How is this different from CORI?** Fingerprinting is a ONE TIME event, CORI is performed annually. Fingerprinting reports will state all arrests nationwide. CORI reports only Massachusetts arrests.
2. **Will I still be required to submit a CORI every year?** Yes. The fingerprinting process does not replace the annual CORI check.
3. **May I go to my local police station to submit my fingerprints for the state and national criminal history checks?** No. The state requires you use the selected vendor.
4. **Are all staff required to be fingerprinted?** Yes. All Massachusetts school employees are required to be fingerprinted.
5. **Is there a fee for fingerprinting?** Yes. Any staff member who holds a DESE License is required to pay a \$55 fee regardless of whether or not a DESE license is required for your position. Staff members who do not hold a DESE license are required to pay a \$35 fee. Under GL Chapter 459 of the Acts of 2012, the employee is responsible for this fee.
6. **Who will have access to the results of my fingerprint background check?** MA state regulations limit who has access to fingerprinting results. Only select personnel deemed appropriate by the Superintendent of Schools will have access to the results. All results are confidential.
7. **What is an approved form of ID?** Approved forms of ID include but are not limited to, Drivers License, US or Foreign Passport, US Military ID card (with photo), State Issued ID, or Employment Authorization document. All forms of ID must include a photo, full name, and date of birth. All documents must be verifiable and unexpired.
8. **I work in more than one district. Will I be required to be fingerprinted separately for each district?** Employees such as substitutes, coaches, bus drivers, and contracted services who work in multiple districts will have the opportunity to have their results sent to up to 10 districts. Please note: each school district has a unique provider ID. You will need to obtain the provider ID from each district prior to registering for your appointment. During the registration process, you will be asked to input the district code, or "Provider ID" that you wish to have your results sent to. At that time, you will have the option to add additional provider ID numbers. Please see pages 8- 9 of the SAFIS registration guide for details.

For more FAQs:

<http://www.mass.gov/edu/2013newsupdates/frequently-asked-questions-regarding-background-checks.html>

WEBSITE INFORMATION AND HOW TO REGISTER: <http://www.identogo.com/BookanAppointment>



Statewide Applicant Fingerprint Identification Services (SAFIS) Program

Registration Guide

Pre-K-12th Grade Education (ESE)



Contents

| | |
|---|----|
| About the Statewide Applicant Fingerprint Identification Services (SAFIS) Program | 3 |
| Overview of the Fingerprinting Process | 3 |
| Important Requirements | 4 |
| Registering with MorphoTrust USA for a Fingerprinting Appointment | 5 |
| MorphoTrust USA IndentoGo™ Massachusetts Registration Website | 5 |
| Registering Online..... | 5 |
| Registering by Phone | 17 |
| Rescheduling an Appointment..... | 18 |
| Cancelling an Appointment..... | 19 |
| Missed Appointments..... | 19 |
| Rejection Notification | 20 |
| Acceptable Forms of Identification..... | 22 |
| Primary Identification Documents..... | 22 |
| Applicants Under 18 Years of Age | 22 |
| Fingerprint Appointment..... | 22 |
| Pre-K-12 th Grade Education (ESE) Applicant Types..... | 23 |
| Licensed Educator..... | 23 |
| Other School Personnel | 23 |
| Multiple Provider IDs | 23 |
| EEC and ESE Employment..... | 23 |
| Out of State Applicants..... | 24 |
| Contacting Customer Service | 27 |

About the Statewide Applicant Fingerprint Identification Services (SAFIS) Program

Massachusetts law now authorizes fingerprint-based criminal history record checks for all public and private school employees and transportation providers, and for designated volunteers and employees of school vendors. The Massachusetts Department of Elementary and Secondary Education (ESE) and the Department of Early Education and Care (EEC), the Executive Office of Public Safety and Security (EOPSS) has partnered with MorphoTrust USA to implement the Statewide Applicant Fingerprint Identification Services (SAFIS) Program and is working to provide convenient applicant fingerprinting enrollment centers throughout the Commonwealth of Massachusetts.

NOTE: This Registration Guide is intended to provide guidance to individuals who are employed or seek employment in Pre-K-12 public and private schools in the Commonwealth. If you work for a Pre-K program run by a public or private K-12 school, follow these instructions. If you work for a standalone private early education program, please consult the registration instructions for Early Education and Care (EEC) entities.

Overview of the Fingerprinting Process

The following is a overview of the SAFIS fingerprinting process:

- An applicant/employee registers for a fingerprinting appointment via either the MorphoTrust USA IdentoGo™ registration website or the MorphoTrust Massachusetts Customer Service Center;
- An applicant/employee goes to a MorphoTrust USA IdentoGo™ enrollment center on the date and time selected by him/her and has his/her fingerprints taken;
- The applicant's/employee's fingerprints are sent electronically to the Massachusetts State Police (MSP) for a statewide criminal history record check and to the Federal Bureau of Investigation (FBI) for a nationwide criminal record check;
- The results of both the State and National fingerprint based criminal history record check are returned to the Massachusetts Department of Criminal Justice Information Services (DCJIS) for review; and
- The State and National fingerprint based criminal history record check results are returned to the district or school identified by the applicant/employee during the registration process.

Important Requirements

1

Information Required at Registration

To register for an appointment to have your fingerprints taken at one of the MorphoTrust USA IdentoGo™ enrollment centers, the following information is required:

Provider Identification Number (Provider ID) - Each public school district and private school has been assigned an Organization Code by the Massachusetts Department of Elementary and Secondary Education (ESE). This code will serve as the **Provider Identification Number** for SAFIS registration. Please contact your Human Resource Department or School Administrator to obtain your ESE assigned Organization Code.

Fee - The fee charged will be \$55 for licensed educators and \$35 for all other school personnel. Online payment options include credit cards and e-Check. Onsite payments must be made by check or money order.

2

Your Registration Confirmation and an Acceptable Form of Identification are Required at Your Fingerprint Appointment

You must bring your **Registration Confirmation Number** with you to your fingerprinting appointment. You must also bring an acceptable form of identification (see page 21). The MorphoTrust USA IdentoGo™ enrollment center staff will match the information in the registration system with the identification provided to confirm your identity. **Fingerprints will not be taken without acceptable identification.**

Registering with MorphoTrust USA for a Fingerprinting Appointment

To get your fingerprints taken, you must register for an appointment. There are two methods available: 1). Register on-line on the MorphoTrust USA IndentoGo™ registration website; or 2). Register by phone.

MorphoTrust USA IndentoGo™ Massachusetts Registration Website

- Go to <http://www.identogo.com/FP/Massachusetts.aspx>
- Click the **Online Scheduling** link.
- To see a complete list of MorphoTrust USA IndentoGo™ enrollment centers in Massachusetts, click on the **Locations** link.
- To access online resources, click on **Forms and Links**

Services

- Live Scan Fingerprinting
Mobile or Fixed
- Fingerprint Card
- FBI Criminal History Report
- State Criminal History Report
- Notary Services
- Photo Services
- TSA Pre✓™

Massachusetts

Supporting the Massachusetts Executive Office of Public Safety and Security (EOPSS), IndentoGO Centers are operated by MorphoTrust USA, the nation's leading identity solutions provider. Today, the company partners with many federal, state and local government agencies, as well as businesses covering a variety of industries, that count on us for the secure capture and transmission of applicant fingerprints. We proudly serve over 2.5 million customers each year in our nationwide network of locations.

Please check back frequently as locations and start dates may change. Any questions about the fingerprint process can be directed to your licensing agency or facility.

IndentoGO Centers provide convenient, professional environments for live scan (electronic) fingerprinting services, delivered by trained Enrollment Agents. IndentoGO by MorphoTrust is the exclusive live scan fingerprinting provider for the Massachusetts Executive Office of Public Safety and Security (EOPSS) and is a certified FBI Channeling Agent.

If you have any questions, please call us at (866) 349-8130.

- Online Scheduling**
Starts the appointment process in Massachusetts
- Locations**
Provides a list of locations in Massachusetts for you to browse before starting the appointment process.
- Forms and Links**
Provide access to forms relating to the fingerprint background check process and links for information on this process.

Useful DHS Links:

- DHS Cyber Security Awareness Month
- Preventing & Responding to Identity Theft
- Why is Cyber Security a Problem?
- Staying Safe on Social Network Sites
- Cyber Security for Electronic Devices

Useful Stay Safe Online Links:

- Stay Safe Online homepage
- Tips & Advice
- Online Safety Posters
- Free Security Check-ups
- Get Involved

TSA Pre✓
Apply at your local IndentoGO Center

- ✓ Leave your shoes on
- ✓ Leave your jacket on
- ✓ Leave your belt on
- ✓ Leave your liquids in your bag
- ✓ Leave your computer in your bag

Registering Online

To begin the registration process:

- Go to <http://www.identogo.com/FP/Massachusetts.aspx>
- Click the **Online Scheduling** link.

APPLICATION DETAILS

- Enter **First Name** and **Last Name**.

Welcome

Welcome. The following pages will ask your for information needed to schedule and process your background check. If you have problems or questions, feel free to call us at **(866) 349-8130**

First Name

Last Name

Go

For Existing Appointments

I received a rejection notification and need to schedule an appointment.

I have an existing appointment I would like to change.

If you have any questions with the website, please contact MorphoTrust USA at (866) 349-8130.

- Click the **Go** button on the page.
- In the Agency/Sector drop-down list, Select **Pre-K-12th Grade Education (ESE)** and Click **Go**

Application Details

Please select agency/sector from the list below.

Agency/Sector

--- Please choose an item from the list. ---

Department Of Early Education and Care (EEC)

Pre-K-12th Grade Education (ESE)

Go

- Select either **Licensed Educator** or **All Other School Personnel** and Click **Go**

Application Details

Please indicate the applicant type below:

- ☐ Licensed Educator
- ☐ All Other School Personnel

Go

- Based on your Applicant Type selection, Click **Yes** to confirm your Agency/Sector and Applicant Type is Pre-K-12th Grade Education (ESE)-Licensed Educator or Pre-K-12th Grade Education (ESE) - All Other School Personnel.

Confirm Agency

This will require that a search of Massachusetts and/or FBI records be conducted and you will be charged accordingly. If you are working, applying to work, or volunteering in or for a Massachusetts Pre-K-12 school and are unsure of your applicant type and/or agency, please contact your agency point of contact.

Please be aware that if you select the wrong agency and a change is required to be made at a later date, you will be required to pay the applicable fees again.

Please confirm your agency is
Pre-K-12th Grade Education (ESE) - Licensed Educator.

(By selecting No, you will be returned to the previous screen to make another choice. Selecting Yes will continue on.)

no

yes

Confirm Agency

This will require that a search of Massachusetts and/or FBI records be conducted and you will be charged accordingly. If you are working, applying to work, or volunteering in or for a Massachusetts Pre-K-12 school and are unsure of your applicant type and/or agency, please contact your agency point of contact.

Please be aware that if you select the wrong agency and a change is required to be made at a later date, you will be required to pay the applicable fees again.

**Please confirm your agency is
Pre-K-12th Grade Education (ESE) - All Other School Personnel.**

(By selecting No, you will be returned to the previous screen to make another choice. Selecting Yes will continue on.)

no

yes

- Enter the **Provider ID** you obtained from your Human Resources Department or school administrator and click **Go**.

Application Details

Please enter your Provider ID in the box below.

Provider ID:

Go

- The Organization name associated with the Provider ID you entered will be displayed. Please verify that the Organization name is correct.
- If correct, click the **Correct** button.
- If not correct, click the **Incorrect** button and reenter the Provider ID.
- If you have more than one Provider ID, click the **Add Another Provider** button and enter the next Provider ID. Continue to Click the **Add Another Provider** button until you have entered all your Provider IDs.
- When you have finished entering all of your Provider IDs, Click **Go**.

CONFIRM PROVIDER

Please confirm you are being fingerprinted for the below company:

Provider Name: Abington
Company Address: 171 Adams St
Abington, MA 02351

Correct

Incorrect

Add Another Provider

NOTE: If one or more of your Provider IDs does not match the Organization name displayed on the screen, please contact your Human Resources Department or School Administrator to verify the Provider ID(s).

APPOINTMENT DETAILS

- To find the location of the nearest MorphoTrust USA IdentoGo™ enrollment center, enter Zip Code in the box provided and click **Go**.
- To see a list of all MorphoTrust USA IdentoGo™ locations in a particular region of the state, select the region in the Region drop-down list and click **Go**.

Appointment Details

If you are using assistive technology (such as a screen reader) or have problems using the scheduler below, please follow this link to our alternative appointment scheduler.

[<-- Return to Start](#)

Enter a zip code to determine the closest fingerprinting location.

[go](#)

or

Please choose the region you will be in for your identification appointment.

METRO BOSTON ▼

[go](#)



- Available appointments during the next seven (7) days will be presented.
- To view future dates, click the **Next Week** link.
- Click on the **Click to Schedule** link for the date and location you want.
- Select the preferred time.
- Click, **Go**.

Appointment Details

If you are using assistive technology (such as a screen reader) or have problems using the scheduler below, please follow this link to our alternative appointment scheduler.

[<-- Return to Start](#)

sc is a supercenter location offering passport, id theft protection and more.

Showing locations in the
Metro Boston of MA
in alphabetical order

[<< Previous Week](#) **January 17 - January 23** [Next Week >>](#)

[\[Select Another Region or Zip Code\]](#)

| | Friday 1/17/2014 | Saturday 1/18/2014 | Sunday 1/19/2014 | Monday 1/20/2014 | Tuesday 1/21/2014 | Wednesday 1/22/2014 | Thursday 1/23/2014 |
|---|---------------------------------------|---------------------------------------|---------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| Dorchester MorphoTrust USA 11 Bay St. Dorchester, MA 02125 Directions | Click to Schedule | Click to Schedule | Closed | Click to Schedule | Click to Schedule | Click to Schedule | Click to Schedule |

09:00 AM
09:15 AM
09:30 AM
09:45 AM
10:00 AM
10:15 AM
10:30 AM
10:45 AM
11:00 AM
11:15 AM

[go](#)

If you have any questions with the web site, please contact MorphoTrust USA at (866) 349-8130.

A consent form to authorize the fingerprint-based background check will be presented for review by the applicant.

- If you agree to the terms and conditions, select **I Affirm that I have read and fully understand the above and consent to the aforementioned background check.**
- If you do not agree to the Terms and Conditions, select **I DO NOT Agree to the terms and conditions of the Massachusetts background check** and the registration process will be cancelled.
- If the applicant is less than eighteen (18) years of age, a parent or legal guardian will also need to review and electronically provide consent.
 - ✓ Enter **First Name** and **Last Name** of the parent or legal guardian.
 - ✓ Select, **I Affirm that I have read and fully understand the above and consent to the aforementioned background check.**
- Click **Go**.

Acknowledgement/Release

IMPORTANT - PLEASE READ CAREFULLY BEFORE SIGNING **Fingerprint-Based Criminal History Record Request Authorization and Notification Form**

By signing this authorization, I consent to the collection of my fingerprints as part of the application/employment/licensing process.

I acknowledge and understand that my fingerprints will be searched against the fingerprint databases maintained by the Federal Bureau of Investigation and the Massachusetts State Police.

I acknowledge that I have been notified of the procedures to challenge the accuracy or completeness of my record, which are set forth in Title 28 CFR 16.34. I am aware that a copy of these procedures can be downloaded from FBI.gov and the DCJIS website at mass.gov/cjis.

☐ I do NOT agree to the terms and conditions of the Massachusetts background check. *By checking this box, the registration process will be terminated.*

☐ I am 18 years of age or older and affirm that I have read and fully understand the above and consent to the aforementioned background check. *By checking this box, you are electronically signing this document and indicating your agreement with the terms and conditions of the background investigation.*

☒ I am under 18 years of age, and affirm that I have read and fully understand the above and consent to the aforementioned background check. *By checking this box, you are electronically signing this document and indicating your agreement with the terms and conditions of the background investigation.*

☐ I, am the parent/legal guardian of Tracy Varano. I have read and understand the information provided above and consent to the collection of fingerprints as part of the application/licensing/employment process. *By checking this box, you are electronically signing this document and indicating your agreement with the terms and conditions of the background investigation.*

Go

APPLICANT DETAILS

- You will be required to provide standard demographic data, including Name, Date of Birth, Home Address, and Contact Information.
- Enter the required information and click the **Send Information** button.
- Please note the **Applicant Employer Information Section** is **NOT** mandatory. If you choose to complete that section, please follow these guidelines:
 - If you are a contractor, please list your employer information and not the district or school who holds the contract.
 - If you are a volunteer, please list your employer and not the district or school where you volunteer.
 - If you are employed or seek employment at more than one district or school, please list the employer that corresponds to the first Provider ID entered under Application Details.

Applicant Information

Instructions

Items marked with an * are required. A red exclamation mark will appear to the right of any field that has an error. Click on the exclamation mark for a description of the error.

Applicant Name

| | | | | |
|----------|--------------|-------------|-------------|----------|
| Prefix * | First Name * | Middle Name | Last Name * | Suffix * |
| | first | | last | |

Applicant Alias or Maiden Name

| | | | | |
|----------|------------|-------------|-----------|----------|
| Prefix * | First Name | Middle Name | Last Name | Suffix * |
| | | | | |

Add Alias (up to 5)

Applicant Home Address

| | | |
|-------------------|-------------|---------------|
| Number * | Direction * | Street Name * |
| | | |
| Unit Designator * | | |
| | | |
| Country * | City * | State * |
| United States | | |
| | | Zip Code |
| | | |

Methods of Contact

| | | | |
|---|--------------------------|----------------------------|----------------------|
| Daytime Phone Number * | Daytime Phone Type * | Evening Phone Number * | Evening Phone Type * |
| area code number | | area code number | |
| Daytime Email | | Evening Email | |
| | | | |
| Preferred Contact Method * | Preferred Contact Time * | Contact Notes/Instructions | |
| | | | |
| <input checked="" type="checkbox"/> Yes, please email me educational materials, special offers and information about other L-1 products and services. | | | |

Applicant Demographic Data

| | | | | |
|------------------------------|--------------------------|------------------|----------|--------|
| Date of Birth (MM/DD/YYYY) * | Gender * | Height * | Weight * | Race * |
| | | ft in | | |
| Hair Color * | Eyes Color * | Place of Birth * | | |
| | | | | |
| Current Country * | Social Security Number * | | | |
| United States | | | | |

Applicant Employer Information

| | | | |
|-----------------------|---------------|----------------|--------------|
| Employer Name | | Employer Phone | |
| | | | |
| Number | Direction | Street Name | Apt/Unit # |
| | | | |
| Country | Employer City | Employer State | Employer Zip |
| UNITED STATES | | | |
| Employer Contact Name | | | |
| Prefix * | First Name | Middle Name | Last Name |
| | | | |
| Occupation | | | |
| | | | |

After You Have Entered All Required Information --> [Send Information](#)

- You will then be required to verify the information provided for the registration process.

Information Verification

YOUR APPOINTMENT IS NOT YET COMPLETE

Please review all of the following information.
If any of this information is incorrect, please click the change button at the bottom of each section to make any needed changes to that section.

If All Information Appears Correct ---->

go

Application Details

Agency Name: Department of Education

Fingerprint Reason: MDOE Education Personnel - 20-A MRSA 6103

To change any information in this section >>>>>

Change Application Details

Appointment Details

Location: Bourne
IdentoGO
60 Western Avenue, Suite 3
Bourne, MA 02532
United States

Appointment Date: 09/26/2013

Appointment Time: 08:50 AM

To change any information in this section >>>>>

Change Appointment Details

Applicant Details

Name: test tester

Alias:

Home Address: 15 Century Boulevard
Nashville, TN 37214
United States

Daytime Phone Number: 615-871-8047

Daytime Phone Type: Work

Evening Phone Number

Evening Phone Type

Daytime Email: test@tester.com

Evening Email:

Preferred Contact Method:

Preferred Contact Time:

Contact Notes/Instructions:

Date of Birth: 01/01/1950

Gender: Male

Height: 07 ft. 11 in.

Weight: 100 lbs

Race: American Indian

Hair Color: Bald or Unknown

Eye Color: Black

Place of Birth: Alabama

Citizen Country: United States

Employer Name:

Employer Phone:

Employer Address:

Employer Contact Name:

Occupation:

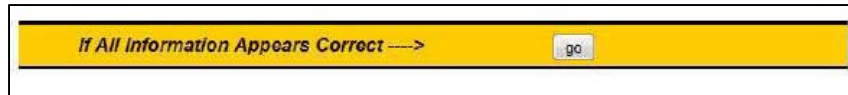
To change any information in this section >>>>>

Change Applicant Details

If All Information Appears Correct ---->

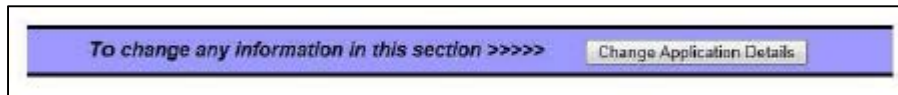
go

- If all of the information provided is correct, click the **GO** button at the top of the page.



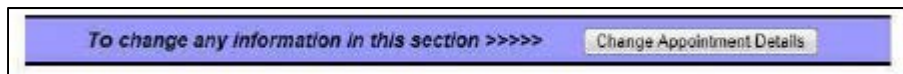
If All Information Appears Correct ----> go

- If any of the Application Details are incorrect, click the **Change Application Details** button.



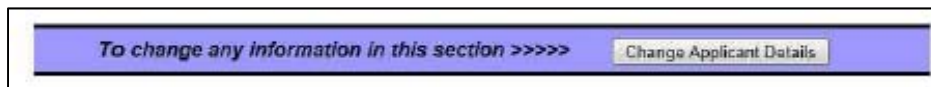
To change any information in this section >>>>> Change Application Details

- If any of the Appointment Details are incorrect, click the **Change Appointment Details** button.



To change any information in this section >>>>> Change Appointment Details

- If any of the Applicant Details are incorrect, click the **Change Applicant Details** button.



To change any information in this section >>>>> Change Applicant Details

PAYMENT

- Select the **Method of Payment**.
- Click the **Send Payment Information** button.

Payment Collection

Your total is \$55.00. Please choose a payment method below.

1) Method of Payment

- Money Order (pay onsite)
- Personal Check (pay onsite)
- American Express (pay now)
- Discover (pay now)
- Visa (pay now)
- Mastercard (pay now)

select

Need to start over?

<-- Return to Start

COMPLETE REGISTRATION

- If Onsite Payment is selected, please bring a business check, personal check or money order in the exact amount with you to your appointment, along with an acceptable form of identification.
- If Online Payment is selected, click the **Continue to Make Payment** button. You will be routed to a secure e-Payment portal provided by MorphoTrust USA partner US Bank. All payment information is collected on the US Bank e-Payment portal and only transaction reference numbers are provided to MorphoTrust USA by US Bank. The reference number is attached to the fingerprint appointment to ensure no collections will be required onsite.
- Print a copy of the **Registration Confirmation** and bring the Registration Confirmation with you to your appointment.

Registering by Phone

Although online registration is the best way to register for a fingerprinting appointment, you may also register by calling the MorphoTrust Massachusetts Customer Service Center toll free at (866) 349-8130. You will be asked the same information as required

by the online registration process, so please have all information available to provide to MorphoTrust Massachusetts Customer Service Representative. Please note you will be provided with a Registration Confirmation Number, so please be prepared to record this number for future reference.

Rescheduling an Appointment

If you need to reschedule your fingerprinting appointment, you must do the following:

- Go to <http://www.identogo.com/FP/Massachusetts.aspx>
- Select **I have an existing appointment I would like to change** link at the bottom of the page.

Welcome

Welcome. The following pages will ask your for information needed to schedule and process your background check. If you have problems or questions, feel free to call us at **(866) 349-8130**

First Name

Last Name

Go

For Existing Appointments

I received a rejection notification and need to schedule an appointment.

I have an existing appointment I would like to change.

- Enter either your email address or your Registration ID. If you don't have either or the website does not locate your record, please contact the MorphoTrust Massachusetts Customer Service Center at (866) 349-8130 for assistance.
- Click **Go**.

Edit Appointment

To change your appointment, please follow the instructions below.

Method 1

Enter the email address provided during scheduling of the original appointment. The system will send you an email with a link to continue this process.

Please Enter the Email Address:

Go

or

Method 2

Enter your registration id (regid). Your registration id was provided on the last screen when your appointment was scheduled.

Please Enter Your Registration ID (regid):

Go

Cancelling an Appointment

To cancel an appointment, you must call the MorphoTrust Massachusetts Customer Service Center toll free at (866) 349-8130. Once your appointment is cancelled, a refund will be issued. Before cancelling, you should be certain you do not need an alternate appointment.

Missed Appointments

If you miss your appointment, you can contact the MorphoTrust Massachusetts Customer Service Center at (866) 349-8130 to schedule a new appointment. You can also visit the MorphTrust USA IndentoGO™ registration web site and change your appointment online. Please note refunds will not be issued if the appointment is not rescheduled within the two (2) week period after the original appointment. In addition, if a second appointment is missed, a refund will not be issued. For a copy of the refund policy, please click on **Form and Links** located on the MorphoTrust USA IndentoGo™ Massachusetts Registration homepage. If you wish to cancel your appointment completely, please follow the instructions in the Cancelling and Appointment section above.

Rejection Notification

In some instances, an applicant's fingerprints are rejected by either the Massachusetts State Police or Federal Bureau of Investigation due to poor fingerprint quality.

If you receive a rejection notification, you must do the following:

- Go to <http://www.identogo.com/FP/Massachusetts.aspx>
- Click **I received a rejection notification and need to schedule an appointment** link at the bottom of the page.

The screenshot shows a web page with a large 'Welcome' heading. Below it, a message states: 'Welcome. The following pages will ask you for information needed to schedule and process your background check. If you have problems or questions, feel free to call us at (866) 349-8130'. There is a form with two input fields labeled 'First Name' and 'Last Name', and a 'Go' button. Below the form, there is a section titled 'For Existing Appointments' with two links: 'I received a rejection notification and need to schedule an appointment.' (highlighted with a red box) and 'I have an existing appointment I would like to change.'.

- Enter your email address, Registration ID, or Transaction Control Number (TCN) in one of the boxes provided. Please note the TCN is a unique thirteen (13) character alphanumeric field which is assigned to each civil fingerprint submission and is printed on the receipt provided at the conclusion of the fingerprint appointment. If you do not have the required information, or if the web site does not locate your record, please contact MorphoTrust Massachusetts Customer Service Center at (866) 349-8130 for assistance.
- Click **Go**.

Retake Appointment

To process a retake appointment follow the instructions below.

Method 1

Enter the email address provided during scheduling of the original appointment. The system will send you an email with a link to continue this process.

Please Enter the Email Address:

Go

or

Method 2

Enter your registration id (regid). Your registration id was provided on the last screen when your appointment was scheduled.

Please Enter Your Registration ID (regid):

Go

or

Method 3

Please enter your Transaction Control Number (TCN). The number must be entered exactly.

Please Enter Your TCN:

Go

Acceptable Forms of Identification

All applicants will be required to present an acceptable form of identification at the time of fingerprint capture at a MorphoTrust USA IdentoGO™ Center. Acceptable forms of identification are as follows:

Primary Identification Documents

The following documents are acceptable forms of identification:

- Driver's License from any U.S. state or territory
- Valid State Identification Card from any U.S. state or territory
- U.S. Passport or U.S. Passport Card
- Permanent Resident Card or Alien Registration Receipt Card (Form I-551)
- Foreign Passport with temporary I-551 stamp or temporary I-551 printed notation on a machine readable immigrant visa
- Foreign Passport and Form I-94 or Form I-94A
- Employment Authorization Document which contains a photograph (Form I-766)
- U.S. Military Card with identifiable photograph.
- U.S. Coast Guard Merchant Mariner Document or Merchant Mariner Credential
- Transportation Worker Identification Credential
- Enhanced Tribal Card

All documents must include an identifiable photo, the applicant's full name, and date of birth. All documents must be verifiable and unexpired.

Applicants Under 18 Years of Age

If you are under eighteen (18) years of age and unable to present one of the primary identification documents listed above, you must provide an original or certified copy of a Birth Certificate issued by an authorized U.S. agency with an official seal or Certification of Birth Abroad (issued by U.S. Department of State) **AND** one of the following documents:

- School Identification Card (Public or Private School)
- School Record or Report Card
- Home Schooling Education Plan
- U.S. Social Security Card

Fingerprint Appointment

You are expected to visit a MorphoTrust USA IdentoGo™ enrollment center at the scheduled date and time. You should be sure to have all required documentation and

identification with you, and should expect the fingerprinting process to take from 5-10 minutes. The Enrollment Agent onsite will verify your identity with the provided identification document, scan your identification to verify authenticity, verify all of your demographic data, and then proceed to fingerprint you using electronic scanning equipment. Any questions prior to or after the fingerprint appointment should be directed to the MorphoTrust Massachusetts Customer Service Center at (866) 349-8130 or to the school employer.

At the conclusion of your fingerprint appointment, you will be provided with a receipt. A single receipt will be provided to you and please be sure to retain that original receipt. Multiple copies will not be provided. Please provide a copy of the receipt to your Human Resources Department or school administrator. If you are an Out of State Applicant, please send a copy of your registration confirmation to your Human Resources Department or school administrator.

Pre-K-12th Grade Education (ESE) Applicant Types

The following sub-sections provide additional information concerning the various applicant types that fall under the Massachusetts Department of Elementary and Secondary Education (ESE).

Licensed Educator

The fee charged will be \$55 for educators licensed by the Commissioner of Elementary and Secondary Education.

Other School Personnel

The fee charged will be \$35 for all other school personnel (i.e., school secretaries, cafeteria workers, custodians, bus drivers, etc.) and designated volunteers and vendor employees.

Multiple Provider IDs

There may be instances in which an ESE applicant is seeking employment at multiple schools or districts and has been instructed to undergo a fingerprint-based criminal background check conducted for each employer. Furthermore, there may be instances where an ESE applicant is currently employed at more than one school or district. As part of the fingerprint registration process, up to ten (10) Provider ID's may be submitted. The fingerprint-based criminal background check results will be disseminated to each of the schools identified at during the registration process.

EEC and ESE Employment

There may be instances in which an applicant is either employed or seeking employment with an ESE organization and a Massachusetts Department of Early

Education and Care (EEC) organization. Federal rules and regulations prohibit EEC and ESE from sharing/disseminating an individual's criminal history record information (CHRI). In order to be compliant with the new law, an individual who works for both EEC and ESE organizations will have to submit, and pay for, two separate fingerprint-based criminal record checks. If back-to-back appointments are unavailable, please select an appointment time that is as close to the first appointment as can be obtained. An applicant will be fingerprinted for both submissions at the same time, and will not be made to wait for the later time.

Out of State Applicants

There may be instances in which an applicant does not reside in the Commonwealth of Massachusetts and his/her work does not require travel to the Commonwealth of Massachusetts.

Applicants who meet the above criteria may use MorphoTrust's Card Scan Processing Program. This program utilizes advanced scanning technology to convert a traditional fingerprint card (hard card) into an electronic fingerprint record. Converting a "hard card" into an electronic record enables an applicant to have his/her fingerprint record processed as quickly as if he/she had traveled to an electronic fingerprint processing location. The section below details the procedures for submitting fingerprints to the Card Scan Processing Unit.

- Applicants must go online to the MorphoTrust USA IdentGo™ registration website <http://www.identogo.com/FP/Massachusetts.aspx> or call the MorphoTrust Massachusetts Customer Service Center toll free at (866) 349-8130 and complete the registration process.

- If using the online registration process, you must select "**Pay for Ink Card Submission**" on the Appointment Details page. This will identify to MorphoTrust that a hard card will be mailed to them for conversion to an electronic fingerprint record which will then be submitted to the Massachusetts State Police (MSP) and to the Federal Bureau of Investigation (FBI). Please note the fee charged for out of state applicants is \$55 for educators licensed by the Commissioner of Elementary and Secondary Education and \$35 for all other school personnel

Massachusetts Registration

Appointment Details

If you are using assistive technology (such as a screen reader) or have problems using the scheduler below, please follow this link to our alternative appointment scheduler.

[← Return to Start](#)
[Pay for Ink Card Submission](#)

Enter a zip code to determine the closest fingerprinting location.

or

Please choose the region you will be in for your identification appointment.

Need to start over?
[← Return to Start](#)

If you have any questions with the website, please contact MorphoTrust USA at (866) 349-8130.

- You must complete the entire registration process. All information entered during the registration process will be submitted to the Massachusetts State Police as part of the fingerprint transmission. **Any data discrepancies or errors found during this process may result in additional submissions, at the expense of applicant.**
- A confirmation number (Registration ID) will be supplied at the end of the registration process. You should retain this number for tracking purposes. This confirmation number must be recorded on the fingerprint card when it is submitted to MorphoTrust for proper processing.
- You must complete payment during the registration process via the online e-Payment portal. Options include debit and credit card as well as e-Check. (Applicant cards with unpaid or declined payments will not be processed and cards will be returned to the applicant.) A payment reference number will be supplied during the registration process. You should retain this number for tracking purposes.
- Once the application process has been completed, the Massachusetts Department of Criminal Justice Information Services (DCJIS) will mail you a package which will include a Massachusetts Applicant Fingerprint Card (Form 1-

9) and a Fingerprint Certification Form. *MorphoTrust does not provide fingerprint cards to applicants.*

- You must obtain a set of fingerprints from a local law enforcement agency. These fingerprint cards may be either traditional ink rolled fingerprints or electronically captured and printed fingerprint cards. In addition to the fingerprint card, the Fingerprint Certification Form must also be completed by the local law enforcement agency.
- You need to make sure the fingerprint card is complete prior to the submission to MorphoTrust. Required information includes: **Full name, date of birth, date and signature of person fingerprinted, date and signature of person taking the fingerprints, and the confirmation number provided at the end of the registration process.**
- The Massachusetts Fingerprint Card and the Fingerprint Certification Form, along with Registration ID and payment reference number, must then be sent to the following address (for tracking and security reasons, it is recommended that a shipping service with package tracking capabilities be utilized):

IdentoGo™ by MorphoTrust

MA SAFIS Cardscan

1650 Wabash Ave Suite D

Springfield, IL 62704

- Please include at least two (2) means of contact with your fingerprint card submission (for example, a daytime and evening telephone number or a cell phone number and email address).
- If you want to verify that your fingerprint card has been processed, you may call the MorphoTrust Massachusetts Customer Service Center at (866) 349-8130 and speak with a customer service representative. Please allow at least 3 days from date of mailing before contacting MorphoTrust regarding processing status.

Failure to complete the process as stated on these instructions will result in the card being returned to you, which will delay the process.

Contacting Customer Service

| | |
|--|--|
| For assistance with scheduling, rescheduling, or cancelling an appointment, refunds, or directions to a MorphoTrust USA IdentoGo™ enrollment center. Monday-Friday 7:00 a.m. – 6 p.m. EST | MorphoTrust Massachusetts Customer Service Center Phone: (866) 349-8130 |
| For assistance with obtaining a status or interpretation of your fingerprint-based criminal history check results. (NOTE: Please do not contact the Department of Criminal Justice Information Services until 72 hours has passed since your fingerprints were taken at a MorphoTrust USA IdentoGo™ enrollment center.) Monday-Friday 9:00 a.m.-5:00 p.m. EST | Massachusetts DCJIS Phone: (617) 660-4640 TTY: (617)-660-4606 Email: safis@state.ma.us |

- › Laws & Regulations Home
- › State Regulations
- › State Laws
- › Federal Laws
- › Legal Advisories
- › Arbitration Awards
- › Litigation Reports

District/School Administration Administration

Education Laws and Regulations

603 CMR 51.00

Criminal History Checks for School Employees

Section:

51.01: Authority, Scope, and Purpose

51.02: Definitions

51.03: Individuals Subject to National Checks for Suitability Determinations

51.04: School Employer Policies on National Criminal History Checks and Suitability Determinations; Confidentiality; Dissemination; Audit

51.05: Timing of National Criminal History Checks

51.06: Employer Documentation of Suitability Determination; Reliance Thereon; Subsequent Checks

51.07: Reporting National Criminal History Check Results to the Commissioner

[View All Sections](#)

Adopted by the Board of Elementary and Secondary Education: December 17, 2013

51.01: Authority, Scope, and Purpose

(1) Authority: 603 CMR 51.00 is promulgated pursuant to the authority of the Board of Elementary and Secondary Education under M.G.L. c. 71, §38R, and St. 2013, c.77..

(2) Scope: 603 CMR 51.00 governs the state and national criminal history checks of individuals working in or applying to work in Massachusetts public and private schools as required and permitted by M.G.L. c. 71 § 38R. M.G.L. c. 6, §§ 167-178B and 803 CMR 2.00: *Criminal Records Information (CORI)* also apply to such criminal history checks

(3) Purpose: The purpose of 603 CMR 51.00 is to provide school employers and employees with consistent rules and procedures regarding criminal history background checks.

51.02: Definitions

As used in 603 CMR 51.00, unless the context clearly requires otherwise, terms shall have the following meanings:

Board: The Massachusetts Board of Elementary and Secondary Education or a person duly authorized by the Board.

Commissioner: The Massachusetts Commissioner of Elementary and Secondary Education or his or her designee.

Conditional Employee: An individual who may have direct and unmonitored contact with children hired by a school employer without the employer first obtaining the results of a state and national fingerprint-based criminal history check because the school employer determines that exigent circumstances exist as set forth in 603 CMR 51.05(4).

Criminal History Record Information (CHRI): Information provided by the FBI and the Massachusetts State Police State Identification Section, through the Massachusetts Department of Criminal Justice Information Services (DCJIS). CHRI is defined by the FBI as any notations or other written or electronic evidence of an arrest, detention, complaint, indictment, information or other formal criminal charge relating to an identifiable person that includes identifying information regarding the individual as well as the disposition of any charges.

Criminal Justice Information (CJI): For the purposes of 603 CMR 51.00, CJI refers to data provided by the Federal Bureau of Investigation (FBI) Criminal Justice Information Services Division (CJIS) to civil agencies to perform their mission; including, but not limited to data used to make hiring decisions.

Criminal Offender Record Information (CORI): Records and data in any communicable form compiled by a Massachusetts criminal justice agency which concern an identifiable individual and relate to the nature or disposition of a criminal charge, an arrest, a pre-trial proceeding, other judicial proceedings, sentencing, incarceration, rehabilitation, or release. Such information shall be restricted to that recorded as the result of the initiation of criminal proceedings or any consequent proceedings related thereto. Criminal offender record information shall not include evaluative information, statistical and analytical reports and files in which individuals are not directly or indirectly identifiable, or intelligence information. Criminal offender record information shall be limited to information concerning persons who have attained the age of 17 and shall not include any information concerning criminal offenses or acts of delinquency committed by any person younger than 17 years old; provided,

however, that if a person younger than 17 years old is adjudicated as an adult, information relating to such criminal offense shall be criminal offender record information. Criminal offender record information shall not include information concerning any offenses which are not punishable by incarceration. Massachusetts school employers' access to, and treatment of, CORI is governed by M.G.L. c. 71, § 38R, M.G.L. c. 6, §§ 167-178B and 803 CMR 2.00: *Criminal Offender Record Information (CORI)*.

Department: The Massachusetts Department of Elementary and Secondary Education.

Department of Criminal Justice Information Services (DCJIS): The Commonwealth agency statutorily designated to provide a public safety information system and network to support data collection, information sharing and interoperability for the Commonwealth's criminal justice and law enforcement community and to oversee the authorized provision of CORI to the non-criminal justice community.

Direct and unmonitored contact with children: Contact with students when no other employee, for whom the employer has made a suitability determination pursuant to 603 CMR 51.00 of the school or district is present. "Contact" refers to any contact with a student that provides the individual with opportunity for physical touch or personal communication. The school employer may determine when there is potential for direct and unmonitored contact with children by assessing the circumstances and specific factors including but not limited to, whether the individual will be working in proximity with students, the amount of time the individual will spend on school grounds, and whether the individual will be working independently or with others. An individual shall not be considered to have the potential for direct and unmonitored contact with children if he or she has only the potential for incidental unsupervised contact in commonly used areas of the school grounds.

Employee: An individual working, or applying to work, in a Massachusetts public or private school. Employees shall include any apprentice, intern, or student teacher or individuals in similar positions.

National Criminal History Check: The process of submitting fingerprints to the FBI and Massachusetts State Police (MSP) State Identification Section to obtain state and national criminal history record information.

School: A Massachusetts public school, including a collaborative school, charter school, virtual school or innovation school; or a Massachusetts private day or residential school, including a special education school program approved under M.G.L. c. 71B; or a Massachusetts independent or parochial school or schools.

School Employer: The superintendent of any city, town, or regional school district, principal, or other administrator of Massachusetts public or private schools, including a special education school program approved under M.G.L. c. 71B. For the purposes of an individual directly hired by a Massachusetts school committee, the school committee is the school employer.

Subcontractor or Laborer: An individual not employed by the school employer but commissioned by the school committee or school, **or employed by the city or town, or employed by a non-school employer under contract or lease with the school, school district, city, or town** to perform work on school grounds or with students. Such individuals may be the employees of a contractor or vendor hired by a school, or may be independent contractors or service providers hired by a school **or may be performing services on school grounds under a contract or lease with the school, school district, city or town.**

Substitute Employee: An individual who is employed, on a temporary basis, to take the place of an employee who is absent.

Suitability Determination: A determination made by a school employer concerning whether anything contained in the individual's CHRI renders the individual unfit for employment that may include direct and unmonitored contact with children. **A suitability determination may also be made by the Department of Elementary and Secondary Education.**

Volunteer: An individual who performs a service for a school employer on an unpaid basis, who is not an apprentice, intern or student teacher.

51.03: Individuals Subject to a National Criminal History Check for Suitability Determinations.

- (1) School employers shall review the results of a national criminal history check for all current and prospective school employees in the following categories:
- (a) Any full or part-time employee who may have direct and unmonitored contact with children;
 - (b) Any substitute employee who may have direct and unmonitored contact with children;
 - (c) Any student teacher, apprentice or intern working at a school who may have direct and unmonitored contact with children; and
 - (d) Any individual who regularly provides school related transportation to children.
- (2) School employers may review the results of a national criminal history check for certain individuals who may have direct and unmonitored contact with children, including:

- (a) Any volunteer; and
- (b) Any subcontractor or laborer commissioned by the school employer, or employed by the city or town, to perform work on school grounds or with students.

(3) In the case of an individual directly hired by the school committee, such as a superintendent of schools, the chair of the school committee shall review the results of the national criminal history check.

51.04: School Employer Policies on National Criminal History Checks and Suitability Determinations; Confidentiality; Dissemination; Audit.

(1) Each school employer that receives CHRI shall maintain a written CHRI policy that meets the minimum standards of the DCJIS model CORI Policy and that complies with all federal rules and regulations regarding CHRI, including limitations on record retention and the requirement of CHRI consent forms.

(2) Security of CHRI: School employers will conform to all of the requirements of the FBI Criminal Justice Information System (CJIS) security policy and the DCJIS security policies and procedures pertaining to the use, storage, dissemination, and destruction of CHRI and CJI.

(3) Before taking any adverse action based on CHRI, a school employer shall:

- (a) comply with applicable federal and state laws and regulations, **which may include, but are not limited to, M.G.L. c. 71, §§ 42 and 42D, and c. 150E, if applicable;**
- (b) notify the individual in person, by telephone, fax, or electronic or hard copy correspondence of the potential determination;
- (c) provide a copy of the individual's CHRI to the individual;
- (d) provide a copy of the employer's CHRI policy to the individual;
- (e) identify the information in the individual's CHRI that is the basis for the potential determination;
- (f) provide the individual with the opportunity to dispute the accuracy of the information contained in the CHRI;
- (g) provide the individual with a copy of state and FBI information regarding the process for correcting CHRI; and
- (h) document all steps taken to comply with 603 CMR 51.04.

(4) Dissemination. Upon receiving the national criminal history check results for a given employee, a school employer **shall** disseminate those results to **only** the following recipients:

- (a) the employee, **in a confidential and secure manner**, pursuant to the standards for providing CORI information under 803 CMR 2.13: *Required Dissemination of Criminal Offender Record Information (CORI) by an Employer or Governmental Licensing Agency or upon the employee's request*; and
- (b) the Department, if reporting to the Commissioner is required pursuant to section 603 CMR 51.07, Reporting National Check Results to the Commissioner.

(5) **Confidentiality, Storage and Destruction.** A school employer shall adhere to the following standards regarding the confidentiality, **storage and destruction** of national criminal history check results:

- (a) The employer may not receive an individual's national criminal history check results unless the individual has authorized the employer to receive the results through a CHRI consent form;
- (b) While employment decisions are pending, the employer shall store the national criminal history check results pursuant to the restrictions regarding CORI storage set forth in 803 CMR 2.11(1) through (3); and
- (c) Once employment decisions are complete and the requirements set forth in 603 CMR 51.07, if applicable, are met, the employer shall destroy national criminal history check results pursuant to the requirements regarding CORI destruction set forth in 803 CMR 2.12: *Destruction of Criminal Offender Record Information (CORI)*.

(6) **Audit.** School employers are subject to Compliance Audits by the DCJIS and the FBI. These audits will assess the adherence to DCJIS, FBI CHRI and CJI handling laws, regulations, policies, and procedures.

51.05: Timing of National Criminal History Checks

(1) For individuals who began work or service before the 2013-2014 school year:

- (a) An employee, subcontractor, laborer, individual who regularly provides school related transportation to children, volunteer or other individual will be considered to have begun work or service for a school employer before the 2013-2014 school year if he or she performed work for that school employer prior to July 1, 2013.
- (b) Before the start of the 2016-2017 school year and according to a schedule established by the Department, school employers shall obtain and review national criminal history checks, and make

required suitability determinations, for all employees who began work before the 2013-2014 school year and for all individuals who regularly provide school related transportation to children and who began work before the 2013-2014 school year.

(c) School employers may obtain and review national criminal history checks, and make suitability determinations for subcontractors, laborers or volunteers who began work or service before the 2013-2014 school year according to a schedule established by the Department.

(2) For individuals who begin work or service during the 2013-2014 school year:

(a) For employees who may have direct and unmonitored access to children, and for individuals who regularly provide school related transportation to children, school employers shall:

1. Obtain and review the applicant's Massachusetts CORI and determine whether the CORI results preclude employment before hiring the individual;
2. If the Massachusetts CORI results do not preclude employment, the employer shall require the individual to submit his or her fingerprints for a national criminal history check according to the process created by the Commonwealth and according to a schedule established by the Department; and
3. Make a suitability determination after the results of the national criminal history check are available; or, if permitted by 603 CMR 51.06, obtain documentation of a previous suitability determination.

(b) For subcontractors, laborers and volunteers who begin work or service during the 2013-2014 school year, the school employer may require the individual to submit fingerprints for a national criminal history check according to the procedures set out in 603 CMR 51.05(2)(a).

(3) For individuals who begin work or service during or after the 2014-2015 school year, school employers shall secure national criminal history checks before finalizing an offer of employment, as follows:

- (a) Obtain and review the applicant's Massachusetts CORI and determine whether the CORI results preclude employment;
- (b) If the CORI results do not preclude employment, require the individual to submit his or her fingerprints for a national criminal history check according to the process created by the Commonwealth and according to a schedule established by the Department, unless permitted by 603 CMR 51.06, to rely on a previous suitability determination; and
- (c) Make a suitability determination after the results of the national criminal history check are available; or, if permitted by 603 CMR 51.06, obtain documentation of a previous suitability determination.

(4) In exigent circumstances, a school employer may hire an employee conditionally for whom a national criminal history check is required, or permit a subcontractor, laborer or volunteer for whom the school employer seeks a national criminal history check to begin service, without first receiving the results of a national criminal history check.

(a) The exigent circumstances in which a school employer may hire a conditional employee include:

1. The school determines it must fill a position that is created or becomes open during the school year;
2. The school seeks to fill a position less than one month before the start of a school year;
3. The school seeks to hire an individual for whom a national criminal history check has been requested, but the school employer is unlikely to receive the results before the individual's employment will begin;
4. The school requires the service of a subcontractor, laborer or volunteer who has submitted fingerprints for the purposes of a national criminal history check, but the school employer has not yet received the results of the national criminal history check.

(b) In order to hire a conditional employee or permit an individual to begin providing services under 603 CMR 51.05(4)(a), a school employer:

1. Shall obtain and review the results of a Massachusetts CORI check;
2. Shall require the individual to submit fingerprints for a national criminal history check, **unless the school employer first obtains the CORI results and determines they preclude employment, or unless the school employer is permitted by 603 CMR 51.06 to rely on a previous suitability determination;**
3. May, **until the school employer makes a suitability determination based on the results of a national criminal history check or documentation of a previous suitability determination is received,** require an individual to provide information regarding the individual's history of criminal convictions; however, the individual cannot be

- asked to provide information about juvenile adjudications or sealed convictions; and
4. Shall make a suitability determination after the results of the national criminal history check become available, **or, if permitted by 603 CMR 51.06, obtain documentation of a previous suitability determination.**

51.06: Employer Documentation of Suitability Determination; Reliance Thereon; Subsequent Checks.

(1) **Employer Documentation of Suitability Determination.** Employers must retain documentation of the school employer's review of an employee, applicant, **subcontractor, laborer, school transportation provider, or volunteer's** national criminal history check results **for the duration of an employee's employment or for seven years, whichever is longer.** The documentation must include, and is limited to, the following:

- (a) The name and date of birth of the employee or applicant;
- (b) The date on which the school employer received the national criminal history check results; and,
- (c) The suitability determination (either "suitable" or "unsuitable").

(2) **Documentation to be Provided upon Request.** A school employer must provide a copy of the documentation of the suitability determination of an individual to another school employer, or to the individual, upon request of the individual for whom the school employer conducted a suitability determination.

(3) **Reliance on a Favorable Suitability Determination.** When an individual for whom a school employer **or the Department of Elementary and Secondary Education** has made a suitability determination applies to work for a school employer, the school employer may obtain and may rely on a favorable suitability determination, if the following criteria are met:

- (a) The suitability determination was made within the last seven years; and
- (b) The individual has not resided outside Massachusetts for any period longer than three years since the suitability determination was made; and **either**
- (c) The individual has been employed continuously for one or more school employers or has gaps totaling no more than two years in his or her employment for school employers; or
- (d) If the individual works as a substitute employee, the individual is still deemed suitable for employment by the school employer who made a favorable suitability determination. Upon request of another school employer, the initial school employer shall provide documentation **that the individual is still deemed suitable for employment by the initial school employer.**

(4) **Documentation of Reliance on a Previous Favorable Suitability Determination.** In any instance where a school employer relies on a suitability determination made by another school employer or **by the Department of Elementary and Secondary Education**, the relying school employer shall retain the following documentation:

- (a) A copy of the documentation received from the school employer **or agency** that made the relied-upon suitability determination, and
- (b) Documentation establishing that the individual met the criteria of 603 CMR 51.06 (3) (a), (b), and **either** (c) or (d).

(5) Subsequent Checks; Fees.

- (a) Unless a school employer may rely on a previous determination pursuant to 603 CMR 51.06(3), the school employer shall require a new national criminal history check at the individual's expense.
- (b) If a previous school employer's documentation demonstrates the employee was deemed "unsuitable" for employment, another school employer shall require a new national criminal history check at the individual's expense.
- (c) A school employer may choose to perform a new national criminal history check on an individual rather than rely on a previous favorable suitability determination. The school employer shall bear the cost of such a **new** check.

51.07: Reporting National Criminal History Check Results to the Commissioner.

(1) Any school employer who has dismissed, declined to renew the employment of, obtained the resignation of, or declined to hire a licensed educator or an applicant for a Massachusetts educator license because of information discovered through a national criminal history check shall report such decision or action to the Commissioner in writing within 30 days of the employer action or educator resignation. The report shall be in a form requested by the Department and shall include the reason for the action or resignation as well as a copy of the national criminal history check results. **The school employer shall notify the employee or applicant that it has made a report pursuant to 603 CMR 51.07(1) to the Commissioner.**

(2) Any school employer who discovers information from a national criminal history check about a licensed educator

or an applicant for a Massachusetts educator license that implicates grounds for license action pursuant to 603 CMR 7.15(8)(a): *Grounds for License Action* shall report to the Commissioner in writing within 30 days of the discovery, regardless of whether the employer retains or hires the educator as an employee. The report must include a copy of the national criminal history check results. The school employer **shall notify the employee or applicant that it has made a report pursuant to 603 CMR 51.07(2) to the Commissioner and shall also send a copy of the national criminal history check results to the employee or applicant.**

(3) The failure of a school administrator who holds an educator license to make any such report to the Commissioner shall be grounds for license sanction pursuant to 603 CMR 7.15(8)(h): *Administrator's Obligation to Report*.


(4) The Department shall treat CHRI in a manner consistent with the DCJIS model CORI Policy and in compliance with all federal rules and regulations regarding CHRI, including limitations on record retention.

Regulatory Authority:
M.G.L. c. 71 § 38R and Chapter 77 of the Acts of 2013

last updated: December 26, 2013

E-mail this page| Print View| Print Pdf

Disclaimer:
For an official copy of these regulations, please contact the State House Bookstore, at 617-727-2834 or visit <http://www.state.ma.us/sec/spr/sprinf/infocode.htm>



THE 188TH GENERAL COURT OF

THE COMMONWEALTH OF MASSACHUSETTS

Home

Glossary

FAQs

Options

GO

Massachusetts Laws

Bills

State Budget

People

Committees

Educate & Engage

Events

MyLegislature

Massachusetts Laws

Massachusetts Constitution

General Laws

Session Laws

Rules

Session Law

Print Page

Acts

2012

Chapter 459

AN ACT RELATIVE TO BACKGROUND CHECKS.

PREV

NEXT

Jump to:

2012

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Subsection (a) of [section 7 of chapter 15D of the General Laws](#), as appearing in the 2010 Official Edition, is hereby amended by adding the following paragraph:-

As part of the department’s licensure and background record check process, the department shall conduct fingerprint-based checks of the state and national criminal history databases, under 42 U.S.C. section 16962, before issuing any license. The fingerprint-based checks shall be conducted on any applicant for a family child care, small group and school age, large group and school age, residential and placement license or family child care assistant certificate. The fingerprint-based checks shall be conducted for all applicants for employment, who have the potential for unsupervised contact with children, in any department licensed or funded program and for all household members or persons regularly on the premises, age 15 or older, of applicants for family child care licensure. The fingerprint-based checks shall also be required for all in-home non-relative department funded caregivers and for all applicants to be adoptive or foster parents. Authorized department staff may receive and appropriately disseminate all criminal offender record information and the results of checks of state and national criminal information databases, under 42 U.S.C. section 16962, in accordance with the law. When the department obtains the results of checks of state and national criminal information databases, it shall treat the information according to sections 167 through 178, inclusive, of chapter 6 and the regulations thereto regarding criminal offender record information.

SECTION 2. Subsection (b) of said [section 7 of said chapter 15D](#), as so appearing, is hereby amended by adding the following paragraph:-

As part of the department’s approval process, the department shall conduct fingerprint-based

checks of the national crime information databases, under 42 U.S.C. section 16962, before issuing any approval. The fingerprint-based checks shall be conducted for all applicants for employment who have the potential for unsupervised contact with children in any department approved program. Authorized department staff may receive and appropriately disseminate all criminal offender record information and the results of checks of state and national criminal information databases, under 42 U.S.C. section 16962, in accordance with the law. When the department obtains the results of checks of state and national criminal information databases, it shall treat the information according to sections 167 through 178, inclusive, of chapter 6 and the regulations thereto regarding criminal offender record information.

SECTION 3. Subsection (b) of [section 8 of said chapter 15D](#), as so appearing, is hereby amended by inserting after the word “fees”, in line 35, the following words:- , which shall incorporate all fees associated with conducting fingerprint-based checks of the state and national criminal history databases, under 42 U.S.C. section 16962, as set by the department.

SECTION 4. Subsection (d) of said [section 8 of said chapter 15D](#), as so appearing, is hereby amended by inserting after the word “check”, in line 55, the following words:- and fingerprint-based checks of the state and national criminal history databases, under 42 U.S.C. section 16962.

SECTION 5. Said [section 8 of said chapter 15D](#), as so appearing, is hereby further amended by adding the following subsection:-

(j) Fingerprints, as referenced in subsections (a) and (b) of section 7 and subsections (b) and (d) of this section, shall be submitted to the identification section of the department of state police for a state criminal history check and forwarded to the Federal Bureau of Investigation for a national criminal history check, according to the policies and procedures established by the identification section and by the department of criminal justice information services. Fingerprint submissions and national criminal history checks may be retained by the department of criminal justice information services to ensure the continued suitability for licensure, certification, approval or employment of those individuals. The department may disseminate the results of a national criminal history check to the department of early education and care to determine the suitability of: (i) current and prospective employees in any department licensed or funded program; (ii) all household members or persons regularly on the premises, age 15 or older, of applicants for family child care licensure; (iii) all in-home non-relative department funded caregivers; and (iv) all adoptive or foster parent applicants.

The department of criminal justice information services shall disseminate the results of the criminal background check to the department. The department of criminal justice information services shall only disseminate information under this section that would otherwise be available to requesting entities under sections 167 through 178, inclusive, of chapter 6 and the regulations thereto regarding criminal offender record information.

All persons required to submit fingerprints pursuant to this chapter, including, but not limited

to: (i) any applicant for department licensure or for employment at a department licensed or funded program; (ii) any household member or person regularly on the premises, age 15 or older, in a family child care program; (iii) any prospective foster or adoptive parent; and (iv) any in-home non-relative caregiver, shall pay a fee, to be established by the department in consultation with the secretary of public safety and security, to offset the costs of operating and administering a fingerprint-based criminal background check system. The fee shall not exceed \$35 per person. The fee may increase accordingly if the Federal Bureau of Investigation increases its fingerprint background check service fee. The department licensed or funded programs may reimburse applicants for employment for all or part of the fee on the grounds of financial hardship. The fee shall be deposited into the Fingerprint-Based Background Check Trust Fund, established under [section 2HHHH of chapter 29](#).

SECTION 6. [Chapter 29 of the General Laws](#) is hereby amended by inserting after section 2GGGG the following section:-

Section 2HHHH. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Fingerprint-Based Background Check Trust Fund. The fund shall be credited any appropriations or other monies authorized by the general court and specifically designated to be credited thereto and any additional funds designated for deposit into the fund, including any private donations made available for deposit into the fund. Amounts credited to the fund shall be available, without further appropriation, to the executive office of public safety and security to carry out fingerprint-based state and national background criminal checks for the purposes of employment, professional licensure and other non-criminal justice purposes.

The fund shall be utilized for the sole purpose of carrying out state and national criminal background checks and verifications, including, but not limited to, obtaining or contracting to obtain fingerprints and fees from subjects, making payments charged by the Federal Bureau of Investigation or other entity, staffing the department of state police and the department of criminal justice information services to submit fingerprints and to obtain, verify and disseminate the results of background checks and maintaining the public safety information systems used to obtain access to fingerprint-based state and national criminal background information.

The department of criminal justice information services shall report annually to the house and senate committees on ways and means and the joint committee on education on the cost of operating and administering the fingerprint-based criminal background check system, including the amount and purpose of expenditures from the fund.

SECTION 7. [Chapter 71 of the General Laws](#) is hereby amended by striking out section 38R, as appearing in the 2010 Official Edition, and inserting in place thereof the following section:-

Section 38R. In a manner prescribed by the board of elementary and secondary education, the school committee and superintendent of any city, town or regional school district and the principal or other administrator, by whatever title the position be known, of a public or private school, including a special education school program approved under [chapter 71B](#),

shall obtain periodically, but not less than every 3 years, from the department of criminal justice information services all available criminal offender record information for any current or prospective employee or volunteer within the school district or for any subcontractor or laborer commissioned by the school committee or school to perform work on school grounds, who may have direct and unmonitored contact with children, including any individual who regularly provides school related transportation to children.

The school committee, superintendent of any city, town or regional school district or the principal or other administrator, by whatever title the position be known, of a public or private school, including a special education school program approved under [chapter 71B](#), shall also obtain a state and national fingerprint-based criminal background check, as authorized by Public Law 92-544, to determine the suitability of current and prospective employees of the school department who may have direct and unmonitored contact with children. The school committee shall only obtain a state and national fingerprint-based criminal background check for current and prospective employees for whom the school committee has direct hiring authority. The superintendent, principal or other administrator shall also obtain a state and national fingerprint-based criminal background check for any individual who regularly provides school related transportation to children and any subcontractor or laborer commissioned by the school committee or school to perform work on school grounds who may have direct and unmonitored contact with children. Fingerprints shall be submitted to the identification section of the department of state police for a state criminal history check and forwarded to the Federal Bureau of Investigation for a national criminal history check, according to the policies and procedures established by the identification section and by the department of criminal justice information services. Fingerprint submissions and national criminal history checks may be retained by the department of criminal justice information services to ensure the continued suitability of those individuals. The department may disseminate the results of a national criminal history check to: a school committee, superintendent, principal or their designees, to determine the suitability of current and prospective employees of the school department; and to the department of elementary and secondary education to determine the suitability of applicants for licensure and licensed educators who may have direct and unmonitored contact with children. The department of criminal justice information services may disseminate to school committees only those results for current and prospective employees for whom the school committee has direct hiring authority.

The department of criminal justice information services shall disseminate the results of the criminal background check to the school committee, superintendent, principal or the designee of the school committee, superintendent or principal, provided, however, that the department of criminal justice information services shall disseminate to a school committee only results for current and prospective employees for whom the school committee has direct hiring authority. Entities that receive the results of national criminal background checks shall treat the information in accordance with sections 167 through 178, inclusive, of chapter 6 and the regulations thereto regarding criminal offender record information. The department of criminal justice information services shall only disseminate information under this section that

would otherwise be available to requesting entities under sections 167 through 178, inclusive, of chapter 6 and the regulations thereto regarding criminal offender record information. The school committee, superintendent or principal shall notify the commissioner of any criminal record information relevant to the fitness for licensure of any holder of, or applicant for, an educator's license in the commonwealth.

The board of early education and care shall in a manner provided by law and in accordance with this section and sections 167 through 178, inclusive, of chapter 6 and the regulations thereto, promulgate regulations necessary to carry out this section. The regulations shall provide for the confidentiality of criminal offender record information and the results of fingerprint-based checks of the state and national criminal history databases, under 42 U.S.C. section 16962, obtained under this section. The regulations may address how fingerprint-based background checks shall be conducted for student teacher candidates and may reflect a phased-in schedule for the fingerprint-based background checks.

The applicant shall pay a fee, to be established by the secretary of administration and finance in consultation with the secretary of public safety and security and the commissioner, to offset the costs of operating and administering a fingerprint-based criminal background check system. The fee shall not exceed \$55 for employees who are certified pursuant to section 38G and shall not exceed \$35 for employees who are not certified pursuant to section 38G. The fee may increase accordingly if the Federal Bureau of Investigation increases the fee for its fingerprint background check service. The school committee, superintendent or principal may reimburse applicants all or part of the fee on the grounds of financial hardship. The fee shall be deposited into the Fingerprint-Based Background Check Trust Fund established under [section 2HHHH of chapter 29](#).

SECTION 8. Subsection (l) of [section 51B of chapter 119 of the General Laws](#), as so appearing, is hereby amended by inserting after the word "part," in line 124, the following words:- or was committed by an individual the department has reason to believe was licensed.

SECTION 8A. Said subsection (l) of said [section 51B of said chapter 119](#), as so appearing, is hereby further amended by inserting after the first paragraph the following paragraph:-

If the department substantiates a report alleging that abuse or neglect was committed by an individual who was employed at a facility approved or licensed by the department of early education and care, then the department shall notify the office of the child advocate and the department of early education and care, in writing, by transmitting a copy of the report filed under section 51A and the department's written evaluation and written determination.

SECTION 8B. The department of early education and care, with approval from the board of early education and care, shall amend its background record check regulations in a manner necessary to carry out [section 8 of chapter 15D of the General Laws](#). The regulations may reflect a phased-in schedule for the fingerprint-based background checks, provided, however, that the phase-in shall not begin prior to September 1, 2013.

SECTION 8C. The phase-in of the board of elementary and secondary education’s regulations under [section 38R of chapter 71 of the General Laws](#) shall not begin prior to September 1, 2013.

SECTION 9. Sections 1, 2 and 7 of this act shall apply to new employees hired for the 2013-2014 school year. Employees hired before that time shall submit fingerprints for federal background checks prior to the beginning of the 2016-2017 school year. If an individual subject to section 1, 2 or 7 applies to work with another school district or department of early education and care licensed facility and previously submitted a fingerprint-based background check, then the employer shall be authorized to access the individual’s original background check from the department of criminal justice information services in order to determine the applicant’s suitability for employment.

Approved, January 10, 2013.

[Show / Hide Site Map](#)

[Mass.gov](#) | [Site Map](#) | [Site Policy](#) | [Webmaster](#)

Copyright © 2014 The General Court, All Rights Reserved