

Pre-Consent Guidance for EEC Background Record Checks



Why did you receive this document?

The Department of Early Education and Care (EEC) requires candidates to undergo a background record check (BRC). This letter is to inform you of the BRC process before you sign the EEC BRC consent form, which starts the BRC process.



What checks are part of an EEC BRC?

EEC conducts six (6) different types of checks:

1. **Fingerprint Check**

A fingerprint-based criminal background check is required for the purpose of determining the suitability of a candidate. A fingerprint-based check is a scan of a candidate's fingerprints submitted to the State Police for a state criminal history check and forwarded to the Federal Bureau of Investigation ("FBI") for a national criminal history check.

2. **Criminal Offender Record Information (CORI) Check**

CORI is data provided by the Massachusetts Department of Criminal Justice Information Services (DCJIS). This information will include juvenile records, sealed records, non-delinquent findings, delinquent findings, convictions (guilty), and non-convictions (including dismissed, not guilty, entries of *nolle prosequi*, and a continuance without a finding (CWOFF)) whether the offenses are open, closed, or pending. The Table of Disqualifying Offenses will determine whether a candidate is eligible for a review by EEC.

3. **Department of Children and Families (DCF) Check**

EEC receives data related to supported 51B findings of abuse or neglect of a child from the Massachusetts Department of Children and Families (DCF) through its registry, which provides information regarding individuals who have been identified or are currently involved in a DCF investigation where abuse or neglect is alleged.

4. **Sex Offender Registry Information (SORI) Check**

Information provided by the Massachusetts Sex Offender Registry Board (SORB) regarding those who have been classified as a sex offender by SORB. EEC receives information on sex offenders categorized as levels 1-3 by SORB.

5. **National Sex Offender Registry (NSOR) Check**

The National Sex Offender Registry (NSOR) is a name-based file that contains records of individuals who are required to register in a jurisdiction's sex offender registry.

6. **Out-of-State Checks**

If you live or have lived in another state within the last 5 years, federal law requires that EEC conducts certain inter-state checks with the state(s) you live(d) in, including a sex offender check, a criminal history check, and a child welfare (or child abuse and neglect) check.



What happens next?

Once you complete the BRC Consent Form, you will get an e-mail with instructions on how to schedule a fingerprint check appointment. After your fingerprint check is complete, the CORI, SORI, DCF, and NSOR checks will automatically be processed. An Out of State Check will also be conducted when applicable.

All candidates must pay a \$35.00 fee to complete a fingerprint-based check. Be sure to bring an [acceptable form of identification](#) (e.g. passport, driver's license) to your fingerprint check appointment. IdentoGO, the fingerprint vendor, will confirm that the name on your legal identification document matches the name you used to complete your BRC Consent Form and to register for fingerprinting. The first and last name on your BRC application and fingerprint registration form must be spelled exactly the same as how they appear on your legal identification document. If the names do not match exactly, then you cannot be fingerprinted, and you may need to re-pay for your fingerprinting appointment.

If the BRC process identifies disqualifying offenses, you will receive an e-mail with instructions on what to do next. No personal information will be included in the e-mail. You will get instructions on how to access the information. Access to this information requires you to create your own password and a verification process. You may be required to provide documentation regarding any BRC information (CORI, SORI, DCF, Fingerprint, NSOR, and Out-of-State checks), regardless of whether the offense was dismissed, sealed, or closed, or how much time has lapsed. Once EEC receives required documents, a review will be completed to determine an appropriate suitability status.

You can visit EEC's website to find the [EEC BRC Table of Disqualifying Offenses](#), effective October 1, 2018.

Any program(s) you work for will not be notified of any disqualifying offenses. EEC will only share your final suitability determination with the program(s) where you work.



Is my personal information kept confidential?

EEC does not disclose any BRC results to programs. The BRC process is in a secure environment, specifically used by government agencies. If EEC needs to contact you by email about your BRC, no personal information will be included in the e-mail. Instead, you will be provided instructions on how to access the information in EEC's secure BRC environment.

EEC understands you may need to ask the program to assist you. Please use discretion when requesting assistance from others, as your personal information may be visible to the person assisting you.

Sincerely,

EEC Background Record Check Unit

Employer/Program Section

Provide LEAD Program Number	P- <input style="width: 75%;" type="text"/>
-----------------------------	---

Check Candidate Role: Employee Volunteer Intern BRC Program Administrator Affiliated Person

EEC BACKGROUND RECORD CHECK: CANDIDATE CONSENT FORM

As a current or prospective candidate for a Department of Early Education and Care (EEC) licensed, approved or funded program, or an independent agency or individual employed, contracted or affiliated with EEC licensed and/or funded programs (including Family Child Care Systems), you must complete and sign this request. EEC will notify you directly if your BRC requires further review. EEC will notify the program/agency listed on this application of when you are eligible to be "provisionally approved" and of our final suitability determination.

ALL FIELDS ARE REQUIRED. IF A FIELD IS NOT APPLICABLE, THEN WRITE "N/A". PLEASE PRINT.

FIRST NAME	MIDDLE NAME	LAST NAME	SUFFIX

Check here if you do NOT have a maiden name. List maiden name.

LAST NAME (MAIDEN)	<input style="width: 70%;" type="text"/>
--------------------	--

Check here if you do NOT have any former names, including alias names.

List all hyphenated names, aliases, or variations of a name you have ever used.

FIRST NAME	LAST NAME

Check here if you have never been Issued a Social Security Number?

_____	_____
Last Six of SSN (XX-XXXX)	Date of Birth (MM/DD/YYYY)

_____	_____	_____	_____
Birth City	Birth State	Birth Country	Gender (Female, Male or Other)

E-mail Address: _____ Phone Number: _____

Current Residential Address Line 1:	<input style="width: 75%;" type="text"/>
Current Residential Address Line 2:	<input style="width: 75%;" type="text"/>

_____	_____	_____
Current Residential City	Current Residential State	Current Residential Zip Code

Check here if you're mailing address is the same as your residential address.

Mailing Address Line 1:	<input style="width: 75%;" type="text"/>
Mailing Address Line 2:	<input style="width: 75%;" type="text"/>

_____	_____	_____
City	State	Zip Code

EEC Background Record Check

I consent and understand that my information will be submitted to complete an EEC Background Record Check (BRC). An EEC BRC includes a Massachusetts Criminal Offender Record Information (CORI) check through the Department of Criminal Justice Information Services (DCJIS); a Department of Children and Families (DCF) check for supported findings of abuse or neglect; a Sex Offender Registry Information (SORI) check through the Massachusetts Sex Offender Registry Board (SORB); a fingerprint-based check of state and national criminal history databases, and a search of the National Sex Offender Registry (NSOR) database; and, when applicable, a search of out of state records for any known criminal history, child welfare, and sex offender information in any state, territory, or region where I have lived in the past five years.

I authorize EEC's BRC Unit to receive information on an ongoing basis for any new or pending allegations or supported allegations involving child welfare agencies, entries in sex offender registries or repositories, and information on any new or pending criminal charges at any time within the year, and while I am affiliated with an EEC licensed, approved, or funded program. I authorize EECs BRC Unit to request information about my background from relevant agencies or authorities in any state, territory, or region where I have lived in the past five years, and I further authorize EEC to receive information from such agency or authority about my background.

I consent and understand EEC may use this information for investigative purposes if I, or my employer, licensee and/or contractor is involved in an EEC investigation. I am responsible to disclose to EEC if new criminal charges, sex offender registry or repository classifications, or child welfare allegations that have been filed against me.

I understand that knowingly providing false or misleading information, such as not including a known alias or maiden name, failing to list all states where I have resided within the prior five years, or not providing accurate identifying information is independent grounds for finding me not suitable to work in, be affiliated with, or be regularly on the premises of an EEC licensed and/or funded program. I understand that if I do not consent to completing an EEC BRC then I also may be found not suitable to work in, be affiliated with, or be regularly on the premises of an EEC licensed and/or funded program.

CORI Acknowledgment:

EEC is registered under the provisions of M.G.L. c.6, § 172 to receive CORI for the purpose of screening current and otherwise qualified prospective employees, subcontractors, volunteers, license applicants, current licensees and designated administrators. I understand that a CORI check will be submitted for my personal information to the DCJIS. I hereby acknowledge and provide permission to EEC to submit a CORI check for my information to the DCJIS. This authorization is valid for one year from the date of my signature. I understand that within this one year period of time EEC may conduct subsequent CORI checks for my personal information. I may withdraw this authorization at any time by providing EEC with written notice of my intent to withdraw consent to a CORI check. By signing this application, I provide my consent to a CORI check and affirm that the information provided to process the CORI check is true and accurate.

Federal Bureau of Investigation (FBI) fingerprint based and out of state criminal background checks notification:

I understand that EEC is authorized under federal and state laws to conduct FBI fingerprint based criminal background checks. Prior to a FBI fingerprint based criminal background check I will execute a separate consent form and will be required to submit fingerprints. EEC may also use the information I provide in this form to submit criminal background check requests to states outside of Massachusetts in accordance with federal law.

I certify under the penalties of perjury, that the information above is correct and to the best of my knowledge and understand that failure to disclose the required information and the providing of false or misleading information is independent grounds for finding me not suitable.

Candidate's Signature (parent/guardian if under 18 years of age)	Parent /Guardian Name	Date

NON-DISCLOSURE AND STATEMENT OF COMPLIANCE FORM FOR BRC PROGRAM ADMINSTRATOR

Agreement of Non-Disclosure and Statement of Compliance

I understand that any person who willfully requests, obtains or seeks to obtain criminal offender record information (CORI) under false pretenses, or who willfully communicates or seeks to communicate CORI to any agency or person except in accordance with the provisions of M.G.L. c.6 §§168 through 178B, inclusive, shall for each offense be fined not to exceed five thousand dollars (\$5000.00), or be imprisoned in a jail or house of correction for up to one year, or both and/or may be ordered by the Department of Criminal Justice Information Services (DCJIS) to pay civil fines for each willful violation.

I understand that I am only authorized to request CORI to the extent allowed by the DCJIS under its statute and regulations.

I have reviewed, understand and agree to comply with the DCJIS guidelines that are available at:

<https://www.mass.gov/eopss/agencies/dcjis>. I agree to store and disseminate CORI consistent with these requirements.

I understand that my agency is required to maintain an agency CORI policy and will review the Model CORI policy that is available at <https://www.mass.gov/eopss/agencies/dcjis>.

I also understand that a criminal record check will be conducted on me by the Department of Early Education and Care as a prerequisite to my having authorization to request CORI. I will only be notified if I am determined inappropriate to access CORI.

Signature (or parent/guardian if under 18 years of age)

Date

Agreement of Non-Disclosure of Department of Children and Families (DCF) Background Record Check Information

DCF Background Record Check records may be disseminated only to individuals authorized to receive such information.

An individual authorized to request such information shall have been hired in accordance with 606 CMR 14.00 et seq. and authorized by the licensee and EEC to request such DCF Background Record Check information. Willful dissemination of such DCF Background Record Check information to unauthorized individuals is punishable by a jail sentence of up to two and one half years and/or a fine of \$1000 in addition to civil penalties, pursuant to G.L. c. 119, §51F.

I agree to request DCF Background information only on those candidates for hire who are otherwise qualified in all respects, as a final step in the screening and hiring process.

I agree to disclose DCF Background Record Check information only to those individuals necessary to the hiring process who have been approved by EEC.

I understand that if I disclose DCF Background Record Check information to unauthorized individuals I may be subject to a jail sentence of up to two and one half years and/or a fine of \$1000 in addition to civil penalties.

Signature (or parent/guardian if under 18 years of age)

Date