



## MIT CORI POLICY

This policy is applicable to the criminal history screening of prospective and current employees, subcontractors, vendors, volunteers and interns. Where Criminal Offender Record Information (CORI) checks and other criminal history checks may be part of a general background check for employment or volunteer work, the following practices and procedures will generally be followed.

### I. Conducting CORI Screening

CORI checks will only be conducted as authorized by the Massachusetts Department of Criminal Justice Information Services (DCJIS) and M.G.L. c. 6, § 172, and only after a CORI Acknowledgement Form has been completed. The applicant will be provided with a copy of the Massachusetts Institute of Technology's CORI Policy.

### II. Access to CORI

All CORI obtained from DCJIS is confidential, and access to the information by individuals at MIT is limited to those who have a "need to know." This may include, but is not limited to, staff submitting CORI requests, staff processing job applications, and certain other MIT representatives who have received CORI training and may be involved in reviewing suitability based on the results of CORI checks. MIT maintains a current list of each individual authorized to have access to or view CORI. This list is updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

### III. CORI Training

An informed review of a criminal record requires training. Accordingly, all personnel authorized to review or access CORI at MIT will review, and will be familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS. These individuals will also review and be familiar with MIT's CORI Policy.

### IV. Use of CORI in Background Screening

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied. In most cases, MIT's practice is to obtain CORI checks only for finalists for positions.

Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant from employment at MIT. Rather, determinations of suitability based on background checks will be made consistent with this policy and any applicable law or regulations. Depending on the position, determinations of suitability will be made by a committee that will include representatives from MIT Police and Security Operations, and representative(s) from at least one of the following offices: Human Resources, General Counsel, Vice President for Finance, Vice President for Research, or the Division of Student Life. These individuals ("CORI-authorized individuals") have received CORI training and been authorized by MIT to request, receive, or review CORI information.



## **V. Verifying a Subject's Identity**

If a criminal record is received from DCJIS, the CORI-authorized individuals will closely compare the record provided by DCJIS with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to that individual.

If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination of whether the record should be included in applicant's criminal history screening will be made by a CORI-authorized individual based on a comparison of the CORI record and documents provided by the individual.

## **VI. Inquiring About Criminal History**

Prior to questioning an individual about his or her criminal history in connection with an employment or volunteer opportunity, MIT, or its authorized consumer reporting agency, will provide the subject with a copy of the criminal history record, whether obtained from the DCJIS or from any other source. The source(s) of the criminal history record will also be disclosed to the subject.

## **VII. Determining Suitability**

If MIT determines, based on the information as provided in section V of this Policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to, the following:

- (a) Relevance of the record to the position sought;
- (b) The nature of the work to be performed;
- (c) Time since the conviction;
- (d) Age of the applicant at the time of the offense;
- (e) Seriousness and specific circumstances of the offense;
- (f) The number of offenses;
- (g) Whether the applicant has pending charges;
- (h) Any relevant evidence of rehabilitation or lack thereof;
- (i) Any other relevant information, including information submitted by the applicant or requested by MIT.

MIT will notify the applicant of the decision and the basis for it in a timely manner.



### **VIII. Adverse Decisions Based on CORI**

If the committee of CORI-authorized individuals referenced in Section IV above intends to make an adverse decision based on the results of a criminal history background check, the applicant will be notified in accordance with the DCJIS regulation 803 CMR 2.18 and other applicable federal laws. The applicant shall be provided with a copy of MIT's CORI Policy and a copy of the criminal history. The record(s) that is/are the basis for the potential adverse action will also be identified. The source(s) of the criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Such applicants shall also be provided a copy of DCJIS' *Information Concerning the Process for Correcting a Criminal Record*.

### **IX. Applicant Challenges**

Applicants challenging the accuracy of their criminal record shall inform MIT. Depending upon the type of challenge, then Section V herein will apply, a re-investigation will be conducted by MIT's background check service provider, or applicants will be advised to correct the record directly with the source responsible for maintaining the record.

### **X. Secondary Dissemination Log**

All CORI obtained from DCJIS is confidential and can only be disseminated as authorized by law and regulation. MIT will maintain a central secondary dissemination log to record *any* dissemination of CORI outside of MIT, including dissemination at the request of the applicant.