



**U.S. NAVAL SEA CADET CORPS
NEW ENGLAND REGION 1-1**

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January 1, 2013

NEW ENGLAND REGION 1-1 INSTRUCTION 01-2013

From: Regional Director, NSCC New England Region 1-1

Subj: MANDATORY MASSACHUSETTS "CORI" BACKGROUND CHECKS

Ref: (a) NSCC Regulations, Chapter 7, Paragraph 0750-0751
(b) Northeast Region Directive 01-2013

Encl: (1) Massachusetts General Laws, Chapter 6, § 172H
(2) CORI Authorization Form

Introduction & Goals of the Policy:

This instruction complies with Massachusetts state law and demonstrates our commitment to child safety. Massachusetts requires that all adults (age 18 or over) who train or interact with youth must have a current Criminal Offender Record Information (CORI) check done on them at the time of application and every two years afterwards.

The background check conducted by NSCC HQ does not meet the legal requirements of the Massachusetts state law. Therefore, Region 1-1 must create and enforce this CORI Policy.

SUMMARY OF THIS POLICY

Each adult volunteer (18+) will be CORI checked at the time they enroll, and every two years thereafter, as long as they remain enrolled in the NSCC/NLCC.

Unit CO's will send the CORI authorization form to the Regional Director BEFORE forwarding approved applications directly to HQ.

Adults who are not enrolled and who do not have a current CORI check *shall not – under any circumstance!* – have unsupervised access to minors (cadets) while engaged in NSCC/NLCC activities.

Each unit CO and training COTC is accountable for the strict enforcement of this policy.

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A. Applicability:

1. This policy applies to:
 - a. Any adult (18 or over) who volunteers with a NSCC/NLCC unit within Region 1-1.
 - b. Any adult (18 or over) who staffs a training within Region 1-1, *even if* that adult does not live in Massachusetts and is only visiting to assist a recruit or advanced training.

B. Guidance for Unit Commanding Officers:

1. Adult volunteers who are currently enrolled in a Region 1-1 unit at the time this policy is released must authorize a CORI check on themselves before 15 FEB 2013.

2. No adult (age 18+) shall have unsupervised access to cadets within Region 1-1 unless he/she is properly enrolled and a CORI check has been authorized by the individual and successfully completed by Region 1-1.

3. When speaking with potential volunteers, unit CO’s will take the following four steps:
 - a. Inform each applicant that he/she must complete the standard NSCC Officer/Instructor application, and must also authorize a CORI check before being accepted as a NSCC volunteer. **DO NOT mail the application to NHQ until the CORI check is done.**
 - b. Give a copy of Enclosure (2) to the applicant along with the regular NSCC application forms, including: the NSCADM 003 (Officer Application), NSCADM 005 (Request for References), and the NSCADM 020 (Report of Medical History).
 - c. Forward the CORI form to the Regional Director, where a CORI check will be conducted **prior to mailing the application to NHQ**. The Regional Director will notify the unit CO that the candidate is either accepted or rejected, based on the CORI results. The candidate may appeal negative decisions by following the procedures in this policy and NSCC Regulations.
 - d. Take **ANY AND ALL STEPS** to ensure that no applicant has unsupervised contact with ANY cadets until the Regional Director has informed the unit CO or COTC that the applicant is accepted.

C. Guidance for Training Commands (including Recruit Training):

1. Adult leaders who are enrolled in a unit from outside Region 1-1, but who are planning to visit Region 1-1 to assist with a Recruit or Advanced Training, will submit the CORI Authorization Form (see Enclosure (2)) to the COTC at the same time they send their request for orders (forms NSCTNG 002/004).

D. Renewal CORI Check Every Two Years

1. The RD will maintain a list of all currently-enrolled volunteers within Region 1-1 and will contact each adult volunteer to authorize a renewal CORI check at least once every two years, or sooner for good cause.

E. Protection of Confidential Information:

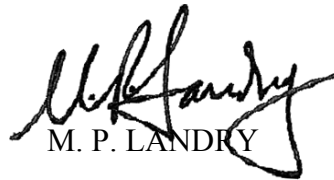
1. The RD is responsible for accessing CORI and properly securing CORI records. The RD may share relevant CORI with a unit CO, a training COTC, the HQ Representative, or NHQ Staff only if such disclosure is necessary for the purpose of child safety.
2. Each adult volunteer is entitled to view a copy of his/her own CORI policy, which will be provided on request by the RD.
3. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on CORI checks will be made consistent with this policy and any applicable law or regulations. However, NSCC Regulations generally require that adult volunteers be free of felony convictions, and proof of conviction is cause for discharge.
4. If a criminal record is received from DCJIS, the RD will closely compare the record provided by DCJIS with the information on the CORI request form, to ensure the record relates to the applicant.

F. Disqualifying an Applicant:

1. If the chain of command is inclined to make an adverse decision based on the results of the CORI check, the following steps MUST be followed to comply with the law:
 - a. The applicant will be notified by writing (mail or email) immediately.
 - b. The applicant shall be provided with a copy of his/her criminal record and the organization's CORI policy, advised of the part(s) of the record that make the individual unsuitable for the position, and given an opportunity to dispute the accuracy and relevance of the CORI record.
 - c. Applicants who wish to challenge the accuracy of the record shall be provided a copy of DCJIS's *Information Concerning the Process in Correcting a Criminal Record*. If the CORI record provided does not exactly match the identification information provided by the applicant, the RD will make a determination based on a comparison of the CORI record and documents provided by the applicant. The RD may contact DCJIS and request a detailed search consistent with DCJIS policy.

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- d. If the RD believes the record belongs to the applicant and is accurate, based on the information as provided in this policy, 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:
- (1) Relevance of the crime to the position sought;
 - (2) The nature of the work to be performed;
 - (3) Time since the conviction;
 - (4) Age of the candidate at the time of the offense;
 - (5) Seriousness and specific circumstances of the offense;
 - (6) The number of offenses;
 - (7) Whether the applicant has pending charges;
 - (8) Any relevant evidence of rehabilitation or lack thereof; and/or
 - (9) Any other relevant information, including information submitted by the candidate or requested by the RD.



M. P. LANDRY