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**Policy Statement Regarding Background Information Checks for
Staff and Volunteers at Recreational Camps for Children**

The following information is intended to assist camp operators and boards of health in the interpretation of 105 CMR 430.090 regarding background checks for staff and volunteers at recreational camps for children. **Note:** No person can be employed or volunteer at a camp until the operator has obtained, reviewed and made a determination concerning all background information required at 105 CMR 430.090 (C) and (D) as summarized below.

Please note that the information contained in this document reflects the requirement of M.G.L. c. 6 §172G that camp operators obtain all available criminal offender record information and juvenile data as found in the court activity record for all prospective employees or volunteers prior to employment or volunteer service, and M.G.L. c. 6 §172 requirement that camp operators share this criminal offender record information with the government entities (e.g. - health agents) charged with overseeing, supervising, or regulating them.

The information given below is categorized by the residence of the prospective staff person as well as, volunteer. Follow the steps noted below to obtain background information for that person.

Staff Person - any individual employed by a recreational camp for children:

1. MA Resident

- A. Prior work history for previous five (5) years including, a name, address and phone number of a contact person at each place of employment.
- B. Three (3) positive reference checks from individuals not related to the staff person.
- C. Obtain criminal offender record information and juvenile report (CORI/Juvenile Report) from the Massachusetts Department of Criminal Justice Information Services (DCJIS).
- D. Sex offender registry information (SORI) check from the Massachusetts Sex Offender Registry Board (SORB).

2. Out of State Resident - Staff person whose permanent residence is outside MA

- A. Prior work history for previous five (5) years including, a name, address and phone number of a contact person at each place of employment.
- B. Three (3) positive reference checks from individuals not related to the staff person.
- C. Obtain CORI/Juvenile Report from the Massachusetts DCJIS.
- D. SORI check from the Massachusetts Sex Offender Registry Board.
- E. Obtain a criminal record check, or equivalent where practicable*, from the staff person's state of residence. Information can be obtained from the state's criminal information system, local chief of police, or other local authority with relevant information. Additionally, a national background check (e.g. - fingerprints) will also be acceptable. The availability and process for obtaining criminal history information from the other states can be found at <http://www.mass.gov/eopss/crime-prev-personal-sfty/bkgd-check/cori/request-rec/requesting-out-of-state-criminal-records.html>.

3. International Resident - Staff person who currently lives outside of the United States

- A. Prior work history for previous five (5) years including a name, address and phone number of a contact person at each place of employment.
- B. Three (3) positive reference checks from individuals not related to the staff person.
- C. Obtain CORI/Juvenile Report from the Massachusetts DCJIS.
- D. Obtain a criminal record check, or equivalent where practicable*, from the staff person's country of residence. Information can be obtained from the country's criminal information system, local chief of police, or other local authority with relevant information.
- E. International staff(s) who have previously **been in the United States**: obtain a SORI check from the Massachusetts Sex Offender Registry Board.

Note on Permanent Staff: If there is no interruption in the staff person's employment by the camp or organization operating the camp from the time of the initial background check, **a new criminal or sex offender history is required at a minimum of every three years**. This applies only to permanent employees of the same camp/organization. Any break in employment service at any time during the year requires a new criminal history and SORI check for the staff person. An individual returning from one summer to the next, but not employed during the year is not considered a permanent staff person; therefore the camp must complete new criminal history and SORI checks.

Note on Returning Staff: Returning staff may use references on record with the camp from the preceding year to satisfy the requirements of 105 CMR 430.090 (C) (noted as step B within the categories above). However, if there is a gap in employment with the camp for at least one camp season, new references shall be required.

* *Where practicable means*, if the out of state or foreign jurisdiction notifies the camp in writing that no criminal background check or recognized equivalent is available from the jurisdiction, then the prospective staff person/volunteer, if s/he has completed all other requirements of 105 CMR 430.090, is deemed to be in compliance with 105 CMR 430.090. In addition, provided that the camp operator documents: (1) that s/he has timely requested the criminal history check from the appropriate jurisdiction (proof of mailing by certified mail) and that the requested authority failed to answer in writing; and (2) the completion of, at a minimum, all other requirements of 105 CMR 430.090; and (3) for international staff screened by an agency, a certification by the agency that a thorough background check was completed and that no criminal report from the staff person's local jurisdiction is available, then the prospective staff member, is deemed to be in compliance with 105 CMR 430.090.

Volunteers - any person who works in an unpaid capacity at a recreational camp for children:

1. All Volunteers

- A. Prior work or volunteer history for previous five (5) years including a name, address and phone number of a contact person at each place of employment or place of volunteer service.
- B. Obtain CORI/Juvenile Report from the Massachusetts DCJIS.
- C. SORI check from the Massachusetts Sex Offender Registry Board.

Criminal records and SORI checks must be kept separate from general camp paperwork and must only be accessed by individuals that are authorized to review it. If camps store the information at a location different from the camp, for example in a central office, the camp must arrange for the documents to be at the camp for the initial inspection for licensure. If the documents are not on site at the time of the inspection, it will be necessary for the camp to arrange another time for the inspector to review the documents.

If you have questions about the CORI or SORI check process, or about the information a camp receives from the DCJIS or SORB, please contact the appropriate agency below:

Department of Criminal Justice Information Services

617-660-4600

<https://www.mass.gov/how-to/cori-forms-and-information.html>

Sex Offender Registry Board

978-740-6400

<https://www.mass.gov/orgs/sex-offender-registry-board>