



Background Check Policy

I. Policy Statement

In order to ensure the safety of the WPI community, WPI must conduct background checks on individuals seeking employment at WPI and, under certain circumstances, current employees and volunteers (i.e., an individual not being paid by WPI for their service).

II. Scope

This policy applies to all individuals seeking employment with WPI and, on a case-by-case basis, may also apply to current employees or volunteers who perform services for WPI. This policy only applies to students if they are a student-employee or volunteer and to the extent they will have direct and unmonitored contact with minors per the [Participation of Minors in WPI Programs Policy](#).

III. Definitions

“**Background Check**” refers to the search of an individual’s personal history performed by a third-party vendor, the type and scope of which is dependent on the position being sought but may include, but not be limited to: Massachusetts criminal and sex offender records (i.e., Criminal Offender Record Information (CORI) and Sex Offender Registry Information (SORI)), a national criminal and sex offender search, a motor vehicle driving record search, credit history, and educational verification.

IV. Policy

A. Conducting Background Checks

Background Checks, where required, are conducted with the full knowledge and acceptance of the individual on which the search is being conducted except as otherwise permitted by law.

Individuals subject to Background Checks will be required to sign the appropriate documents to acknowledge/authorize the collection of required information, including those obtained from the Massachusetts Criminal Offender Record Information (CORI) and those authorized by the Department of Criminal Justice Information System (DCJIS - iCORI) and Massachusetts General Law (MGL) c. 6 §. 172.

All individuals who are required to have a Background Check must complete this process prior to the start of their employment or service activity. It is the responsibility of the department head, division, or director to ensure that an individual (whether student, faculty, staff, contractor or volunteer) who is required to have a Background Check in accordance with this policy does not commence their employment or service activity until the Background Check has been completed by WPI’s Division of Talent & Inclusion.



All offers of employment at WPI are contingent upon the satisfactory completion of a thorough Background Check. WPI also reserves the right to conduct a Background Check any time after the individual begins work or service at WPI. If a new Background Check must be conducted on an individual within one (1) year of signing a prior acknowledgement form, WPI will provide prior notice to the individual. All individuals subject to the requirements of this policy, and who enter into employment or volunteer service with WPI, will undergo periodic Background Checks. Any misrepresentations, falsifications, or material omissions in the information provided by the individual, whenever discovered, may result in disqualification from, or termination of employment or volunteer service, with WPI.

B. Access to Background Checks

All Background Checks are confidential and access to the information is limited to those individuals who have a “need to know.” This may include, but not be limited to, hiring managers, members of Talent & Inclusion, staff submitting the Background Check requests, staff processing applications, the WPI Police Department and the Office of the General Counsel. Talent & Inclusion will keep a current list of individuals authorized to have access to, or view, the results of Background Checks.

C. Training

An informed review of a Background Check that includes criminal records requires training. Accordingly, all personnel authorized to conduct Background Checks that include criminal history information and/or who are authorized to review criminal history information, will be familiar with this policy and the relevant training materials made available by the [Massachusetts Department of Criminal Justice Information Service \(DCJIS\)](#).

D. Verifying an Individual’s Identity

WPI must make reasonable effort to ensure the Background Check information received, regardless of the source, is for the applicant under consideration. The records received must be compared with the signed authorization and release documents and other identifying information provided by the individual. In the case of CORI, the criminal report received from DCJIS through the third party vendor should be compared with the CORI Request form.

If the information in the Background Check report does not match the identification or other information provided by the applicant, this discrepancy will be reviewed by the appropriate authority in Talent & Inclusion.

E. Use of Background Checks

Background Checks used for employment purposes shall only be conducted for applicants who are



otherwise qualified for the position for which they have applied. Background Checks are conducted after the individual accepts the offer of employment and, as stated above, all offers of employment at WPI are contingent upon the satisfactory completion of a Background Check.

The nature of the screening and evaluation process depends upon the requirements, responsibilities, and activities of each position. Unless otherwise provided by law, a criminal record will not automatically disqualify an individual from employment or volunteer service. Rather, determinations of suitability based on Background Checks will be made consistent with this policy and any applicable law or regulations.

F. Questioning a Subject About Their Criminal History.

In connection with any decision regarding employment or volunteer opportunities, the individual shall be provided with a copy of the Background Check report, whether obtained from the DCJIS or from any other source, prior to questioning the individual about it. The source(s) of the Background Check report are also to be disclosed to the individual.

G. Determining Suitability

If a determination is made, as provided above, that the Background Check belongs to the individual, and the individual does not dispute the accuracy contained in the report, then a determination of suitability for the position will be made. Factors considered in determining suitability may include, but not be limited to, the following:

- The relevance of the criminal offense to the nature of the employment or volunteer service being sought;
- The nature of the work to be performed;
- The length of time since the offense occurred;
- The age of the individual at the time of the offense;
- The seriousness and specific circumstances of the offense;
- The number of offenses;
- Whether the individual has pending charges;
- Any relevant evidence of rehabilitation or lack thereof; and
- Any other relevant information, including information submitted by the individual or requested by the hiring authority.
- The truthfulness and accuracy of information on the application and other material provided in support of the application.
- Whether hiring, transferring or promoting the individual would pose an unreasonable risk to WPI or its employees.

Talent & Inclusion will make these decisions in consultation with the appropriate Division Head,



Department Head, Provost, and/or the Office of the General Counsel, as necessary.

In connection with any decision regarding employment or volunteer opportunities, the individual shall be provided with a copy of the Background Check prior to questioning him/her about the information in the report.

Talent & Inclusion will notify the individual of the decision and the basis for it in a timely manner.

H. Adverse Decisions Based on Background Checks

If WPI is considering an adverse decision on the individual based on information contained in the Background Check report, the applicant must:

- Be notified of the potential adverse decision based on the criminal offender record information (if applicable)
- Be informed immediately of the source of the Background Check report; and
- Be provided a copy of:
 - Background Check report - to include the criminal offender record information (if applicable); and
 - Fair Credit Reporting Act - A Summary of Rights.

If the source of the information is the criminal report received from DCJIS through the third party vendor, the applicant must also:

- Be informed immediately of the specific item from the Background Check report that may result in adverse action; and
- Be provided a copy of:
 - WPI's Background Check Policy; and
 - Information Concerning the Process for Correcting a Criminal Record.

I. Appeals

If an individual wishes to dispute and/or explain the information contained in the Background Check report, the individual must do so in writing. The written explanation, and any other documents the individual wishes to submit, must be received by Talent & Inclusion within fourteen (14) days of receipt of the above notice that WPI intends to make an adverse decision. The appeal submission should include a written explanation of why the individual should be



reconsidered or continue in their employment or service activity. The individual is not permitted to be employed or serve during this appeal process. Such information shall be reviewed by the Vice President of Talent & Inclusion in consultation with the appropriate Division Head, Department Head, Provost, and/or the Office of the General Counsel, as necessary.

J. Secondary Dissemination Logs

All Background Check reports that include criminal history information may only be disseminated as authorized by law. A central secondary dissemination log must be used to record *any* dissemination of such information outside of WPI, including dissemination at the request of the individual who is the subject of the Background Check.

The dissemination log must include:

- The individual's name;
- The individual's date of birth;
- The date of each dissemination;
- The name of the person to whom the information was disseminated; and
- The purpose of the dissemination.

V. Questions

If you have any questions regarding this policy, please contact WPI's Division of Talent & Inclusion at talent@wpi.edu.

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Policy Sponsor: VP, Talent & Inclusion

Responsible Department: Talent & Inclusion

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