

UUFSD Policy and Procedure Document**Policy ID: 525****Title: CA AB 506 Compliance (CORI)****Date Approved: October 2023 by the Board of Directors****Purpose**

To ensure that UUFSD complies with California Assembly Bill 506's requirements to assure secure handling of data from background checks done on those who work with children and youth. These secure handling procedures include access to data, the storage of data, its dissemination, and destruction of criminal record information..

Policy

UUFSD operates in compliance with all California State laws. California law requires three things for all adults (18 years of age or older) who work with children and youth, including administrators, employees, ministers and regular volunteers. These requirements are:

1. Training in identifying and reporting child abuse and neglect.
2. Background checks that comply with Section 11105.3 of the California Penal Code.
3. Policies and procedures for child abuse prevention.

CA AB506, which falls under #2 above, requires fingerprinted background checks that are connected with the California Department of Justice. UUFSD is enrolled in this program of CA DOJ LiveScan background checks. UUFSD also uses national data-base background checks in order to implement robust searches and provide for the protection of our children and youth.

These programs, in particular Live Scan, require that the institution receiving the background information manages it securely throughout the hiring process, through employment to its termination and beyond. The procedures in this P&P address this requirement.

Procedure

In alignment with the terminology used by the CA Department of Justice, the following are terms and abbreviations used throughout this P&P.

AAJC - Applicant Agency Justice Connection (portal)

Agency - UUFSD

Agency Head (AH) - Congregational Minister

COR/Custodian of Record - Congregational Administrator

CORI - Criminal Offender Record Information

TD - Tracking Document

1. UUFSD's COR will provide each job or volunteer applicant with a Request for Live Scan form (BCIA 8016), a written copy of their rights and privacy notifications, and obtain a signed and dated acknowledgement that such documentation was received by the applicant.

2. UUFSD's COR will securely retain the documentation that substantiates UUFSD's authorizing relationship with the applicant (i.e., a copy of the applicant's completed and signed Request for Live Scan Service form and employment or volunteer application).

a. **Access:** Direct access to CORI will be restricted to our confirmed COR and our Agency Head.

b. Dissemination:

1. CORI will only be used for official purposes. Fingerprint-based background checks and subsequent CORI will be used to assist in fulfilling employment and volunteer determinations. It will be required for all UUFSD employees, for all UUFSD applicants for employment and all regular volunteers who work directly with or supervise minors (under the age of 18 years old). The law states "Regular volunteer means a volunteer with the youth service organization who is 18 years of age or older and who has direct contact with, or supervision of, children for more than 16 hours per month or 32 hours per year."

2. If the CORI reveals adverse information for an employment or volunteer position, the Agency Head will furnish a copy of the CORI to the person to whom the information relates.

c. Data Security:

1. Access to physical or electronic copies (via the AAJC portal) of the CORI will be restricted to the COR and Agency Head.

2. CORI will not be stored in regular employee files. CORI will be stored in the individual's confidential CORI file in a secure physical location with personnel security controls necessary to prevent unauthorized access and viewing. Only the COR and Agency Head will have access to stored CORI. Anyone with questions or concerns about a volunteer or employee must share concerns with the Agency Head but may not access confidential CORI files.

3. Any breach of information by the Agency or COR must be reported to the Board immediately, and may be grounds for dismissal.

4. Basic security awareness training shall be completed within six (6) months of initial assignment, and biennially thereafter, for all personnel who have access to CORI. i.e., the COR and the Agency Head.

d. Procedures for handling, processing, storing and communicating CORI:

1. A tracking document (TD) will be used to record every step of this process with the initials of the person handling the CORI, the action taken with it and the corresponding date. When "TD" appears in the steps below, it will indicate that the CORI is to be

treated confidentially and signed off on at every step. A separate TD will be used for each individual and stored in their confidential CORI file.

2. All CORI from reporting agencies will be received by the COR via the AAJC portal, at which point the Tracking Document process will begin (TD). The COR prints a copy of the CORI, gives it to the Agency Head (TD), who places it in secure storage after reading it (TD). No other physical documentation will be created.

3. The Agency Head verbally shares the CORI with the relevant committee or staff that is responsible for hiring applicants or volunteers (TD).

4. If no incident is reported in the CORI, the committee may proceed with the onboarding process. The CORI remains in secure storage.

5. In the case of a reported incident or incidents, the Agency Head meets with the hiring committee or staff to discuss next steps (TD).

- a) The Agency Head must meet with the candidate to furnish a copy of the CORI to them and to notify them of their rights (TD). The tracking document is added to the confidential CORI file.

6. The COR will reconcile UUFSD's active applicants regularly with the AAJC (Applicant Agency Justice Connection) portal to ensure it is accurate and up-to-date.

e. Destruction: The purpose for CORI access no longer applies when the applicant is either not hired, or employment or volunteer status is terminated.

1. Within five days, the COR must notify the CA DOJ that the Agency is no longer interested in receiving subsequent arrest and disposition notifications for that individual. The notification must be submitted via a No Longer Interested (NLI) request in the AAJC portal in order to NLI the applicant.

2. Consistent with regulations, the COR will destroy the applicant's, employee's or volunteer's CORI in such a manner (shredding) that the identity of the subject can no longer be ascertained. The disposal or destruction must be carried out by the COR or Agency Head and noted on the TD which will then be stored in the individual's confidential employee file for three (3) years after the relationship with the Agency is terminated.

f. Other Information:

1. UUFSD will not outsource any noncriminal justice ancillary functions to contractors, i.e., accessing, storing, handling, disseminating and destroying CORI.

2. UUFSD will not permit the use of personally owned information systems or publicly accessible computers to access, process, store or transmit CORI.

