

By Mr. Giordano of Methuen, petition of Larry F. Giordano, Richard T. Moore, Walter A. DeFilippi, Edward G. Connolly, Paul E. Caron and James P. Jajuga relative to enforcement of the criminal offenders record information law on organizations whose operations include security responsibility for persons in residential or care facilities. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT RELATIVE TO THE ENFORCEMENT OF THE CRIMINAL OFFENDERS RECORD INFORMATION ACT ON ORGANIZATIONS WHOSE OPERATIONS INCLUDE SECURITY RESPONSIBILITY FOR PERSONS IN RESIDENTIAL OR CARE FACILITIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The first paragraph of Section 172 of Chapter 6
2 on line 11 of the General Laws is hereby amended by inserting
3 after the word "felony," the following: — (c) the board shall
4 develop guidelines for the dissemination of information for hotels,
5 hospitals, nursing homes, child care centers, institutions which
6 operate dormitories and other organizations whose operations
7 include responsibility for the security of persons in residential or
8 care facilities, and (d).

1 SECTION 2. Amends Chapter 6 by adding after Section 178
2 a new section: —

3 Section 178A. Notwithstanding the provisions of Sections 172-
4 178, both inclusive, an educational institution subject to the
5 provisions of the Family Educational Rights and Privacy Act, 20
6 USC 1232g, shall be entitled to use for the purpose of carrying
7 out student disciplinary activities such institutional criminal
8 offender record information in the possession of police officers
9 employed by it, and it shall not be a violation of said sections
10 for a police officer so employed to release information for such
11 purpose; provided that, such use shall be limited at all times by
12 the confidentiality protections contained in FERPA.

