

## **SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD**

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*Section* PERSONNEL

*Management  
Guideline* CRIMINAL BACKGROUND CHECK

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*Applicable  
Policy* CRIMINAL BACKGROUND CHECK 714

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### **DEFINITIONS**

**“criminal background check”** means, in respect of a Board, a document concerning an individual:

- a) that was prepared by a police force or service from national data on the Canadian Police Information Centre (CPIC) database within six months before the day the Board collects the

- b) that contains information concerning the individual's police record including Criminal Code (Canada) convictions, pardoned sexual offences, records of convictions under the Controlled Drugs and Substance Act, Narcotic Control Act and Food and Drugs Act and all outstanding warrants and charges.

**“service provider”** means an individual who is not an employee of the Board and who comes into direct contact with pupils on a regular basis at a school site of the Board in the normal course of:

- a) providing goods or services under contract with the Board,
- b) carrying out his or her employment functions as an employee of a person who provides goods or services under contract with the Board, or
- c) providing services to a person who provides goods or services under contract with the Minister.

**“vulnerable sector screening”** means, in respect of a Board, a document concerning an individual:

- a) that was prepared by a police force or service from national data on the Canadian Police Information Centre (CPIC) database and from local police service records, within six (6) months before the day the Board collects the document; and
- b) that contains information concerning the individual's personal criminal history; and
- c) that contains information resulting from a criminal record search of data maintained by the Royal Canadian Mounted Police for sexual offences for which a pardon has been granted or issued.

## **1.0 REQUIREMENTS and RESPONSIBILITIES**

The “*Collection of Personal Information Regulation*” will require the Superior-Greenstone District School Board to do the following:

Duty of Board Staff  
Board staff will

which the Board employs the individual after the year employment was commenced.

The Board shall retain an original or a true copy taken from the original criminal background check by the Board designated contact or designate. Completed criminal reference checks and offence declarations will be securely filed in the Employee's electronic Personnel File in accordance with Regulation 521/01.

#### 1.2.1 Emergency Provision

In circumstances it may be necessary for an individual to begin employment with a Board before an acceptable criminal background check is collected. In such circumstances, the Board will require the individual to submit an Offence Declaration, pending submission of the acceptable criminal background check. Before any exception is made, a binding agreement shall be entered into between the Board and the employee or any authorized representative of the employee, and the Board, or the services provider, trustee, volunteer or others to ensuring that the verification will be provided without delay. This agreement will shall preserve the Board's right to revoke the offer of employment, and dismiss said persons employee, should the information provided by the employee prove to be false or misleading in any respect, or if the background check is determined to be unacceptable.

#### 1.3 Service Providers

Principals are responsible for checking Identification cards for all service providers prior to them entering the schools to ensure the individual has been approved to be in direct contact with the students on a regular basis

The following organizations have standards and practices in place for collecting police record checks within their organization.

- Public Health Units
- Children's Mental Health Centres
- Day Nurseries
- Children's Aid Societies
- Community Care Access Centres
- Integrated Services for Northern Children
- Ross MacDonald School for the Blind
- Lakehead Regional Family Centre
- Brass Bell Family Resource Centre
- Dilico Ojibway Child and Family Services
- George Jeffrey Children's Treatment Centre

The Principal will be responsible for ensuring the individual is able to produce either a valid ID Card from the Boards external agency and a piece of photo ID; or a valid business card and a piece of photo ID; or a valid organization issued photo ID card which clearly identifies them as an employee of that organization.

Principals are responsible for ensuring that students from Faculties of Education and Colleges who are on practicum assignments in schools are able to produce an identification card and a valid photo ID. Principals should ensure that a copy is taken for the file. The original or true copy must be kept on file at the school in a secure location.

#### 1.4 Trustees and Volunteers

##### 1.4.1 Trustees

The most recent Offence Declaration will be kept on file with the police record check. Complete Police Record checks and Offence Declarations will be filed in the school in a separate and secure location.

The original or true copy must be kept on file at the school in a secure location

## **2.0 ADJUDICATION**

Where evidence is received of a criminal conviction of an employee, volunteers, trustees or other individuals, the designated Board contact will consider at least the following factors in determining an appropriate course of action:

- a) length of time since offence(s);
- b) did the offence(s) involve children and/or sexual activity and/or violence and/or acts of dishonesty;
- c) employment history;
- d) employee's attitude toward offence(s);
- e) treatment, counselling or other

Records. The Board's external agency will use published screening criteria and adjudication procedures which will strive to ensure provincial consistency in adjudication.

All decisions of the external agency will be final.

### **3.0 CONSEQUENCES OF NON-COMPLIANCE**

Employees who fail to provide a signed Offence Declaration form by the date prescribed will be suspended without pay until the form is submitted.

A Service Provider who fails to comply with the requirements of the Board through their external agency regarding Offence Declarations will have their contract suspended pending compliance.

Any volunteer, trustee or other individual who fails to comply with the Police Record Check requirements of the Board will be denied school access pending compliance.