

SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD

<i>Section</i>	PERSONNEL	
<i>Policy Name</i>	CRIMINAL BACKGROUND CHECK – VOLUNTEERS, TRUSTEES AND OTHERS <i>Management Guideline Applies</i>	716

Board Approved: February 22, 2005

Reviewed: March 21, 2006

Review Prior To: December 2011

POLICY

The Superior-Greenstone District School Board has the responsibility to provide a safe and secure working and learning environment for students and employees. The Board is in a position of trust with regard to students and must strive to protect their intellectual, physical, mental and emotional well-being. In this regard, the Superior-Greenstone District School Board will not allow school access to Volunteers, Trustees or Others who have direct and regular contact with students;

- Who have not provided a Police Record Check, or
- Who has provided a Police Record Check, which has been adjudicated and found to present an unacceptable risk to students and/or staff.

POLICE RECORD CHECKS

All volunteers and others will be required to provide, at their own expense, an original Police Record Check prior to September 1, 2005. Fees for trustees will be paid by the Board. As of September 1, 2005 Police Record Checks for volunteers are free. If a change occurs and volunteers are charged for checks then this policy will be reviewed.

Volunteers:

It is the responsibility of the Principal to ensure that the volunteer provides the police record check. The original or true copy must be kept on file at the school in a secure location. The Principal shall collect an Offence Declaration from the individual by September 1st of each year thereafter. The most recent Offence Declaration will be kept on file with the police record check.

Trustees:

It is the responsibility of the Coordinator of Human Resource Services to ensure that the trustee provides the police record check. The original or true copy must be kept on file in a separate and secure location. The Coordinator of Human Resource Services shall collect an Offence Declaration from the individual by September 1st of each year thereafter. The most recent Offence Declaration will be kept on file with the police record check.

Others:

It is the responsibility of the Principal to ensure that the individual has been approved to be in direct contact with the students on a regular basis. The original or true copy must be kept on file at the school in a secure location. Please refer to management guideline.

DEFINITIONS

“Police Record Check” means 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) within **six months**
- 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.

"Others" means all other groups that are not covered under Policy 714 – Employees, Policy 715 – Service Providers, Trustees or Volunteers. This group includes but is not limited to placement students from university or college programs, Public Health Departments, V.O.N.'s, Community Care Access Centres, Children's Mental Health Centres, Children's Aid Societies.

"Offence Declaration" means, in respect of a Board, a written declaration signed by an individual listing all of the individual's convictions for offences under the Criminal Record Act (Canada) up to the date of declaration:

- a) that was not included in the last criminal background check collected by the Board under this regulation, and
- b) for which a pardon under Section 4.1 of the Criminal Records Act (Canada) has not been issued or granted.

EMERGENCY PROVISION

In exceptional circumstances it may be necessary for an individual to begin duties 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 an acceptable criminal background check. Before any exception is made, a binding agreement shall be entered into between the individual and the Board, ensuring that the verification will be provided without delay. This agreement shall preserve the Board's right to revoke this individual's duties should the information prove to be false or misleading in any respect, or if the background check is determined to be unacceptable.

ADJUDICATION

Where evidence is received of a criminal conviction, 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 services received since offence;
- f) other steps taken to rehabilitate;
- g) likelihood offence(s) will be repeated;

- h) was alcohol or illegal drugs a factor in commission of offence(s);
- i) degree of co-operation with this investigation;
- j) was offence(s) committed while employed by the Board;
- k) if employee is a teacher, relevance of offence(s) to teacher duties as set out in the Education Act and Regulations;
- l) if employee is not a teacher, relevance of offence(s) to their employment duties; and
- m) does offence(s) require any action pursuant to The Student Protection Act (including notification of the Ontario College of Teachers).

All decisions of the Adjudication Committee will be final.

CONSEQUENCES OF NON-COMPLIANCE

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