



Northeastern Catholic District School Board

POLICE RECORD CHECKS AND OFFENCE DECLARATIONS

Administrative Procedure Number: APP005

POLICY STATEMENT

The Northeastern Catholic District School Board (NCDSB) is committed to nurturing a safe, secure, and caring learning and working environment that reflects its Catholic identity and meets its legislative obligations.

In recognition of the trust place in those who work with or around students, the NCDSB requires appropriate criminal background screening and ongoing disclosure to protect the dignity, safety, and well-being of all students.

REFERENCES

Ontario Regulation 521/01 Collection of Personal Information, as amended by Regulation 322/03

Police Record Checks Reform Act, 2015

Supporting Students and Children Act, 2025

NCDSB Policy

P-5 Police Record Checks and Offence Declarations

P-9 Recruitment and Selection

P-24 Personal Information Management

E-31 Volunteers in Schools

DEFINITIONS

Criminal Background Check

A screening conducted through a police service or authorized third-party provider, which may include a Criminal Record and Judicial Matters Check and, where required, a Vulnerable Sector Check, in accordance with applicable legislation.

Criminal Record and Judicial Matters Check (CRJMC)

A criminal background check that includes information permitted under the Police Record Checks Reform Act, 2015 including criminal convictions, outstanding charges, warrants, and certain judicial orders and discharges.

Offence Declaration

A written, signed declaration in which an individual discloses any convictions, outstanding charges, warrants, or judicial matters that have occurred since their most recent criminal background check or previous offence declaration.

Vulnerable Person

Someone who, because of their age, disability, or other circumstance, is in a position of dependency on others or is otherwise at a greater risk than the general population of being harmed by a person in a position of trust or authority towards them.

Vulnerable Sector Check (VSC)

A criminal background check conducted in accordance with the Police Record Checks Reform Act, 2015, used to assess suitability for positions of trust or authority over vulnerable persons.

PROCEDURES

1.0 EMPLOYEES

1.1 Process and Responsibilities

- 1.1.1 The Manager of Human Resources shall ensure that a satisfactory vulnerable sector check (where applicable) and criminal background check is requested upon offer of employment and received prior to the commencement of work with the NCDSB.
- 1.1.2 The Manager of Human Resources or designate shall ensure that all employees complete an Offense Declaration Form prior to the first day of school each year thereafter.
- 1.1.3 The five-year cycle for Police Record Checks will be organized, maintained, and communicated by the Human Resources Department.
- 1.1.4 The Human Resources Department shall ensure overall compliance with the Regulations.
- 1.1.5 All offers of employment with the NCDSB shall be conditional upon the applicant supplying an acceptable police record check.

1.2 Emergency Provisions

- 1.2.1 Subject to the authorization of a Supervisory Officer, in exceptional circumstances it may be necessary for an individual to begin employment with the NCDSB before an acceptable Police Record Check is provided.
- 1.2.2 In such situations, the individual shall submit an Offense Declaration Form, pending submission of the acceptable Police Record Check.
- 1.2.3 If any exception is made, a binding agreement shall be entered into between the employee or authorized representative of the employee and the NCDSB ensuring that the verification will be provided immediately. This agreement will preserve the NCDSB's right to revoke the offer of employment and dismiss the employee, should the information provided prove to be false or misleading in any respect, or if the Police Record Check is deemed unacceptable.

1.3 Retention

1.3.1 An original or a true copy of the Police Record Check will be filed in the Human Resources Department.

1.3.2 Police Record Checks and Offence Declaration forms will be filed in a separate and secure location in accordance with Regulation 521/01.

1.4 Adjudication

1.4.1 Where evidence is received of a criminal conviction, the Manager of Human Resources in consultation with a Supervisory Officer, will consider the following factors surrounding the conviction in determining an appropriate course of action:

- i) the length of time since the offence(s);
- ii) any involvement of children and/or sexual activity and/or violence and/or acts of dishonesty in the offence(s);
- iii) the employment history;
- iv) the employee's attitude towards the offence(s);
- v) any treatment, counselling or other services received since offence;
- vi) other steps taken to rehabilitate;
- vii) any likelihood the offence(s) will be repeated;
- viii) if alcohol or illegal drugs were a factor in committing the offence(s);
- ix) the degree of co-operation committed while employed by the NCDSB;
- x) if the employee is a teacher, relevance of the offence(s) to their employment duties; and
- xi) whether the offence(s) require any action pursuant to the Ontario College of Teachers, the Ontario College of Early Childhood Educators, or other professional associations accordingly.

1.4.2 Subsequent to the review of factors, decisions will be applied accordingly including action up to and including dismissal, and/or withdrawal of offer of employment, and shall comply with other NCDSB policies, collective agreements and legislation.

1.5 Consequences of Non-Compliance

1.5.1 Employees who fail to provide a Police Record Check in compliance with the regulations, may be suspended without pay pending submission, may be dismissed, and/or have a withdrawal of offer of employment as noted above. These issues of non-compliance include but are not limited to:

- i) Has outstanding charges or prior convictions which indicate that the candidate could pose a threat to students/staff;
- ii) Has made a false declaration in their application for employment; or
- iii) Declines to provide a verification of criminal record as required by Board policy.

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

2.0 SERVICE PROVIDERS

- 2.1 Every Superintendent of Education and Manager who administers a department, which provides services to school sites by individuals other than employees, will be responsible for the identification, notification, and collection of Police Record Checks and/or Vulnerable Sector Checks of Service Providers.
- 2.2 The central board office staff noted above will confirm the collection of this information with Principals of schools impacted by such service providers.
- 2.3 Copies of the Police Record Checks will be filed in a secure location in the Human Resources Department.
- 2.4 Where a Police Record Check or an offence declaration results in a finding of an offence, the Superintendent of Education and/or Manager noted above will consult with the Manager of Human Resources to ensure consistency in interpretation and application.
- 2.5 The Managers responsible for new Requests for Proposal/Tender/Quotation will include language that addresses the need to submit criminal background checks and/or vulnerable sector checks as required, prior to the commencement of work or service, should the provider be selected.
- 2.6 For the purpose of the Request for Proposal/Tender/Quotation, the NCDSB shall determine in its sole and unfettered discretion whether an individual or employee of the successful Bidder may come into contact with pupils on a regular basis.
- 2.7 All contracts, tenders, and procurement documents will state that any employees assigned to Board sites during regular school hours must provide proof of the required criminal background check documentation before accessing school buildings.
- 2.8 The successful Bidder further acknowledges and agrees that the contract between the Board and the successful Bidder shall include provisions allowing the Board to terminate the agreement in the event the successful Bidder fails to provide the Board with a Police Record Check for every individual or employee who may come into direct contact with students on a regular basis at a school site of the Board, prior to the occurrence of such possible direct contact.
- 2.9 Contractors working in a school with no direct contact with students are not required to have a vulnerable sector check but must have a criminal background check before any work is to commence in the schools.

3.0 VOLUNTEERS IN SCHOOLS

- 3.1 All volunteers must provide the appropriate Police Record Check from a municipal police service, the Ontario Provincial Police ~~Force~~ or a Ministry approved third-party provider. The appropriate Police Record Check must be submitted to the Principal before any volunteer activity begins.
- 3.2 The cost of the Police Record Check is at the expense of the volunteer; however, the Principal has the discretion to assume the cost when deemed appropriate.
- 3.2 The Principal shall ensure that the proper documents are collected prior to the commencement of volunteering in a school.
- 3.3 Once a Police Record Check has been provided, the volunteer will complete an Annual Offence Declaration in every subsequent school year, and an updated Police Record Check must be provided every five (5) years.

4.0 OTHERS HAVING DIRECT AND REGULAR CONTACT WITH STUDENTS

- 4.1 Individuals identified by the Board as potentially coming into direct and regular contact with students include but is not limited to:
- i) Public Health Departments;
 - ii) Community Care Access Centres;
 - iii) Child Care Facilities;
 - iv) Students attending university or college programs which require practicum or cooperative placements in schools;
 - v) Parish Priests and other parish personnel.
- 4.2 The Superintendent of Education or Director of Education will be responsible for the identification, notification, and collection of Police Record Checks or Offence Declaration forms for others having direct and regular contact with students.
- 4.3 Parish priests and other parish personnel will provide confirmation from the Bishop that an acceptable Police Record Check is on file with the Diocese. This will be facilitated by the Director of Education.

5.0 BOARD OF TRUSTEES

- 5.1 The Director of Education will be responsible for the collection of Police Record Checks or Offence Declaration forms for all trustees.
- 5.2 New Trustees will be required to provide a Police Record Check at the start of their term.
- 5.3 Every year thereafter, trustees of the Board will be responsible to submit an Offence Declaration form to the Director of Education at the Inaugural/Annual Meeting.

6.0 RELATED FORMS AND DOCUMENTS

FORM: Offence Declaration

Director of Education:

Tricia Stefanie Welty

Date:

March 2026