

Administrative Procedure #308 - STAFF POLICE INFORMATION CHECK

Staff

STAFF POLICE INFORMATION CHECK

PURPOSE

The purpose of this procedure is to ensure and maintain a welcoming, caring, respectful and safe learning and working environment.

DEFINITIONS

Criminal record

A statement of all convictions registered under any federal, provincial or local indices Act or regulation and for which an official pardon granted under section 3 of the Criminal Record Act, has not been granted.

Police Information Check (PIC)

A document prepared by the police service identifying the existence of a criminal conviction resulting from a search of federal, provincial or local indices. This includes a Vulnerable Sector Search Check.

Vulnerable Sector Check

A document containing the results of a criminal record search completed by the police service using the local database and the Canadian Police Information Centre (CPIC) system which identifies the existence of any criminal conviction and/or a pardoned sexual offence conviction.

The superintendent is responsible for the implementation of this administrative procedure.

PROCEDURES

1. Employment Information

1.1 All job postings and advertisements for positions with the charter board must state that employment is conditional upon receipt of a PIC.

2. Conditions of Employment

2.1 All persons who are offered employment with the charter board are advised in writing that employment is conditional upon receipt and evaluation of their PIC.

2.1.1 All persons who are offered employment are required to obtain and provide an employee PIC that does not disclose a record of a criminal conviction.

2.1.2 The PIC must have been completed within 6 months of commencement of employment.

2.1.3 Employment may not commence without the receipt of the completed PIC or proof that the PIC has been submitted for processing.

2.2 This administrative procedure also applies to any person engaged as a contractor to the charter board.

3. Declaration

3.1 All current employees must disclose any record of a criminal conviction including the details of the offence since their original hire date.

3.2 All persons offered employment with the charter board must disclose any record of a criminal conviction.

3.3 All persons offered employment who provide a PIC disclosing a criminal conviction which has not been previously declared must be offered the opportunity to explain the discrepancy.

3.4 All disclosures of a criminal conviction must be forwarded to the superintendent for review.

4. Suitability for Employment

4.1 The superintendent will review the suitability for employment based on the following factors:

4.1.1 type of offence;

4.1.2 the age of the offence;

4.1.3 the type of work that is being considered;

4.1.4 whether the criminal conviction impacts the individual's ability to perform those duties;

4.1.5 a threat of physical or sexual abuse to children or others; and

4.1.6 any other factor which the superintendent determines to be relevant.

4.2 If it is determined that the individual is deemed unsuitable for employment, the conditional offer of employment will terminate immediately. as

4.3 For current employees disclosing record of a criminal conviction since their original hire date, if it is determined the individual is deemed unsuitable for employment, the employment contract will terminate according to the process outlined in the *Education Act*.

5. Frequency

5.1 Where an individual is employed by a board in a position that requires the individual to hold a certificate of qualification as a teacher, a leadership certificate, a superintendent leadership certificate or any employee of the board:

5.1.1 the individual must provide a criminal record check and vulnerable sector check to the board every 5 years after the individual last provided a criminal record check and vulnerable sector check to the board; and

5.1.2 the board must be satisfied that the results of those checks demonstrate that the individual continues to be suitable for employment in the position.

5.2 Where the board is of the opinion that it is not possible for an individual to provide a criminal record check or vulnerable sector check, the individual must provide evidence that is sufficient for the board to determine whether the individual is suitable for employment in the position.

Legal Reference: Education Act, section 229.

Approved: August 1, 2024