



Policy 6507
CRIMINAL RECORD SEARCH

Adopted: 1997-10-28	Reviewed:	Amended: 1999-04-13 2008-05-13 2015-10-27
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POLICY

SUBJECT: **CRIMINAL RECORD SEARCH**

As per Bill 16, 2007 – *Public Safety Statutes Amendment Act*, and to assist the Board of Education in ensuring the safety and well being of students, all prospective employees will be required to provide authorization for a vulnerable sector criminal record check which will be conducted in accordance with the *Criminal Records Review Act*. In addition, student teachers and exchange teachers will also be asked to provide a vulnerable sector criminal record check authorization. Volunteers and independent contractors may be asked to provide a vulnerable sector criminal record check.

The Regulation accompanying this Policy provides the specific requirements for the criminal record search.



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REGULATIONS

SUBJECT: **CRIMINAL RECORD SEARCH**

This Regulation provides the specific requirements for a criminal record check

1. Offer of Employment

An offer of employment with the School District shall initially be a preliminary offer which shall be conditional on the applicant undergoing a criminal record search and the information received being considered by the Superintendent or designate. Information from this search may result in the offer of employment being withdrawn.

2. Scope of the Regulation

- a) This Regulation applies to all School District personnel. However, School District No. 78 (Fraser-Cascade) employees who apply for inclusion on the Teacher on Call list within 30 teaching days of retirement will be excluded from this requirement.
- b) This Regulation applies to all personnel who are temporarily employed, including independent contractors, student teachers, exchange teachers, and persons on work experience assignments who may work with children directly or have or potentially have unsupervised access to children.
- c) This Regulation may also apply to volunteers who have unsupervised access or regular contact with students or who volunteer on overnight trips.
- d) Criminal Record Checks will be repeated at least once every five years for School District employees.

3. Categories of Persons with Respect to this Regulation

- a) Teachers, Principals, Vice-Principals, Superintendents and any other employees who are required to have a teaching certificate from the Ministry of Education issued through the Teacher Regulation Branch (TRB). The TRB is responsible for obtaining completed Criminal Record Check Authorization forms from all members including teachers, principals, vice-principals, and superintendents and any other employees who are required to be members of TRB and all new applicants for certification, and for completing the Criminal Record Check.

b) CMAWBC Members

The Board will obtain completed Criminal Record Check Authorization Forms from all CMAWBC members and complete the Criminal Record Check.

c) Exempt Staff and Other Staff not within the categories above

The Board will obtain completed Criminal Record Check Authorization Forms from all exempt staff employees and complete the Criminal Record Check.

d) Volunteers

Although the *Act* does not apply to most School District volunteers, the Board requires all volunteers potentially having unsupervised access and/or regular contact with students or those who volunteer on overnight trips to authorize the local RCMP office to conduct a criminal record check. The result of this criminal record check must be satisfactory to the Board.

e) Independent Contractors

The Board may request completed Criminal Record Check Authorization Forms from independent contractors who may work with children directly or have, or potentially have, unsupervised access to children, and complete the Criminal Record Check.



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PROCEDURES

SUBJECT: **CRIMINAL RECORD SEARCH**

1. Procedures for Criminal Record Checks:
 - a) CMAWBC and Exempt Employees and any other staff who are not members of the College of Teachers
 - i) The Criminal Record Check Authorization Form will be completed by the prospective employee and returned to the School Board Office for processing through the Ministry of Public Safety and Solicitor General Dept. The cost for the initial Criminal Record Check will be borne by the prospective employee .
 - ii) A record of the submission of the Criminal Record Check Authorization Form to the employee, to the Criminal Records Review agency and the results of the Criminal Records Check will be recorded.
 - iii) Where a Criminal Record Check indicates anything other than “no record found”, the prospective employee will be required to undergo fingerprinting to determine whether or not a relevant Criminal Record exists.
 - iv) Where a Criminal Records Check indicates that an employee presents a risk to children, the Board will ensure that the employee is removed from or never placed in a position where they work with children as defined in the Criminal Records Review Act.
 - v) Further Criminal Record Checks for employees will be required at least every five years. The cost for the Criminal Record Check for non-teaching employees will be covered by the District.
 - b) Volunteers

Volunteers who will have regular contact, or who will have unsupervised access, or who will be accompanying students on an overnight trip will be required to undergo a Criminal Record Check.

 - i) The school will provide volunteers with a Criminal Record Check Authorization Form.

- ii) The volunteer presents the completed Criminal Record Check Authorization Form in person to the local RCMP.
 - iii) The RCMP will conduct the Criminal Record Check. Volunteers will be required to pick up the completed Criminal Record Check from the RCMP and return it to the School.
 - iv) Where the Criminal Records Check indicates that a criminal record may exist, the Principal will speak with the volunteer to discuss the results. The Principal, in consultation with the Superintendent will determine whether the volunteer is approved for volunteer work, or whether they will be required to undergo fingerprinting to determine whether or not a relevant Criminal Record exists.
 - v) When the Criminal Records Check indicates that there is a criminal record for a relevant offence, and that the volunteer may be a risk to children the Principal will ensure that the volunteer is not permitted to work with children.
 - vi) The school will provide a copy of all Criminal Record Checks for Volunteers to the School Board Office.
 - vii) A new Criminal Record Check for volunteers will be required every two (2) years.
- c) Independent Contractors
- When the Criminal Records Check indicates that there is a criminal record for a relevant offence, and that the contractor may be a risk to children, the Board will ensure that the contractor is not placed in a position where they work with, or have unsupervised access to children.
- d) Members of the TRB
- The TRB is responsible for obtaining Criminal Record Checks for all members including Teachers, Principals, Vice-Principals, Superintendents, and any other staff who are required to be members of the TRB.
- e) Student Teachers
- The student teachers' post secondary educational institution is responsible for providing the District with a Criminal Record Checks for student teachers.
2. Employees, volunteers, and contractors will be responsible for the cost of fingerprinting, if required.
 3. Advisement of Criminal Record Check:

All advertisements for vacancies will bear the following statement:

“All applicants not currently employed by this School Board must sign a release to permit a criminal record review prior to confirmation of hiring.”