



## Administrative Procedure 3770 POLICE RECORD CHECKS

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| Responsibility:     | <i>Chief Operating Officer<br/>Executive Manager, Human Resource Services<br/>Senior Manager, Human Resource Services</i>                                  |
| Legal References:   | <i>Ontario Regulation 521/01 - Collection of Personal Information<br/>Ontario Regulation 298/25 - Collection of Personal Information<br/>Education Act</i> |
| Related References: |                                                                                                                                                            |
| Revisions:          | June 2026                                                                                                                                                  |
| Reviewed:           | January 2016, June 2026                                                                                                                                    |

### 1. Preamble

- 1.1 The expectations of the Waterloo Region District School Board (WRDSB) for the implementation of the Police Record Check (PRC) legislation, as identified in Ontario Regulation 521/01 - Collection of Personal Information and the substantial revision to the Board's requirements as per the introduction of Ontario Regulation 298/25 in December 2025, are outlined in this document. The stated intent of this legislation is to help create a safer learning environment for students.

### 2. Definitions

- 2.1 *As per O. Reg 521.01 - Police Record Checks (PRC) refer to:*
- (a) a **vulnerable sector check (VSC)**, if the individual is or will be in a position of trust or authority in relation to pupils; and
  - (b) a **criminal record and judicial matters check (CRJMC)**, if the individual is not or will not be in a position of trust or authority in relation to pupils.
- 2.2 *Police Record Check* means a document (potentially electronic) concerning an individual that was prepared by a police service from national data on the Canadian Police Information Centre (CPIC) database within six (6) months before the day the Board collects the document that contains information concerning the individual's personal criminal history.
- 2.3 *Designated Person* is defined by O.Reg 298/25 which is encompassed by this AP and includes:
- (a) an employee of the Waterloo Region District School Board;
  - (b) a service provider at a school site of the Board;
  - (c) a volunteer with the Board; or
  - (d) a student on an educational placement with the Board.
- 2.4 *Offence Declaration* means an annual declaration by an individual listing all of the individual's charges and/or convictions for offences under the Criminal Code of Canada up to the date of the declaration that are not included in the Police Record Check collected by the Board, or in previous offence declarations, for which a pardon under Section 4.1 of the Criminal Records Act has not been issued or granted.
- 2.5 *Personal Criminal History* means information on criminal offences of which the individual has been charged with and/or convicted under the Criminal Records Act and for which a pardon under Section 4.1 of the Criminal Records Act has not been issued or granted to the individual.

- 2.6 *Service Provider* means an individual who is not an employee of the Board and who comes into direct contact with students on a regular basis at a school site of the Board in the normal course of:
- 2.6.1 Providing goods or services under contract with the Board;
  - 2.6.2 Carrying out their employment functions as an employee of a person who provides goods or services under contract with the Board, or;
  - 2.6.3 Providing services to a person who provides goods or services under contract with the Board.
- 2.7 *Designated Criminal Record Check* means the type of criminal records check that the Board determines is required for the employee, service provider, volunteer or student on an educational placement with the Board to obtain.

The type of criminal record check required by position is accessible and can be found on the Board's intranet.

### **3. Collection of Police Record Checks - WRDSB Employees:**

- 3.1 Within two (2) weeks of commencing duties, all new employees must submit a designated police record check (at the employee's expense) to the Human Resources department. The submission of this PRC is a condition of employment. A PRC that indicates outstanding charges or convictions may be grounds for withdrawal of the offer of employment.
- 3.2 If, due to a backlog by the PRC provider, employees are unable to meet the 2-week deadline, they will be required to provide a receipt from the PRC provider indicating that they have started the process.
- 3.3 Failure to provide a designated police record check or a receipt within the 2-week time limit will result in
- A stoppage of earnings payment.
  - The employee will be placed on an unpaid leave.
- 3.4 The specific requirements for this police record check will be outlined to each prospective new employee as part of the hiring process.
- 3.5 If the PRC indicates outstanding charges or prior convictions which indicate the applicant poses a threat to students or staff or jeopardizes the reputation, safety, or operations of the Board, the Board may rescind the offer of employment. If the applicant has commenced work, the Board may initiate a dismissal of the employee.
- 3.6 The submission of a receipt by an employee who does not provide a PRC does not meet the requirements of obtaining a PRC which is a mandatory condition of employment.
- Failure to provide a designated police record check within a reasonable period of time will result in:
- A stoppage of earnings payment.
  - The removal of said employee from the workplace pending disciplinary action up to and including termination of employment.

### **4. Adjudication**

- 4.1 A Police Record Check may show a criminal conviction and/or criminal charges. When this situation arises, it will be adjudicated by Human Resources Management. Any situation that may require action by the Board will be dealt with by the Senior Management of Human Resources (or designate). Possible consequences may include transfer to a different type of job, discipline, or dismissal.

- 4.2 The following factors will be considered in the adjudication process:
  - 4.2.1 Length of time since the offence(s) occurred;
  - 4.2.2 The nature of the offence(s);
  - 4.2.3 Did the offence(s) involve children;
  - 4.2.4 Employment history;
  - 4.2.5 Employee's attitude towards the offence(s);
  - 4.2.6 Treatment, counseling, or other services received since the conviction(s);
  - 4.2.7 Likelihood offence(s) will be repeated;
  - 4.2.8 Any past criminal conviction declaration information;
  - 4.2.9 Potential risk to students, staff, and the school community;
  - 4.2.10 Relevance of the offence to the employment duties of the employee.

## **5. Yearly Offence Declarations**

- 5.1 By September 1st of each year, every employee must submit an Offence Declaration. This requirement is in addition to the Board's on-going expectation that if an employee is charged and/convicted of an offence involving children, or any other offence relevant to the employment duties of the employee, then the employee will immediately advise the Board.
- 5.2 The Offence Declaration is to be completed by each employee. The adjudication of the Offence Declaration will be done in a manner consistent with the process outlined for PRC Adjudication.
- 5.3 The annual Offence Declaration will be completed electronically, annually, by all staff.
- 5.4 An employee who fails to provide the Board with an Offence Declaration will initially be suspended without pay. Continued failure to provide the Offence Declaration may result in dismissal for cause or a deemed resignation from employment with the Board.

## **6. Five Year Police Record Check Requirement**

- 6.1 As introduced by O.Reg 298/25, the WRDSB must collect a PRC for all designated individuals in accordance with a five-year renewal cycle from the date of an individual's most recent check.
- 6.2 Providing a satisfactory PRC is a mandatory condition of employment for WRDSB employees in accordance with O.Reg 298/25.
- 6.3 The WRDSB is not funded for designated individuals to obtain their PRC. Designated employees are not eligible to have the WRDSB pay or be reimbursed for these mandatory statutory requirements.

## **7. Immediate Mandatory Reporting Requirement for Criminal Code of Canada Charge and/or Conviction**

- 7.1 All designated individuals that require a PRC who are charged with, or convicted of, an offence under the Criminal Code (Canada) are required to immediately report details of the Criminal Code (Canada) charge and/or conviction in writing to Human Resources. Failure to report information in a timely manner shall be considered a significant violation of this Administrative Procedure. Employees whom fail to comply with this mandatory requirement shall be subject to disciplinary action up to and including termination of employment.
- 7.2 In accordance with O. Reg 298/25, a police record check shall be provided by the employee to the Board as soon as reasonably possible after the charge or conviction.

**8. Storage of Police Record Checks and Offence Declarations**

- 8.1 The information collected pursuant to this procedure will be kept in the strictest of confidence.

**9. Service Providers**

- 9.1 As established by O.Reg 521/01 in December 2025, all service providers who will attend at a school site of the Board shall be required to comply with this Administrative Procedure.

**10. Student Teachers**

- 10.1 Student Teachers must provide a Vulnerable Sector Check (VSC) to the Principal of the School where the practice teaching block occurs. The Principal will:

- Review the VSC.
- Bring forward concerns to the Superintendent responsible for safe schools.

- 10.2 The Principal will retain the VSC on site for the duration of the practice teaching block.

**11. Volunteers**

- 11.1 All Volunteers of the Board are required to obtain a VSC, applicable to WRDSB procedures that may be amended periodically.