POLICY:	CRIMINAL BACKGROUND CHECK			#	818
SECTION:	800 : Personnel and Employee Matters			Page 1	of 5
APPROVAL/REVISION DATE:	April 20, 2026	DATE:	April 21, 2026	REVIEW DATE:	April 21, 2031
CROSS REFERENCE:	Policy 1011 - Use of Volunteers				

A: POLICY

1. 1.1 The Thunder Bay Catholic District School Board has the responsibility, under *The Education Act,* 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. The Board is committed to providing quality education which combines academic excellence with a concern for the spiritual, moral, social, emotional, cultural and physical growth of the student. The Thunder Bay Catholic District School Board will not employ or continue to employ persons who have criminal records and/or patterns of behavior that may place students at risk.

1.2 All current employees will provide a Criminal Background Check in accordance with Regulation 521/01.

1.3 All new employees will be required to provide, at their own expense, an original Vulnerable Sector Screening Check (VSC) or Criminal Record and Judicial Matters Check (CRJMC) through the Boards' designated provider prior to commencing employment.

1.4 All Service Providers will be required to undergo a Criminal background check in accordance with Regulation 521/01.

B: DEFINITIONS

2. 2.1 Criminal Background Check means, in respect of a Board, a document concerning an individual:

- that was prepared by a police force or service from national data on the Canadian Police Information Centre (CPIC) database within six (6) months before the day the Board collects the document; and
- that contains information concerning the individual's personal criminal history.

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

- that are not included in a criminal background check collected by the Ontario College of Teachers (OCT) after December 31, 1998 or in the last criminal background check collected by the Board under this regulation; and
- for which a pardon under Section 4.1 of the *Criminal Records Act (Canada)* has not been issued or granted.

2.3 Personal Criminal History means, in respect of an individual, information on criminal offences of which the individual has been convicted under the *Criminal Records Act (Canada)* and for which a pardon under Section 4.1 of the *Criminal Records Act (Canada)* has not been issued or granted to the individual

2.4 Vulnerable Sector Screening means, in respect of a Board, a document concerning an individual:

- That was prepared by a police force or service from national data on the Canadian Police Information Centre (CPIC) database and from local police service records, within six (6) months before the day the Board collects the document;
- That is collected if an individual is or will be in a position of trust or authority in relation to students;
- That contains information concerning the individual's personal criminal history; and
- That contains information resulting from a criminal record search of data maintained by the Royal Canadian Mounted Police for sexual offences for which a pardon has been granted or issued.

2.5 Criminal Record and Judicial Matters Check means, in respect of a Board, a document concerning an individual:

- That was prepared by a police force or service from national data on the Canadian Police Information Centre (CPIC) database and from local police service records, within six (6) months before the day the Board collects the document;
- That is collected if an individual will not be in a position of trust or authority in relation to students; and
- That contains information concerning the individual's personal criminal history.

2.6 Service Provider means an individual who comes into direct contact with pupils on a regular basis:

(a) at a school site of a Board in a normal course of.

- providing goods or services under contract with the Board
- carrying out his or her employment functions as an employee of a person who provides good and services under contract with the Board, or
- providing services to a person who provides goods or services under contract with the Minister, or,

(b) at a school under the jurisdiction of the Minister in the normal course of,

- providing goods and services under contract with the Minister,
- carrying out his or her employment functions as an employee of a person who provides good and services under the contract with the Minister, or
- providing services to a person who provides goods or services under contract with the Minister.

C. GUIDELINES

3. 3.1 The Collection of Personal Information Regulation requires the Board to do the following:

Current Employees

(a) For an employee who, on December 5, 2025, is an employee, service provider or volunteer as follows:
  (i) If the individual has not previously had a police record check collected, no later than February 1, 2026
  (ii) If the individual's most recent police record check was collected on or before September 1, 2021, no later than the date set out in Column 2 of Table 1 (below), opposite the individual's birth month, set out in Column1;
  (iii) If the individual's most recent police record check was collected after September 2021, no later than the date set out in Column 2 of Table 2 (below), opposite the individual's birth month set out in Column 1.

TABLE 1

POLICE RECORD CHECKS FOR THOSE WITH A PREVIOUS RECORD CHECK ON OR BEFORE SEPTEMBER 1, 2021

Item	Column 1 Birth month	Column 2 Date by which a new police record check must be collected
1.	January to March	Last day of birth month in the year 2027
2.	April to June	Last day of birth month in the year 2026
3.	July and August	June 30, 2026
4.	September to December	Last day of birth month in the year 2026

TABLE 2

POLICE RECORD CHECKS FOR THOSE WITH A PREVIOUS RECORD CHECK AFTER SEPTEMBER 1, 2021 AND SUBSEQUENT RECORD CHECKS

Item	Column 1 Birth month	Column 2 Date by which a new police record check must be collected
1.	January to June	Last day of birth month in the year that is five years after the year in which the most recent police check was collected
2.	July and August	June 30 in the year that is five years after the year in which the most recent police check was collected
3.	September to December	Last day of birth month in the year that is five years after the year in which the most recent police check was collected

New Employees
All offers of Employment with the Board shall be conditional upon the applicant supplying an acceptable criminal background check through the Boards' designated provider.

Service Providers
Criminal Background Checks for Service Providers will be in accordance with Regulation 521/01- Collection of Personal Information and Safe Schools Act, 2000.

Emergency Provision
In exceptional circumstances it may be necessary for an individual to begin employment with the 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 the acceptable criminal background check. Before any exception is made, the prospective employee shall execute the Interim Offence Declaration and shall undertake to provide the school board with the verification without delay. In this case, the offer of employment is a conditional offer contingent upon the Board's receipt of a verification deemed satisfactory by the Board. If the verification is not forthcoming or is not deemed to be satisfactory, the employment relationship will end immediately.

Retention

Completed offence declarations will be filed in a separate and secure location in the Directors Office, in accordance with Regulation 521/01- Collection of Personal Information.

Adjudication

If an individual is charged with, or convicted of, an offence under the Criminal Code of Canada, a police record check shall be collected as soon as reasonably possible after the charge or conviction. Where evidence is received of a criminal conviction, whether by notification at the time of charge or conviction or through the Annual Offence Declaration process, the Director of Education (or designate) and the Manager of Employee Services will consider the information obtained in the adjudicative process to determine whether the individual represents an acceptable/unacceptable risk to the safety of students or other vulnerable persons.

Among the factors considered in the adjudicative process may be the following:

- Length of time since offence(s);
- Did the offence(s) involve children and/or sexual and/or violence and/or acts of dishonesty;
- Employment history
- Employee's attitude toward offence(s)
- Treatment, counseling or other services received since offence;
- Other steps taken to rehabilitate;
- Likelihood offence(s) will be repeated;
- Was alcohol or illegal drugs a factor in commission of offence(s);
- Degree of cooperation with this investigation
- Was / Were the offence or offences committed while employed by the Board;
- If employee is a teacher, relevance of offence(s) to their employment duties; and
- If employee is not a teacher, relevance of offences(s) to their employment duties; and • Does the offence or offences require any action pursuant to the Student Protection Act (including notification of the Ontario College of Teachers)

A determination will be made as to an appropriate course of action, which may include action up to and including dismissal, and shall be in compliance with Board policies, collective agreements and legislation.

Consequences of Non-Compliance

Employees who fail to provide a Criminal Background Check in compliance with Regulation 521/01 will be suspended without pay pending submission of the Criminal Background Check.
Employees who fail to provide a signed Offence Declaration form by the date prescribed will be suspended without pay until the form is submitted.

D: SOURCE

O. Reg. 521/01 - Collection of Personal Information – Collection of Personal Information and Safe Schools Act, 2000