Dream . Learn . Grow
Bloorview
SCHOOL AUTHORITY

Title:	**POLICE CHECKS**
Adopted:	December 2025
Reviewed:	
Revised:	February 2026
Authority:	Education Act Ontario Regulation 521/01 – Collection of Personal Information Ontario Regulation 322/03 – Amending O. Reg. 521/01 Youth Criminal Justice Act Police Record Checks Reform Act, 2015 Criminal Records Act Human Rights Code Ontario Regulation 347/18: Exemptions Municipal Freedom of Information and Protection of Privacy Act Student Protection Act

POLICY

It is the policy of the Bloorview School Authority that the Authority will not hire into its employ or continue to employ persons to work directly or have regular contact with students who have police records and/or patterns of behaviour which place the safety and well-being of students or employees at risk.

Further, it is the policy that a satisfactory and acceptable Police Record Check for all newly hired employees and a satisfactory and acceptable Offence Declaration provided annually for current employees, in accordance with legislation (Ontario Regulation 521/01) is required in order to support a safe learning and working environment for students and staff within the Bloorview School Authority.

BACKGROUND

1. The Bloorview School Authority has the responsibility, under the Education Act and the Human Rights code, to provide a safe and secure working and learning environment for students and employees. The Bloorview School Authority is in a position of authority and trust with regard to students and must strive to protect their intellectual, physical, mental, and emotional well-being.

2. This policy is aligned with and supports the principles and expectations of the Authority's Policy PCE 002: Human rights and Policy PCE 003: Equity and Inclusive Education.

3. *Regulation 521/01* under the *Education Act* requires school Authority's to collect criminal background checks for all employees and service providers at schools. This regulation requires the collection of information relating to criminal convictions for which no pardon has been granted. Similarly, the required 'offence declaration' only requires a declaration of criminal convictions for which no pardon has been granted.

GUIDING PRINCIPLES

4. The Authority must ensure that applicants for employment, volunteers, service providers, individuals requiring a placement for professional certification, and others, have not been convicted of criminal offences that would, if repeated, compromise the safety and well-being of students or other employees.

5. The Authority will not knowingly offer the opportunity for new or continued employment, for volunteer activities, or for a person to provide a service, or any other opportunities to any person with a record of criminal conviction, for which a pardon has not been granted, for the following types of offences:

   - any sexual offence under the Criminal Code of Canada, including but not limited to sexual interference, invitation to sexual touching, incest, bestiality, parent/guardian procuring sexual activity, householder permitting sexual activity, corrupting children, indecent acts, keeping a common bawdy house, procuring, offences in relation to prostitution, or any other offences which may be created at future date of a similar nature;
   - sexual exploitation;
   - sexual assault;
   - trafficking in or importing for the purpose of trafficking a narcotic under the Narcotic Control Act or a controlled or restricted drug under the Food and Drug Act or any related criminal offence;
   - any offence which may pose a risk to the well-being of any of the Authority's students or staff.

6. It is recognized that Principals and teachers have a duty of care to their students. Duty of care is the legal principle which identifies the obligation to exercise reasonable care including the protection from harm.

7. With respect to volunteers, it is the responsibility of the Principal, who under the Education Act is in charge of instruction, organization and management of a school, to determine what activities the volunteers participate in, with which students and in which setting.

DEFINITIONS

8. **Police Record Check -** In accordance with the Police Record Checks Reform Act, 2015, means a document indicating a search of the Canadian Police Information Centre (CPIC) Databases or another police database maintained by a police service in Canada that contains information concerning an individual's personal criminal history, to determine whether the databases contain entries relating to an individual in order to screen the individual for the purposes of determining the person's suitability for employment.

9. **Offence Declaration -** For the purposes of the Bloorview School Authority, means an electronic declaration signed by an employee listing all of the employee's convictions for offences under the Criminal Records Act (Canada) up to the date of the declaration, that are not included in a prior Police Record Check collected by the Authority, for which a pardon under section 4.1 of the Criminal Records Act (Canada) has not been issued or granted.

10. **Personal Criminal History** - is information on an individual's criminal offences of which the individual has been convicted under the *Criminal Code of Canada* and for which a pardon has not been issued or granted.

11. **Vulnerable Sector Check** - indicates any criminal convictions, outstanding charges or warrants and certain pardoned offences.

12. **Service Provider** - means an individual who comes into direct contact with students on a regular basis at the school in the normal course of;

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

13. **Vulnerable Sector Individuals** - refers to persons who are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by persons in authority or trust to them. A person's age, disability, or other circumstances may make them vulnerable. The Bloorview School Authority considers all students to be identified as 'vulnerable persons'.

PROCEDURES

General Procedures

14. For the purposes of ensuring the safety of pupils, every board shall collect a police record check in respect of every individual who is, or will be,

    (a) an employee of the 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.

15. The type of police record check that shall be collected in respect of an individual

    (a) a vulnerable sector check, 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, if the individual is not or will not be in a position of trust or authority in relation to pupils.

16. To be valid for Authority use, all Police Record Checks must be prepared within six months before the day the Authority collects the document.

17. The Authority will only collect, use, retain and disclose personal information in accordance with applicable legislation and the Authority's policies and procedures.

Applicants – Condition of Employment (as per Reg. 521/01)

18. All applicants for employment with the Bloorview School Authority are advised on postings that it is a condition of any offer of employment that the applicant provide an original document of a suitable Police Record Check in respect of the applicant dated within six (6) months (or two years, if received directly from a previous employer) of the date of hire. All positions of trust or authority over vulnerable persons require a Vulnerable Sector Police Sector Check. Human Resource Services will identify to applicants the type of Police Record Check required.

19. An original Police Record Check must be delivered in person (or forwarded in a sealed envelope marked ‘confidential’) to the Principal or designate to be verified for authenticity. The original Police Record Check will be returned to an applicant. The Authority shall retain an original true copy taken from the Police Record Check or the original Vulnerable Sector Screening (if required) by the Authority’s contact. Completed vulnerable sector screens and offence declarations will be filed in a separate and secure location.

20. Police Record Checks must be obtained through the local or regional Police Services Department in the area in which an individual resides. The cost of the Police Record Check is the sole responsibility of the applicant.

21. Anyone who has been a resident outside of Canada for more than three (3) months in the previous twelve (12) months may be required to provide the equivalent Police Record Check from the foreign jurisdiction(s) in addition to the Police Record Check using the Canadian Police Information Centre.

22. The Principal will withdraw any offer of employment if the applicant has:

    - outstanding charges, prior convictions for which a pardon has not been granted or revoked, and/or a pattern of behaviour which indicates, in the Bloorview School Authority's opinion, that the applicant poses a threat to the safety and well-being of students and staff.
    - made a false declaration in the person's application.
    - declined to provide a verification of criminal record as required by this policy.

23. If an applicant's Police Record Check contains criminal charge(s), the Authority's Adjudication Protocol (Section 31), will be applied to determine the appropriate course of action.

New Employees

24. For any individual described in Section 14, who is a new employee, service provider, volunteer or on an educational placement, a Police Record Check must be provided prior to their involvement in the Authority's activities.

25. The Authority will not cover any cost associated with obtaining Police Record Checks for employees/applicants and service providers.

26. The Principal may provide temporary clearance for individuals who submit proof of a search in progress by a police force or service (see sections 32 and 33).

Current Employees - Requirements

27. Any individual described in section 14, must provide a Police Record Check according to the following guidelines (see Regulation 521/01).

    a. If the individual has **not previously** provided a Police Record Check, one must be provided by February 1, 2026;

b. If the individual's birth month is January, February or March and the most recent Police Record Check was collected **between September 1, 2021 and January 1, 2022,** then a new Police Record check must be provided not later than the date specified in the following chart

Birth Month	Submission date no later than….
January	January 31, 2027
February	February 28, 2027
March	March 31, 2027

c. If the individual's most recent Police Record Check was collected **on or before September 1, 2021** then a new Police Record check must be provided not later than the date specified in the following chart

Birth Month	Submission must be no later than….
January	January 31, 2027
February	February 28, 2027
March	March 31, 2027
April	April 30, 2026
May	May 31, 2026
June	June 30 2026
July	June 30, 2026
August	June 30, 2026
September	September 30, 2026
October	October 31, 2026
November	November 30, 2026
December	December 31, 2026

d. If the individual's most recent Police Record Check was collected **after September 1, 2021**, then a new Police Record check must be provided not later than the date specified in the following chart

Birth Month	Submission must be no later than….
January	January 31 in the year five years after the date of the most recent Police Record Check
February	February 28/29 in the year five years after the date of the most recent Police Record Check
March	March 31 in the year five years after the date of the most recent Police Record Check
April	April 30 in the year five years after the date of the most recent Police Record Check
May	May 31 in the year five years after the date of the most recent Police Record Check
June	June 30 in the year five years after the date of the most recent Police Record Check
July	June 30 in the year five years after the date of the most recent Police Record Check
August	June 30 in the year five years after the date of the most recent Police Record Check
September	September 30 in the year five years after the date of the most recent Police Record Check
October	October 31 in the year five years after the date of the most recent Police Record Check
November	November 30 in the year five years after the date of the most recent Police Record Check
December	December 31 in the year five years after the date of the most recent Police Record Check

NB: In effect, each individual must provide a new Police Record Check every five years subsequent to the 2026/2027 collections.

28. All employees of the Bloorview School Authority are required to submit an Offence Declaration by September 1st of each year in which the Bloorview School Authority employs the individual.

29. Current employees who may not have previously required a Vulnerable Sector Police Record Check upon hire will now be required to do so, at Bloorview School Authority expense, if they transfer or transition to a position of trust or authority over vulnerable persons. If an employee's Vulnerable Sector Police Record Check contains criminal charge(s), the Bloorview School Authority's Adjudication Protocol, (Section 30) will be applied to determine the appropriate course of action.

30. All employees, volunteers, service providers, individuals requiring a placement for professional certification, and others are also required to submit an annual Offence Declaration as prescribed by the Authority. All such individuals must also ensure that disclosure of criminal convictions as required by legislation or by third party agencies, i.e. professional associations, government ministries, etc. is made within the timelines prescribed by legislations, the third-party agency or otherwise.

31. The Authority in its discretion may require an employee, volunteer, service provider and/or other to submit an updated Police Record Check if the Authority has reason to believe that there may have been a change to the last record on file.

32. An employee who is charged with any criminal offence during the school year must self-report by contacting (in-person, by email or by telephone) the Principal to disclose this information. This information shall include the charge, any bail conditions or other restrictions imposed on, or agreed to, by the employee in connection with the charge.

Criminal Convictions/Investigation Guidelines

33. Where a Police Record Check, Vulnerable Sector Screening or Offence Declaration indicates the applicant/employee/service provider has a criminal conviction, the Authority may refuse an offer of employment or terminate an employee if the Authority believes there may be a financial, safety or security risk to the Authority, students or staff.

34. Where a Police Record Check, Vulnerable Sector Screening or Offence Declaration indicates the applicant/employee/service provider/volunteer has a criminal conviction, they may be required, but not limited to:

    - follow the process outlined by the Police Service to obtain fingerprints to process a Royal Canadian Mounted Police (RCMP) report detailing the offence(s) and/or
    - obtain a RCMP report detailing the offence(s) and/or
    - provide a letter of explanation detailing the offence(s) listed on the RCMP report and/or
    - obtain an original copy of the Police Report detailing the offence(s); and/or
    - provide a written explanation detailing the information listed on the Police Report and/or
    - provide a written explanation detailing why they do not pose a safety risk to students and/or staff and/or
    - attend an in-person or virtual interview with the Principal to discuss the details of the offence(s) and potential risk to students and/or staff.

35. The Principal will review any records pertaining to the criminal offence(s)/ conviction(s) information and may follow the adjudication guidelines (See # 30) to screen applicants/staff members as required.

Adjudication Protocol

36. The Human Rights Code prohibits discrimination based on a 'record of offences. Where evidence is received of a criminal conviction, other relevant conviction, criminal charge and/or a concerning pattern of behaviour for an employee or applicant, the Principal will consider at least the following factors in determining an appropriate course of action:

    - the length of time since offence(s)
    - any involvement of children and/or sexual activity and/or violence and/or acts of dishonesty in the offence(s)
    - the employment history of the employee
    - the employee's or applicant's attitude toward the offence(s)
    - any treatment, counselling or other services received since the offence
    - other steps taken to rehabilitate
    - any likelihood the offence(s) will be repeated
    - if alcohol or illegal drugs were a factor in the commission of the offence(s)
    - the degree of co-operation with this investigation
    - if the offence(s) was committed while employed by the Bloorview School Authority
    - if the employee or applicant is a teacher, relevance of offence(s) to teacher duties as set out in the Education Act and Regulations
    - if the employee or applicant is not a teacher, relevance of offence(s) to his/her employment duties
    - whether the offence(s) require any action pursuant to The Student Protection Act (including notification of the Ontario College of Teachers and the College of Early Childhood Educators, or other relevant governing body)
    - the specific duties and responsibilities of the position in question and the relevance of the criminal charge(s) and convictions to the particular position
    - the risk posed to students, employees, Authority property and equipment.

37. The course of action may include disciplinary action up to and including dismissal, and/or withdrawal of an offer of employment, and/or change of responsibilities and shall be compliant with other Bloorview School Authority policies, collective agreements and legislation.

Emergency Provision

38. The Authority may permit an individual in respect of whom a police record check has not been collected to commence or continue employment with the Authority, become or continue as a service provider the school or commence or continue volunteer work or an educational placement with the board, as applicable, if,

    (a) the Authority requires the individual to apply to obtain a police record check as soon as reasonably possible. Proof of having started the process (a receipt) will be required
    (b) the length of time required to obtain a police record check justifies it; and
    (c) if applicable, the board puts additional measures in place to protect pupils who interact with the individual until the police record check is collected

39. Before any such exception is made, a binding agreement shall be entered into between the individual and the Bloorview School Authority, ensuring that the verification be provided without delay and in a timely manner. This agreement will preserve the Bloorview School Authority's power to revoke the individual's offer of employment, actual employment, service, volunteerism or educational placement and/or dismiss an employee should the Police Record Check Pending form provided by the employee prove to be false or misleading in any respect.

Retention

40. The Bloorview School Authority shall retain an original or true copy taken from the original by a Bloorview School Authority designated contact or designate. Human Resource Services will store all employee. Police Record Checks and Offence Declarations in a file separate from the personnel file. For Holland Bloorview employees working within the Authority and Volunteers, originals/true copies will be housed within Holland Bloorview.

41. Access to Police Record Checks and Offence Declarations will be restricted to the Principal and/or designate and the individual whose information was collected, unless otherwise directed by the Principal and/or designate, in accordance with applicable privacy policy and legislation.

Non-Compliance

42. Employees who fail to submit either a satisfactory and acceptable Police Record Check, or Vulnerable Sector Check when required, or an Offence Declaration by the required date may be subject to:

    - suspension without pay until the Offence Declaration form is received;
    - the requirement to provide a new satisfactory and acceptable Police Record Check at the employee's own expense which must be received by October 31st;
    - withdrawal of an offer of employment;
    - discharge from employment.

43. It is a serious employment offence to make a false statement on an Offence Declaration. Where an employee is found to have knowingly made a false statement on a Declaration, the Bloorview School Authority will consider discipline up to and including discharge from employment.

44. Until such time as an individual has provided all the documentation with respect to the Police Record Check/Offence Declaration requirements including the submission of any additional supporting documentation requested by the Authority no later than the date prescribed by the Authority, the consequences of non-compliance are as follows:

    - applicants who fail to provide a valid Police Record Check, as required by the Authority, will no longer be considered for employment.
    - potential new employees will have their start date delayed, or their offer of employment withdrawn.
    - employees may be suspended without pay until the requested documentation is received and pending the results of any investigation, if necessary. The course of action may also include disciplinary action up to and including dismissal, and/or withdrawal of offer of employment, and shall be in compliance with other Authority policies, collective agreements and legislation.
    - individuals requiring a placement for professional certification will be restricted from commencing their placement.
    - volunteers will be restricted from volunteering
    - service providers and others will be restricted from providing goods and/or services to the Authority.

Trustees

45. This Policy shall apply to trustees of the Bloorview School Authority. All new trustees are requested to provide a Police Record Check and to, thereafter, complete the annual Offence Declaration while serving on the Authority Board.

Service Providers

46. All Service Providers, as defined by this Procedure, must provide the Authority with an acceptable Police Record Check.

47. Authority staff will:

    - include language similar to the following in any new Request for Proposal/Tender/Quotation of Contract:

      "The Bidder acknowledges receipt of a copy of Regulation 322/03 (Collection of Personal Information) to the Education Act (Ontario) with respect to Police Record Checks, Vulnerable Sector Screens and offence declarations. If required by the Authority, the successful Bidder covenants and agrees to assist the Authority in complying with same by providing the Authority or such other entity as the Authority may designate with a Police Record Check or Vulnerable Sector Screens or offence declaration prior to the occurrence of such possible direct contact and on or before September 1st each year thereafter with respect to the Offence Declarations.

      For the purpose of this Request for Proposal/Tender/Quotation, the Authority shall determine in its sole and unfettered discretion whether an individual or employee of the successful Bidder may come into direct contact with pupils on a regular basis.

      The successful Bidder further acknowledges and agrees that the contract between the Authority and the successful Bidder to be entered into pursuant to the terms hereof shall contain provisions of indemnification and provisions allowing the Authority to terminate same in the event the successful Bidder fails to provide the Authority with a Police Record Check or Vulnerable Sector Screens or offence declaration for every individual or employee who may come into direct contact with pupils on a regular basis at a school site of the Authority, prior to the occurrence of such possible direct contact and on or before September 1st each year thereafter with respect to the Offence Declaration."

48. Authority Staff shall ensure that all Service Providers are in compliance with Regulation 322/03 before providing services to the Authority.

49. Authority Staff shall develop a procedure for checking Identification Cards (and photo-identification) of Service Providers by school officials on a regular basis.

50. The cost for obtaining the required documentation will be paid directly by the successful Bidder.

51. In addition, the contract will contain provisions that will allow the Authority, or such other entity as the Authority may designate, upon review of the submitted documents provided to determine that an individual or employee will not be permitted on a school site in circumstances where direct contact with students is probable. All decisions of the Authority will be final.

Others

52. Police Record Checks and Vulnerable Sector Screenings are required for all “others” having direct and regular contact with students.

53. “Others” for the purposes of this policy would include:

    - Volunteers
    - students attending university or college programs which require practicum or coop placements in school.
    - persons eighteen (18) years of age or over having direct and regular contact with students.

54. Provincial organizations that provide services to schools but who are not Service Providers as defined in the regulation (including but not limited to) and who are exempt from these requirements as the organization has standards and practice in place which meet or exceed those of the Authority, as such the principal/designate should request a valid organization photo ID card which identifies them as an employee; or a valid ID card and a piece of photo ID. Included in this category are the following:

    - Public Health Departments
    - Victorian Order of Nurses
    - Ontario Health at Home
    - Children’s Mental Health Ontario
    - Provincial Schools Authority
    - Day Nurseries
    - Children’s Aid Societies
    - Big Brothers and Big Sisters of Canada
    - St John Ambulance

55. The Youth Criminal Justice Act protects the privacy of minors by limiting access to their records. Any “other” who has not attained the age of 18 must be directly supervised by a staff member when in contact with students. The Authority will not employ a person until such time as they have attained the age of 18, with the exception of summer students, students on apprenticeships, or other students as approved by the Principal.

56. All Volunteers who participate in events or activities at the school and who may have direct contact with students must provide the Authority with an acceptable Police Record Check.

57. Volunteers who have regular and direct contact with students, as determined by the Principal will be required to submit a Vulnerable Sector Screening before being permitted to volunteer in that type of setting.

58. School Council members are not required to submit Police Record Checks, If School Council members volunteer with students in a school setting, they will be required to comply with sections 52.