



Administrative Procedures Memorandum

#: APS040

Police Record Checks – Service Providers

Date of Issue: August 2004
Reviewed/Revised: April 2017

Memo To: Principals; Vice Principals; Executive Council; Department Managers

From: Director of Education

PURPOSE:

To implement the Police Record Check legislation (Ontario Regulation 521/01, as amended by Regulation 323/03) in order to maintain a safe learning environment for students within the Waterloo Catholic District School Board.

REFERENCES:

- Safe Schools Act, 2000
- [Education Act and Regulation 521/01](#), as amended by Regulation 323/03

FORMS:

- N/A

REPORTS:

- N/A

APPENDICES:

- N/A

COMMENTS AND GUIDELINES:

The Waterloo 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 Waterloo Catholic District School Board will not allow school access to Service Providers who have direct and regular contact with students:

- Who have not provided a Police Record Check, or
- Who have provided a Police Record Check which has been adjudicated and found to present an unacceptable risk to students and/or staff

Definitions

“Criminal Background Check (C.B.C.)” means a document concerning an individual which:

- Was prepared by a police force or service from national data on the Canadian Police Information Centre (C.P.I.C.) database within six (6) months before the date the Board collects the document.
- Provides information concerning the individual’s police record including Criminal Code (Canada) convictions, pardoned sexual offences, records of convictions under the Controlled Drugs and Substances Act, Narcotic Control Act and Food and Drugs Act and all outstanding warrants and charges.
- Includes a Criminal Record and Vulnerable Sector check.

“Service Provider” means an individual who is not an employee of the Board and who comes into direct contact with pupils on a regular basis at a school site of the Board in the 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 goods or services under contract with the Board.
- Providing services to a person who provides goods or services under contract with the Minister.

Responsibility

Where a service provider is contracted by Supply Services to provide services which will put the service provider or the service provider’s employees in direct and regular contact with students, the Supply Services representative responsible for entering into the contract will advise the service provider with respect to the requirement to provide criminal background checks.

Where a service provider is contracted by the School to provide services, the Principal is the individual responsible for compliance and will advise the service provider with respect to the requirement to provide criminal background checks.

Principals shall be responsible for ensuring service providers who come into direct and regular contact with students possess a satisfactory criminal background check.

Expectations

1. All service providers and employees of service providers who are identified by the Board as potentially coming into direct and regular contact with students must be in compliance before providing services to the Board.
2. School bus drivers and taxi drivers are not required to comply with Regulation 521/01. Rather, they are required to satisfy the requirements set out by the Ministry of Transportation (O. Reg. 49/03, s.1.).
3. Upon arriving at a school, a service provider who provides services in school on an itinerant or as needed basis is required to report to the school office, sign in and, if applicable, show his/her C.B.C. report.
4. Where services are provided at a school on a regular and consistent basis, the Principal shall verify possession of a C.B.C. report annually on the first day of each school year. To facilitate this process, the Principal shall:
 - Obtain a list of names of service providers.
 - Ensure that each service provider on record and thereafter every new service provider presents a valid C.B.C. report along with another identification card, preferably a photo identification card.
5. At the discretion of the Senior Manager of Facility Services, a service provider may be issued a Facilities Services Contractor identification badge.

Consequences of Non-compliance

A service provider who fails to comply with the Police Record Check requirements of the Board will be barred from providing goods and/or services to the Board until such time as (s)he is in compliance with the procedure.