

HUMAN RESOURCES

Policy 400-G

Criminal Record Checks

1. Requirements:

The Teacher Regulation Branch (TRB) requires a criminal record check as part of the requirements in order to be certified to teach. The district requires all new educators hired by the district to have a second criminal record check from the Ministry of Justice in Victoria.

For all new hires on the support side, the district requires two criminal records checks – one from the employee's home-based police department and one from the Ministry of Justice in Victoria.

2. Changes to the Criminal Record Check process as of November 30, 2013:

Requirement that those who share a date of birth and gender with a pardoned sex offender (in vulnerable sectors) need to be fingerprinted.

Results of checks can be shared between employers. There is a form that the employee can download from the Ministry of Justice website that needs to be completed and sent back to them in order for the information found in the CRC to be shared between organizations.

The TRB currently advises certificates are still in good standing while clearances are pending.

Effective July 1, 2014, only electronic fingerprints will be accepted (these take 3 business days).

3. Our District's procedures are:

Appointment letters indicate the process for getting criminal record checks done (2 for CUPE and one for RTA as the TRB does one).

Existing employees will need to undergo the CRC process every 5 years as per the legislation when working in a vulnerable sector.

The process will be administered by Human Resources for CUPE employees and Management of support staff, and by the TRB for RTA employees and both school based and district based education administration.

Fingerprinting costs for existing employees, who, based on any of the five (5) year re-checks, will be paid by the district unless the results do not clear the employee. All new hires will be required to pay for any additional costs for fingerprinting for the initial criminal record check required at the time of hire.

Reimbursement will be provided to those employees who require fingerprinting as a result of the five year check upon a receipt being sent to Human Resources.

4. For CUPE and Support Staff Management

The appointment letter further indicates that should an employee receive a letter indicating they must be fingerprinted, they must notify Human Resources immediately. The fingerprinting must take place within 14 days of receipt of the letter.

Any questionable results of a criminal record check and/or fingerprinting will be discussed with the employee. An employee, with his or her union representative, will be formally asked, if they are aware of any reason why a positive match may have been returned. Should there be any risk to the district as a result, a thorough investigation will be conducted which may lead to the termination of employment.

5. For RTA members and RASA members

The TRB handles all positive match outcomes. However, should the district receive notification from the TRB of any questionable results, a follow up with the employee and his or her union representation will be done to determine if they are aware of any reason why a positive match may have been returned. Should there be any risk to the district as a result, a thorough investigation will be conducted which may lead to the termination of employment.