

Title: Trustee Police Record Checks (TPRCs)

Adopted: January 12, 2008

Effective: January 12, 2008

Amended/Reviewed: May 19, 2026

1.0 RATIONALE

The Durham District School Board (DDSB) is committed to providing safe, inclusive, and respectful learning and working environments for all students and staff.

Ontario Regulation 521/01, as amended by Ontario Regulation 298/25 (Collection of Personal Information), made under the *Education Act*, establishes mandatory requirements for school boards to collect Police Record Checks (PRCs) from employees, service providers, volunteers and students on education placement. It does not expressly apply to trustees. Nonetheless, the Board of Trustees is the governing body of the DDSB and is expected to lead by example.

Police Record Checks are an important risk mitigation measure that support student safety and public confidence in the Board and ought to be applied to trustees.

2.0 OBJECTIVE

The purpose of this policy is to outline the requirement of DDSB Trustees to provide Police Record Checks.

This policy shall be interpreted and applied in a manner consistent with the Board's commitments under the:

- a. Indigenous Education Policy
- b. Human Rights, Anti-Discrimination and Anti-Racism Policy
- c. Safe and Respectful Workplace and Harassment Prevention Policy

3.0 DEFINITIONS

- a. **Police Record Check (PRC):** Also known as a “background check” is a search of police records on an individual conducted in accordance with the *Police Record Checks Reform Act, 2015*. These checks are often used as part of a screening process for paid work, employment, student placement or volunteering. Police Record Checks mitigate risks associated with those working with the vulnerable sector.

The Act authorizes the following types of police record checks:

- a. Criminal Record Check
 - b. Criminal Record and Judicial Matters Check
 - c. Vulnerable Sector Check
- b. **Criminal Record and Judicial Matters Check (CRJMC):** Required for employees

and other individuals who will have regular contact with students but will not be in a position of trust or authority.

- c. **Vulnerable Sector Check (VSC):** Required for employees and other individuals who will be in a position of trust or authority in relation to students.
- d. **Vulnerable Person:** A person who, due to age, disability, or other circumstances, whether temporary or permanent, is in a position of dependence or at greater risk of harm from someone in a position of authority or trust.
- e. **Offence Declaration:** A written declaration signed by an individual listing all Criminal Code (Canada) convictions not previously disclosed to the Board and for which a pardon has not been granted.

4.0 RESPONSIBILITY

The DDSB Chief Executive Officer, as Secretary to the Board, has oversight of this policy and is responsible for its content, implementation, and communication.

Operational responsibility may be delegated to People and Culture and other appropriate staff.

The Governance and Policy Committee shall review this policy prior to Board approval or any substantive amendment.

5.0 APPLICATION AND SCOPE

This policy applies to all DDSB trustees.

6.0 POLICY DIRECTIVES

- 6.1. Prior to the start of their respective term, each Trustee shall provide to the Director of Education or designate a PRC in the form of a CRJMC, issued not more than six months prior to the start of the Trustee's term.
- 6.2. Any Trustee engaged in volunteer activities at the DDSB, outside the role of Trustee, is subject to applicable policies and procedures in respect of PRC requirements for volunteers.
- 6.3. On or before September 1 of each year during the term, Trustees shall provide a signed Annual Offence Declaration to the Director of Education, confirming that there are no charges and/or convictions under the Criminal Code (Canada) or any other charges or convictions that would be disclosed on a PRC that: a) are not included in an already delivered PRC; and b) are not subject to a pardon. The Director of Education shall notify the Chair of the Board of any trustee who fails to submit an Annual Offence Declaration. The Chair shall investigate and take any action deemed warranted under DDSB bylaws.
- 6.4. If, at any time during the term, a Trustee is charged with or convicted of a Criminal Code (Canada) offence or any other charges or convictions that would be disclosed on a PRC, a new PRC shall be provided as soon as possible.
- 6.5. The Director of Education shall review PRCs and Offence Declarations provided

by Trustees under this policy to identify any areas of concern regarding risks posed to trustees, students, employees, DDSB property, assets or equipment.

- 6.6.** Where a risk is identified, the Director of Education may implement operational actions that the Director of Education deems appropriate to ensure the safety of trustees, students, employees, and DDSB property, assets and equipment while respecting confidentiality. In consultation with the Chair of the Board, the Director of Education may bring forward an in-camera report on risks identified and operational actions taken.
- 6.7.** Any operational action taken by the Director of Education under this policy is independent of any action that may be taken by the Board of Trustees under its Code of Conduct.
- 6.8.** The collection, storage, access, retention, and destruction of any records collected under this policy shall be subject to the same policies and procedures applicable to like records collected in respect of DDSB employees.

7.0 EVALUATION

This policy shall be monitored on an ongoing basis and formally reviewed at least every five years to ensure continued relevance, effectiveness, and legislative alignment.

8.0 COMMUNICATION

This policy shall be published on the DDSB public website in an accessible format and communicated to relevant staff, volunteers, service providers, and education partners.

9.0 APPENDICES

N/A

10.0 REFERENCES

- Police Record Check Procedure
- Trustees Criminal Reference Checks Policy
- Indigenous Education Policy
- Human Rights, Anti-Discrimination and Anti-Racism Policy
- Safe and Respectful Workplace and Harassment Prevention Policy
- Volunteer Programs in Schools Procedure
- Education Act
- Ontario Regulation 521/01
- Police Record Checks Reform Act, 2015
- Privacy Policy
- Records and Information Management Policy
- Records and Information Management Procedure