

EDMONTON PUBLIC SCHOOLS

June 14, 2004

TO: Board of Trustees

FROM: Trustee B. Bonko, Planning and Policy Committee
Trustee D. Fleming, Planning and Policy Committee
Trustee L. Odynski, Planning and Policy Committee

SUBJECT: Board Policy GBCD.BP - Mandatory Records Checks for Employees and Volunteers

ORIGINATOR: A. McBeath, Superintendent of Schools

RESOURCE
STAFF: Elaine Decker, Veda Lastiwka, Bob Holt

RECOMMENDATION

That policy GBCD.BP – Mandatory Records Checks for Employees and Volunteers be approved (Appendix I).

* * * * *

In addition to recruitment screening processes currently in place, to demonstrate due diligence with regard to the safety of the students and staff of Edmonton Public Schools (the district), effective September 1, 2004, all staff hired by the district will be required to secure and submit, to Personnel Recruitment and Staffing, an Edmonton Police Services Security Clearance Check and a Child Welfare Information System (CWIS) Statement provided by Edmonton and Area Child and Family Services, and all volunteers will be required to undergo a police Security Clearance Check.

In establishing the following, Edmonton Police Services (EPS) and Edmonton and Area Child and Family Services have been consulted.

A proposed administrative regulation, GBCD.AR – Mandatory Records Checks for Employees and Volunteers, which details related procedures and requirements is attached (Appendix II).

Security Clearance Checks for Employees

An employee is defined as any individual being paid by the district on an hourly, daily, bi-weekly, or monthly basis. This will include teachers on contract; custodial, maintenance, support, and exempt staff; lunchroom workers; staff on a contract for services; and all staff hired to work on a temporary basis through Personnel Supply Services.

EPS charges a fee of \$30.00 for each Security Clearance Check. The district will pre-purchase stickers from EPS at a cost of \$30.00 each.

At the time of hire, each employee will be required to pay the district \$30.00. Upon payment, the employee will be issued a blank EPS Security Clearance Check form (Appendix III) with a sticker attached. The employee will be required to complete and submit the form, in person, at any EPS station in Edmonton.

EPS will complete a records check appropriate for positions working with the vulnerable sector (Appendix IV). A records check disclosure for persons working with the vulnerable sector will include records of convictions, sexual in nature and/or involving children, for which an individual has been pardoned.

Vulnerable persons, as defined by the *Criminal Records Act* means persons who, because of their age, a disability, or other circumstances, whether temporary or permanent, are in a position of dependence on others or are otherwise at a greater risk that the general population of being harmed by persons in a position of authority or trust relative to them.

The usual length of time for EPS to complete a records check is fifteen working days, after which the completed records check will be returned to the employee marked either CLEARED or UNABLE TO CLEAR.

When hired, the employee will be notified in writing of a requirement to submit an original completed Security Clearance Check with an embossed EPS seal to Personnel Recruitment and Staffing within six weeks from the date of hire and that failure to do so will result in immediate termination of employment. The employee will also be informed that if a Security Clearance Check is returned marked UNABLE TO CLEAR, the employee will be required to secure and submit an original police certificate, outlining the reasons the security check was UNABLE TO CLEAR, with an embossed EPS seal, to Personnel Recruitment and Staffing, and that, depending on the nature of charges or convictions, at the sole discretion of the district, employment may be terminated. There would be no additional charge for securing a police certificate.

When a police certificate is presented by an employee, it will be reviewed by the Director Personnel Recruitment and Staffing. The nature and date of any charges or convictions will be considered relative to the responsibilities of the employee's position and the current date. At the discretion of the district, in cases where the police file or child welfare information report suggests conduct that brings into question the suitability of the individual to work for a school district, employment may be terminated. As necessary, General Counsel will be consulted.

Security Clearance Checks for Volunteers

A volunteer is defined as any individual who, without compensation, is permitted by the principal to assist in the school or help students, either in groups or on a one-on-one basis, during a school-related activity, including a field trip, and includes a volunteer driver but does not include a guest speaker, a guest presenter, a visitor to the school, a parent assisting his/her own child, nor a school council member or member of a parent fund-raising group acting solely within either capacity.

Any individual considered a volunteer, as defined above, will be required to secure, from EPS, a Security Clearance Check related to positions working with "children" or "vulnerable persons". To accomplish securing Security Clearance Checks from volunteers, the district will enter into Memorandum of Understanding (Appendix V) with EPS. There is currently

no charge for a security check for volunteers. Should there be a charge in the future, the volunteer would be responsible for covering the cost. Administration will provide the Board of Trustees with information regarding related implications and will make a recommendation to address the implications.

Principals will provide each volunteer with an Edmonton Public Schools' Volunteer Registration Form (Appendix VI) and an EPS form for applying for a Security Clearance Check for volunteers (Appendix VII), verify two pieces of identification provided by the volunteer, and retain both forms completed by the volunteer. Completed forms will be sent by the school to Personnel Recruitment and Staffing.

Personnel Recruitment and Staffing will regularly submit volunteers' applications for Security Clearance Checks to EPS with an accompanying Applicant List (Appendix VIII) and covering letter (Appendix IX). EPS will confirm whether volunteers' Security Clearance Checks are CLEARED or UNABLE TO CLEAR by noting such on the Applicant List and returning the list by fax to Personnel Recruitment and Staffing who will advise principals as to whether individuals are cleared to volunteer by returning the original Volunteer Registration Form with a stamp indicating that the individual is approved to act as a volunteer.

In cases where the Security Clearance Checks of volunteers are UNABLE TO CLEAR, Personnel Recruitment and Staffing will follow up with the individuals directly to secure copies of police certificates outlining the reasons the security check was UNABLE TO CLEAR. Decisions as to whether these individuals are suitable as volunteers will be made on the same basis as for employees.

Individuals may begin volunteering with the understanding that within six weeks, the security check will be completed and, depending on the results, the individual may not be approved to continue as a volunteer.

Child Welfare Information System (CWIS) Statements

Employees, at the time of hire, will be informed of the requirement to submit a current CWIS statement. Each individual will apply to Edmonton and Area Child and Family Services for a CWIS statement by completing an application form (Appendix X) and providing photocopies of two pieces of identification. There is no cost for a CWIS statement. The usual length of time from application to receipt of a CWIS statement is three to twenty-five working days. Completed statements will be provided to the applicant who will be required to provide the original, or certified true copy, to Personnel Recruitment and Staffing.

All CWIS statements indicate whether or not an individual MAY HAVE CAUSED A CHILD TO NEED PROTECTION. If the statement indicates that the individual may have caused a child to need protection, there will be summary information included. Such information will be reviewed by the Director Personnel Recruitment and Staffing for the purpose of determining whether or not to terminate employment. As necessary, General Counsel will be consulted.

General Information Related to Records Checks

Employees will be required to submit a current Security Clearance Check and CWIS statement within six weeks of their original hire date and every two years thereafter until

such time as they are offered permanent employment. At the time of being offered permanent employment, a current Security Clearance Check and CWIS statement will be required unless the previous documents on file are less than six months old.

Volunteers will be required to apply for a current Security Clearance Check at the time of registering as a volunteer and every two years thereafter so long as they wish to volunteer.

All district employment application forms will be revised to reflect the above described requirements. All Security Clearance Checks and CWIS statements and any accompanying documents or related information will be retained and stored securely by Personnel Services in accordance with the requirements of the *Freedom of Information and Protection of Privacy Act*.

To assist schools with procedures and potential issues for volunteers, a communications plan will be implemented and will include the following:

- key messages;
- a brochure outlining requirements and procedures;
- posters;
- superintendent's memo items;
- *Compass* and *Keynotes* articles;
- Camera ready material for inclusion in school newsletters;
- Question and Answer information sheets; and
- Website information.

The administration recognizes that requiring records checks for volunteers may have a negative impact for high needs schools. The results of implementing mandatory records checks will be monitored and trustees will be advised of the findings.

VL/bjs

APPENDIX I:	Edmonton Public Schools Proposed Board Policy, GBCD.BP – Mandatory Records Checks for Employees and Volunteers (page 5)
APPENDIX II:	Edmonton Public Schools Proposed Administrative Regulation, GBCD.AR – Mandatory Records Checks for Employees and Volunteers (pages 6-7)
APPENDIX III:	Edmonton Police Services Security Clearance Check Application Form for Employees (page 8-9)
APPENDIX IV:	Edmonton Police Services Security Clearance Check Details (page 10)
APPENDIX V:	Edmonton Police Services Memorandum of Understanding – Edmonton Police Service (pages 11-16)
APPENDIX VI:	Edmonton Public Schools Volunteer Registration Form (pages 17-18)
APPENDIX VII:	Edmonton Police Services Security Clearance Check Application Form for Volunteers (pages 19-20)
APPENDIX VIII:	Edmonton Police Services Volunteer Applicant List – Edmonton Police Service (page 21)
APPENDIX IX:	Edmonton Public Schools Letter to Edmonton Police Service (page 22)
APPENDIX X:	Alberta Children's Services Request for Child Welfare Record Check (pages 23-24)

Edmonton Public Schools Board Policies and Regulations

CODE: GBCD.BP
TOPIC: Mandatory Records Checks for
Employees and Volunteers

EFFECTIVE DATE: 09-01-2004
ISSUE DATE:
REVIEW DATE:

The board recognizes that the safety of the district's students and staff is paramount.

Under the board's general delegation of authority to the superintendent of schools, the superintendent will establish procedures, to be effective September 1, 2004, for securing police records checks and child welfare system checks from all employees, at the time of hire, and police records checks for all volunteers.

At the discretion of the superintendent, or designate, where information contained in a police certificate or child welfare information report suggests conduct that brings into question the suitability of the individual to work or volunteer for a school district:

- in the case of an employee, employment may be terminated, or
 - in the case of an individual registering as a volunteer, the individual may not be approved to volunteer.
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EDMONTON PUBLIC SCHOOLS

Edmonton Public Schools Board Policies and Regulations

CODE: GBCD.AR
TOPIC: Mandatory Records Checks
for Employees and Volunteers

EFFECTIVE DATE: 09-01-2004
ISSUE DATE:
REVIEW DATE:

A. GENERAL

1. This Regulation applies only to:
 - a. employees hired to commence work on or after September 1, 2004; and
 - b. all volunteers.
2. In this Regulation:
 - a. “employee” includes an individual who has accepted an offer of employment with the district but who has not commenced employment;
 - b. “Director” means the Director of Personnel Recruitment and Staffing; and
 - c. “volunteer” includes any individual who, without compensation, is permitted by the principal to assist in the school or help students, either in groups or on a one-on-one basis, during a school-related activity, including a field trip, and includes a volunteer driver but does not include a guest speaker, a guest presenter, a visitor to the school, a parent assisting his/her own child, nor a school council member or member of a parent fund-raising group acting solely in either capacity.
3. Effective September 1, 2004, all employees shall submit a Police Security Check and a Child Welfare Information System report in accordance with this Regulation.
4. Effective September 1, 2004, all volunteers shall submit an application for a Police Security Check in accordance with this Regulation.
5. The nature and date of any charges or convictions revealed in a police certificate and, in the case of employees, the nature and date of any investigation revealed in a child welfare report, will be considered relative to the current date and the individual’s responsibilities as an employee or volunteer.
6. To meet the requirements of board policy GBCD.BP, as it relates to volunteers, the district will enter into a Memorandum of Understanding with the Edmonton Police Service.
7. Any costs associated with securing the required police and child welfare reports will be the responsibility of the employee.

B. EMPLOYEES

1. Each employee shall, within a time period specified by the Director, submit:
 - a. an original Police Security Check marked “CLEARED” and dated within the past six months; and
 - b. an original Child Welfare Information System report, or certified true copy, dated within the past six months.

2. If the Police Security Check is marked “UNABLE TO CLEAR,” the employee shall, within a time period specified by the Director, submit an original police certificate outlining the reasons the security check was “UNABLE TO CLEAR.”
3. If an employee fails to submit any of the documentation specified in section B.1 or B.2 within the time specified, or if the contents of the employee’s police certificate or Child Welfare Information System report are considered by the Director to be incompatible with employment with the district, the employee’s contract of employment shall terminate immediately.
4. A temporary employee shall comply with the requirements of sections B.1 and B.2:
 - a. on September 1, 2004;
 - b. every two years thereafter; and
 - c. on the occasion of being offered permanent employmentand section B.3 shall apply in each case.

C. VOLUNTEERS

1. Each volunteer shall, within a time period specified by the Director, and every two years thereafter, submit:
 - a. a completed district Volunteer Application Form; and
 - b. a completed application for a Police Security Check.
2. If the result of a Police Security Check is “UNABLE TO CLEAR,” the volunteer shall, within a time period specified by the Director, submit an original of the police certificate outlining the reasons the security check was “UNABLE TO CLEAR.”
3. If a volunteer fails to submit any of the documentation specified in section C.1 or C.2 within the time specified, or if the contents of the volunteer’s police certificate are considered by the Director to be incompatible with volunteering with the district, the volunteer will not be allowed to continue as a volunteer.

D. COLLECTION, USE, AND STORAGE OF INFORMATION

1. The collection and use of personal information related to mandatory Police Security Check and Child Welfare Information System reports will be for the stated purpose of determining the suitability of an individual to work or volunteer for a school district and will be in accordance with the requirements of the *Freedom of Information and Protection of Privacy Act* of Alberta.
2. All Police Security Check and Child Welfare Information System reports and related information will be securely stored within Personnel Services.

Reference(s): GBCD.BP – Mandatory Records Checks for Employees and Volunteers



APPENDIX III: Edmonton Police Services Security Clearance Check Application Form
for Employees (page 8-9)

SECURITY CLEARANCE CHECK – More than just a criminal record search!
(as Provided by Edmonton Police Service)

The Edmonton Police Service processes all requests for Security Clearance checks through the following indices:

- 1) Edmonton Police Service local records.
- 2) Justice OnLine Information Network. (JOIN – Alberta court records)
- 3) Canadian Police Information Centre. (CPIC – National police records)

Disclosure includes:

- 1) For positions not working with the vulnerable sector:
 - a) Criminal convictions registered in the National Repository in Ottawa, and
 - b) Criminal convictions not yet registered on one's criminal record in the National Repository in Ottawa, and
 - c) Summary convictions not registered on one's criminal record in the National Repository in Ottawa dating back 3 years, and
 - d) Absolute and / or conditional discharges dating back 3 years, and
 - e) Adult Alternative Measures / Extrajudicial Sanction and diversion involvement dating back 2 years. Multiple diversions beyond two years are treated on a case-by-case basis with consideration given to disclosing some or all relevant involvement, and
 - f) Youth Alternative Measures / Extrajudicial Sanction and diversion excluding first time involvement. Multiple diversions are treated on a case-by-case basis with consideration given to disclosing some or all relevant involvement, and
 - g) Warrants, and
 - h) Pending criminal charges, and
 - i) Police files from any law enforcement agency, Canadian or otherwise. (Includes known **relevant** suspect / non-criminal contact with police, enforceable court orders i.e. a Peace Bond, criminal charges that have been stayed, withdrawn, dismissed, charges under appeal, and findings of criminally not responsible-mental disorder.
- 2) For positions working with the vulnerable sector:
 - a) Standard check and disclosure as listed above, and
 - b) Pardoned records of convictions sexual in nature and / or involving children. Disclosed with applicable vulnerable sector consent.

APPENDIX V: Edmonton Police Services Memorandum of Understanding – Edmonton Police Service (pages 11-16)

VOLUNTEER REGISTRATION 2004-2005

A volunteer is any individual who, without compensation, is permitted by the principal to assist in the school or help students, either in groups or on a one-on-one basis, during a school-related activity, including a field trip, and includes a volunteer driver but does not include a guest speaker, a guest presenter, a visitor to the school, a parent assisting his/her own child, nor a school council member or member of a parent fund-raising group acting solely within either capacity.

Edmonton Public Schools values the assistance provided by volunteers. As the safety of students is paramount, all volunteers are required to register, by completing this form, and to undergo a police Security Clearance Check.

SCHOOL: _____

NAME: _____

ADDRESS: _____ **PHONE NO.** _____

PARENT OF STUDENT REGISTERED AT THIS SCHOOL? ☐ YES ☐ NO

If yes, please list name and grade of student(s):

NAME: _____ **GRADE:** _____

NAME: _____ **GRADE:** _____

If you have registered to volunteer at another district school, which school? _____

Please list two references:

NAME: _____ **PHONE NO.** _____

NAME: _____ **PHONE NO.** _____

By signing this form, I acknowledge the following:

To volunteer in an Edmonton Public School, I am required to apply for a police Security Clearance Check. While I may begin volunteering, if the result of my Security Clearance Check is "UNABLE TO CLEAR," I will be required to provide an original police certificate outlining the reasons the security check was "UNABLE TO CLEAR." Depending on the nature of the information disclosed in my police certificate, the school district may, in its sole discretion, not approve me to continue as a volunteer; and I will generally be informed of this decision within six weeks.

I have read and understand the Conditions for Volunteering outlined on the reverse of this form.

NAME: (please print) _____

SIGNATURE _____ **DATE:** _____

The information on this form and the information disclosed by a Security Clearance Check and in a police certificate is collected in accordance with the *Freedom of Information and Protection of Privacy Act* of Alberta for the purpose of maintaining a registry of volunteers in Edmonton Public Schools and for determining the suitability of individuals to volunteer for a school district. Information related to Security Clearance Checks will be stored securely within Edmonton Public Schools Personnel Services.

CONDITIONS FOR VOLUNTEERING

A volunteer is required to respect the privacy of students and staff. Any information about students or staff, personal or otherwise, learned through the course of volunteering is to remain confidential.

A volunteer is required to hold any information collected, used, generated, or stored by an Edmonton Public School as strictly confidential.

A volunteer may not disclose, communicate, publish, remove, copy, or destroy any Edmonton Public Schools documents unless specifically authorized to do so by a teacher or the principal.

A volunteer must respect that the principal and teaching staff are responsible for student learning and behaviour.

A volunteer must notify the principal of any new criminal charges, at the time the charge is made.

- APPENDIX VII: Edmonton Police Services Security Clearance Check Application Form
for Volunteers (pages 19-20)
- APPENDIX VIII: Edmonton Police Services Volunteer Applicant List – Edmonton Police
Service (page 21)

Date

Edmonton Police Service
Security Clearance Detail
9620 – 103A Avenue
Edmonton, AB T5H 0H7

This letter is to verify that the individuals on the attached list have applied for volunteer positions with Edmonton Public Schools.

No remuneration or compensation will be made to the applicants.

The applicants will be working with vulnerable populations as defined under the Criminal Records Act.

I request that Edmonton Police Service waive the \$30.00 Security Clearance Check fee. I understand that should financial remuneration or compensation be made to the applicant in the future by our district, the \$30.00 fee would be due and payable to Edmonton Police Service.

I am aware of the content of the Memorandum of Understanding in place between Edmonton Police Service and Edmonton Public Schools.

For further information, you may contact me by phone at 429-8088 or by e-mail to veda.lastiwka@epsb.ca.

Sincerely,

Veda Lastiwka
Director
Personnel Recruitment and Staffing

VL/

**APPENDIX X: Alberta Children's Services Request for Child Welfare Record Check
(pages 23-24)**