



PREAMBLE

1. A Service Provider is defined as “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:
 - a) 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, or,
 - b) providing services to a person who provides goods or services under contract with the Minister.”

POLICY

1. The Windsor-Essex Catholic District School Board acknowledges its responsibility under the Education Act to use its best efforts to protect and provide a safe and secure learning environment for students, employees and property. 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.
2. The Windsor-Essex Catholic District School Board will not allow school access to Service Providers and “Others” who have direct and regular contact with students:
 - who have not provided a Criminal Background Check, or
 - who have provided a Criminal Background Check which has been adjudicated and found to present an unacceptable risk to students and/or staff.

REGULATIONS

Education Act, Safe Schools Act, Regulation 322/03

PROCEDURES

1. For any new Request for Proposal/Tender/Quotation of Contract, Administration will determine whether a Criminal Background Check is required by the Board within the meaning of the definition of Service Provider within the Regulation.

The Board, or such other entity as the Board may designate, will review the Criminal Background Check to determine that an individual or employee will or will not be permitted on a school site in circumstances where direct contact with students is probable.

3. A Service Provider who fails to comply with the Criminal Background Check requirements of the Board will be barred from providing goods and/or services to the Board until such is provided.
4. A Service Provider who continues to provide services each year shall be required to submit a new Criminal Background Check every three (3) years.
5. Criminal Background Checks and Offence Declaration Forms shall be collected by the Principal or Manager of Purchasing & Administrative Services, as applicable, who will store in a secure file.

Others

In order to apply a consistent standard to all individuals who have direct and regular contact with students, meet regulatory requirements, further the effort to ensure the safety of students and minimize potential Board liability, the Board will collect and adjudicate as required, Criminal Background Checks on individuals in this category and who have been identified by the Board as potentially coming into direct and regular contact with students.

Included in this category are the following:

1. 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 not exempt from these requirements:
 - a) Public Health Departments
 - b) Community Care Access Centres
 - c) Provincial Schools Authority
 - d) Children's Aid Societies
 - e) Big Sisters and Big Brothers of Canada
 - f) Victoria Order of Nurses
 - g) Children's Mental Health Ontario
 - h) Day Nurseries
 - i) St. John's Ambulance

Note: Effective September 1, 2004, the Board will request either a valid OESC – ID card along with a valid piece of photo identification (e.g. Passport, Driver's Licence, Health Card) for employees of these organizations or a valid organization issued photo-identification card which clearly identifies them as an employee of the organization.

2. In addition, "others" who may potentially come into direct and regular contact with students, i.e.
 - a) Trustees
 - b) Students attending University or College Programs which require practicum or co-op placements in schools*
 - c) School Volunteers (see separate policy # SC:09).
 - d) Persons eighteen (18) years of age or over having direct and regular contact with students

**Policy: Criminal Background Checks
For Service Providers and Others (Non-Employees)**

A:24

- * Students will have OESC-ID cards which expire in August of 2005 or August of 2006. These cards are blue in colour. These cards, as well as valid photo-identification (e.g. Passport, Driver's Licence, Health Card) must be checked by the Principal where the practicum assignment is located on a regular basis.

Approved by the Board: June 2005
Related Policy: SC:09 School Volunteers
Related Board Committee:
Policy Review Date: 2010