



**ONTARIO PUBLIC
SCHOOL BOARDS'
ASSOCIATION**

Leading Education's Advocates

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November 4, 2015

To: Shafiq Qadri , MPP for Etobicoke North and
Chair of The Standing Committee on Justice Policy

cc. Tonia Grannum,
Clerk of The Standing Committee on Justice Policy

Sent Via Email: tgrannum@ola.org

OPSBA Submission on Bill 113, Police Record Checks Reform Act

The Ontario Public School Boards' Association (OPSBA) appreciates the opportunity to respond to Bill 113, Police Record Checks Reform Act. We are an organization that has a strong history of advocacy on behalf of Ontario students and have regularly participated in many consultations regarding legislation that affects our member school boards and the trustees who are elected to serve their local communities.

We support the intent of this legislation that will provide consistency across the province and give clear definitions as to what constitutes a police record check. We understand that if passed, the legislation would create three standardized types of record checks: a criminal record check, a criminal record and judicial matters check, and a vulnerable sector check. This harmonization makes sense. School boards and many of their education partners (i.e. child care and before and after school care providers) require record checks for their prospective employees and volunteers prior to the commencement of any duties. Current practice for school boards is to direct those individuals to their local police services. We are aware that this process varies across Ontario and many people have complained about differences in their checks, the length of time required to obtain their check (up to 6 weeks in some cases) and the inconsistency of fees charged to perform the check.

Many school boards have strategic goals around engagement and want to encourage and welcome volunteer opportunities. Record checks are acknowledged as necessary, but they can also be seen as a barrier or an obstacle to involvement in our schools. We share the concern

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expressed by many that the checks must maintain individual privacy rights while at the same time ensuring student and staff safety. It is our hope that when guidelines are developed these issues will be addressed.

It is our understanding that the proposed legislation will prohibit the release of non-criminal information, such as mental health records, and strictly limit the release of non-conviction information. This is also supported by our members as we are working to educate people about the issue of mental health and removing the stigma and negative attitudes associated with it. Another positive aspect of this bill is that it will allow an individual to transfer their “check” approval if they were to move to a different area in the province instead of having to repeat the process, which has been noted to be both tedious and costly. Our members have indicated that the current process can result in financial hardship due to the actual cost of the check and the transportation costs associated with dropping off and picking up forms.

Finally, we ask the committee to consider consistency in the use of terminology across sectors and the requirements by the various Acts that govern those sectors. For school boards, it is primarily the Education Act but also the Child Care and Early Years Act and it would be helpful to have consistent, common language in each of these Acts. This bill refers to three types of “checks” as part of a Police Record Check. Other terms used in our sector include Criminal Record Check and Vulnerable Sector Screening. As part of next steps, we would ask that school boards be part of any further consultation so that this bill can be effectively implemented by those that need these checks in our sector. We look forward to this consultation with the ministry and our education partners.

Sincerely,



Michael Barrett, President
Ontario Public School Boards' Association

The Ontario Public School Boards' Association (OPSBA) represents public district school boards and public school authorities across Ontario. Together our members serve the educational needs of almost 70% of Ontario's elementary and secondary students. The Association advocates on behalf of the best interests and needs of the public school system in Ontario. OPSBA believes that the role of public education is to provide universally accessible education opportunities for all students regardless of their ethnic, racial or cultural backgrounds, social or economic status, individual exceptionality, or religious affiliation.