

September 24, 2025

## OPSBA Submission re: Proposed Regulatory Amendments to Ontario Regulation 521/01 Collection of Personal Information

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The Ontario Public School Board's Association (OPSBA) appreciates the opportunity to provide comments and feedback regarding this current regulatory proposal that considers amendments to [Ontario Regulation 521/01 Collection of Personal Information](#) and also considers “housekeeping” amendments to other regulations to align terminology and requirements.

The main proposal considers expanding the list of individuals that would require a police record check and adds a five-year renewal requirement. These were initially mentioned on May 29, 2025, as part of announcement for the introduction of [Bill 33, Supporting Children and Students Act](#)

A Ministry of Education memo summarized the changes: “the proposed amendments would, if approved, require school boards and school authorities to collect:

- Depending on whether they are in a position of trust or authority in relation to pupils, either a Vulnerable Sector Check (VSC) or Criminal Record and Judicial Matters Check (CRJMC) every five years from employees, service providers, volunteers, and students on education placements.
- An offence declaration every year in between the collection of required checks.
- A new police record check, as soon as reasonably possible, any time a person from whom the board is required to collect a record check is charged with, or convicted of, an offence under the Criminal Code.”

OPSBA and its member boards support changes that contribute to safe and supportive learning environments for our students and educators. The Association shares the concern that individual privacy rights must be maintained while at the same time ensuring student and staff safety. In addition, OPSBA is supportive of consistency across the province with clear definitions. That said, effective education policy balances the need to solve problems in the name of the public good with realistic implementation that serves the whole system. We must be careful of not creating other problems by overprescribing a solution for one problem. In this case, it is worth asking if the resources and rules required to solve the problem present such a burden that it will turn away people from engaging in schools at a time when we need caring adults in our school buildings more than ever.

The following are areas of concern identified by OPSBA's Policy Development and Education Program Work Groups who recently met to discuss these proposed changes and their potential impacts.

**Recruitment and ensuring students have staff support** – The timely completion of record checks is critical to ensuring continuity of instruction and safety for students. This is especially true when recruiting and hiring replacement staff (e.g., occasional teachers, replacement support staff, etc.). Given the growth in the number of absences over the past number of years, and the challenges of filling vacancies with qualified replacement staff, this continues to be a significant daily issue for school boards. Record checks and potential delays could pose an

additional barrier to this already challenging situation in which casual staff are required to keep schools running in a safe manner. With these requirements, there is a high risk of delaying critical supports needed in schools.

**Barriers to having more adults supporting learning** – Volunteers play a vital role in supporting students and are needed in school environments. However, differentiation is needed to recognize different levels of volunteers that enter schools. We suggest that there should be flexibility with respect to who requires vulnerable screening, as many volunteers are under the supervision of staff. Police record checks may pose a barrier to their continued involvement and possibly discourage new volunteers. There can also be requirements for additional documentation (i.e., letter from the employer, fingerprinting) that add to the overall processing timeline, costs, and administrative burden. It has also been expressed that the process for record checks may be considered discriminatory and have potential bias for certain groups of people.

**Capacity of local Police Services** – There is concern about the ability to conduct checks in a timely manner and the varying processes and costs (inconsistencies) across the province. Will police forces hire more people to complete this work? Who will provide the fingerprinting services sometimes required as a stage of the vulnerable screening process as often this is provided by third party agencies? Has the ministry costed this for all 72 school boards, and will Core Education Funding be adjusted to pay for the cost of all processes? Or could there be a streamlined process that allows for direct billing to minimize paperwork, avoid workload issues for board and police services staff, and to reduce delays?

**Additional workload** – The proposed changes will result in additional work and responsibility for school board staff. This includes collection of record checks given the increased requirements, the monitoring of timelines for repeat checks, and processes for determining the “fit” for employment when there is a criminal record concern. Has the ministry considered the human resources that will be required to support this?

OPSBA respectfully suggests that the Ministry of Education consider a staged implementation of this new regulation to allow for the piloting of a new process in a small number of boards and allow for monitoring and evaluating of the results in order to refine the process and achieve the right results, prior to rolling the new program out more broadly in all school boards.

OPSBA will continue to monitor and follow Bill 33, Supporting Children and Students Act, as it moves through its legislative stages and any forthcoming regulations. We remain a committed partner in supporting public education in Ontario and would like to assist the Ministry of Education by collaborating on any communications and resources shared with the sector.

*The Ontario Public School Boards' Association represents English public district school boards and public school authorities across Ontario, which together serve nearly 1.4 million public elementary and secondary students. The Association advocates on behalf of the best interests and needs of the public school system in Ontario. OPSBA is seen as the credible voice of public education in Ontario and is routinely called on by the provincial government for input and advice on legislation and the impact of government policy directions.*