

Volunteer Background Check Policy

Effective Date: September 1, 2022

1. Policy Statement

Effective family and community engagement with schools can help produce a range of positive outcomes, including improved student achievement, increased attendance, and greater community-wide support for schools.

Volunteer participation in schools is encouraged when, in the opinion of the school principal, this support will enhance programs and services for students. To promote a positive, respectful, and courteous relationship among the school administration, staff, parents/guardians, students, and volunteers, it is essential that the role, responsibilities, and expectations for volunteers are clearly defined and communicated.

The safety of students and school environments are of paramount importance, therefore, all volunteers are required to comply with all aspects of this policy and supporting procedures.

This policy focuses specifically on the requirements for family and community members to become registered volunteers within schools. It is intended to work in conjunction with other related provincial and Regional Centre for Education (RCE) or Conseil scolaire acadien provincial (CSAP) policies, including any other policies involving volunteers.

2. Definitions

visitor: An individual who enters the school who is not an employee of the RCE/CSAP or registered volunteer. A visitor includes, but is not limited to, a guest speaker, an individual making a delivery, a family or community member assisting at annual or one-time school events, a Parent Teacher Association member, and anyone attending a meeting with school staff.

registered volunteer: An adult (18 years or older) who is not an employee of the RCE/CSAP but who interacts with students within the school, or as part of activities associated with the school. Registered volunteers are approved by the school principal and have provided proof of completion of all necessary background checks. A volunteer includes, but is not limited to, a coach, a driver, a regular classroom helper, or a trip chaperone.

This definition extends to any external person who will have direct contact with students but does not include:

- students enrolled in a school in the RCE/CSAP;
- persons deemed to be visitors; or
- employees of the RCE/CSAP who have completed the required checks.

employee liaison: An employee of the RCE/CSAP designated by the principal to oversee an activity and any volunteers supporting that activity. Employee liaisons may not always be present during the activity; however, they are responsible for communicating with volunteers on a regular basis and addressing any concerns.

screening process: A system used to ascertain the character and competencies of a volunteer. The process is a series of precautions that the school follows to ensure the safety of all the students in the educational or extracurricular settings of the school.

3. Policy Objectives

This policy outlines the reasonable measures necessary to ensure the safety and security of all students while under the supervision of registered volunteers.

4. Guiding Principles

- The safety and security of students is the first and foremost consideration.
- Involvement of family and community members as registered volunteers in schools is valued and viewed as important in cultivating community and school relationships.
- Regular checks help ensure volunteers meet safety standards needed to lead or support school activities.

5. Application

This policy applies to all RCEs, the CSAP, and all Nova Scotia public schools and associated programs.

The directives outlined in this policy replace directives in existing policies covering the same issue.

6. Policy Directives

- 6.1 Visitors must always be under the supervision of a school staff member while on school property.
- 6.2 Prior to the approval by the school principal, volunteers must submit to the school principal or RCE/CSAP the completed required background checks including a Child Abuse Register Search and Vulnerable Sector Check along with any other information requested as part of the screening process. Completed background check documents will be stored in the volunteer's confidential file at the school or RCE/CSAP. In cases where a Vulnerable Sector Check cannot be obtained and the principal is satisfied that the authorized body (e.g., law enforcement agency) has refused to complete a Vulnerable Sector Check, a Criminal Records Check will be submitted instead.
- 6.3 A principal or RCE/CSAP may accept a background check document for up to six months from the date the check was completed. Completed background check documents are valid for a maximum three years and must be repeated and resubmitted once expired if the individual wishes to remain a registered volunteer with the school. Principals may request resubmission earlier than three years.

- 6.4 The school principal is responsible for approving and registering volunteers within the school(s) for which they are responsible.
- 6.5 Once approved and registered, all volunteers must immediately disclose any new charge or conviction for a criminal offence to the school principal should one occur in the time that the volunteer is registered with the school.
- 6.6 Activities supported by volunteers will be approved by the school administration in consultation with any employee of the RCE/CSAP the volunteer is assigned to support.
- 6.7 Once volunteers are approved, the principal or employee liaison will determine if they need to meet with the volunteer to review the volunteer's roles, responsibilities, and/or specific duties.
- 6.8 The time allocated for volunteer work will enhance regular, co-curricular, or extracurricular school programs and should not interfere with established expectations and routines of the school.
- 6.9 The principal may request that volunteers report to a designated RCE/CSAP employee liaison. Volunteers may be assigned specific tasks under the direction of the employee liaison assigned to the activity.
- 6.10 Volunteers will adhere to the *Provincial School Code of Conduct Policy* when addressing issues related to student behaviour. They will also report any issues or problems to the principals or employee liaison for appropriate action. If the volunteer has any questions about the *Code of Conduct*, they should request a meeting with the principal or employee liaison.
- 6.11 The school principal may request background checks of any external person who will be in direct contact with students, for example as part of a research request.

7. Roles and Responsibilities

The Department of Education and Early Childhood Development is responsible for

- communicating the *Volunteer Background Check Policy* to appropriate staff at the RCEs/CSAP
- ensuring that RCE and CSAP personnel understand their roles and responsibilities related to this policy

Regional Centres for Education and Conseil scolaire acadien provincial are responsible for

- communicating the *Volunteer Background Check Policy* to school administrators and staff
- overseeing the application of the *Volunteer Background Check Policy* in their region
- providing advice to principals as needed
- if not maintained by the school principal, maintaining an up-to-date registry of all registered volunteers for each school, ensuring all active volunteers have up-to-date background checks
- ensuring all schools have copies of "Form 1: Application for Access to a Record" (Office of the Information and Privacy Commissioner Nova Scotia 2006) for access requests through the FOIPOP process

Principals are responsible for

- making the final decision, in consultation with the RCE/CSAP as needed, concerning selection, placement, continuation, and replacement of a registered volunteer
- ensuring that all volunteers have completed the necessary screening process prior to becoming registered volunteers at the school
- if not maintained by the RCE/CSAP, retaining a confidential file for each registered volunteer that includes all screening information including completed required background check documents; if a volunteer is deemed ineligible to register with the school, a memo outlining the considerations and record of decision should also be retained in the volunteer's confidential file
- if not maintained by the RCE/CSAP, maintain an up-to-date registry of all registered volunteers at the school, ensuring all active volunteers have up-to-date background checks
- determine ongoing eligibility of a registered volunteer after a volunteer provides immediate disclosure of any charge or conviction for a criminal offence. A memo outlining the considerations and record of decision should be retained in the volunteer's confidential file.
- designating employee liaisons as needed
- ensuring that the volunteer only has access to student information that is relevant to performing their assigned duties
- ensuring that the volunteer does not assume responsibility for disciplining students but reports problems to the school administration or employee liaison for appropriate action
- delegating duties under this policy, as needed, to their vice-principal(s)

Employees of the RCE/CSAP are responsible for

- at the direction of the principal, acting as an employee liaison for activities they have expressed an interest in leading
- ensuring that any volunteer they are working with is registered with the school and approved by the principal

Registered volunteers are responsible for

- undergoing a screening process, at the request of the principal, that could include a:
 - volunteer application form (optional);
 - reference check (optional);
 - Child Abuse Register Search (required); and,
 - Vulnerable Sector Check or Criminal Records Check (required).
- costs, as requested, that are associated with providing the required background checks
- completing any other processes and forms as required by RCE or CSAP policies
- immediately disclosing any charge or conviction for a criminal offence to the school principal
- acting within the scope of their duties as a volunteer with the RCE/CSAP and carrying out only those duties that have been assigned and approved by the principal and/or employee liaison to maintain accident and liability coverage under the School Insurance Program (SIP)

- adhering to any other regional or provincial policies related to their interactions with students (*School Transportation Policy, Extracurricular Activity Supervision Policy, Provincial School Code of Conduct Policy, etc.*)
- reporting any problems with student behaviour to the employee liaison of the RCE/CSAP or principal
- notifying the principal or employee liaison of the RCE/CSAP when an illness or other circumstance prevents the volunteer from reporting to the school for volunteer duties
- respecting confidentiality of school matters

8. Records

Records need to be stored in secure storage with limited access at the school or RCE/CSAP. Documents will be confidentially maintained with a high degree of security to avoid unauthorized access, collection, use, alteration, duplication, disclosure, displacement, or disposal.

Volunteer record check information will not be disclosed for reasons other than determining the suitability of an individual to register as a volunteer at the school.

The following information is to be stored in a volunteer's confidential file:

- Vulnerable Sector Checks/Criminal Record Check for successful applicants;
- immediate disclosure reports;
- disclosure follow up—considerations and record of decision; and,
- volunteer application form (if applicable).

Vulnerable Sector Checks/Criminal Record Check, considerations, and records of decision for unsuccessful applicants will also be stored in a confidential file and subject to the same storage and disposal guidelines as volunteer files.

When an RCE/CSAP uses an individual's record check information to determine initial or ongoing volunteer status, the principal shall retain that information for at least four years after making the determination.

Disposal of records containing volunteer (and employee) personal information will be carried out using secure methods, such as shredding.

- Upon resubmission of background check documents, previous versions may be removed from the volunteer's confidential file and disposed.
- Proper signatures will be obtained prior to the disposal of records pertaining to volunteers.

RCEs and CSAP are responsible for adhering to FOIPOP in terms of access to information requests and ensuring the privacy of personal information in compliance with the *FOIPOP Act* (Nova Scotia 1993a).

RCEs and CSAP shall adhere to the [Privacy Breach Protocol](#) (Nova Scotia Department of Internal Services 2017). The *Privacy Breach Protocol* will guide RCEs/CSAP through the decision making and documentation that is required in response to a breach of personal information.

Employees who contribute to the circumstances of a privacy breach, as described in the *Privacy Breach Protocol's* "Consideration Table," may be subject to disciplinary action in accordance with processes established in collective agreements or terms and conditions of employment.

9. Monitoring

Department of Education and Early Childhood Development staff will be responsible for monitoring this policy. The policy will be reviewed regularly. As part of this review, EECD staff will recommend amendments to the policy, as needed.

10. References

Nova Scotia. 1993a. *Freedom of Information and Protection of Privacy Act*. SNS, c. 5.

<https://nslegislature.ca/sites/default/files/legc/statutes/freedom%20of%20information%20and%20protection%20of%20privacy.pdf>.

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www.novascotia.ca/Just/Regulations/regs/foiregs.htm.

Nova Scotia Department of Education and Early Childhood Development. 2015. *Provincial School Code of Conduct Policy*. Halifax, NS: Province of Nova Scotia.

www.ednet.ns.ca/docs/provincialschoolcodeofconduct.pdf.

—. 2019. *Extracurricular Activity Supervision Policy*. Halifax, NS: Province of Nova Scotia.

www.ednet.ns.ca/docs/extracurricularactivitysupervisionpolicyen.pdf.

—. 2020. *School Transportation Policy*. Halifax, NS: Province of Nova Scotia.

<https://www.ednet.ns.ca/docs/schooltransportationpolicyen.pdf>.

Nova Scotia Department of Internal Services. 2017. *Managing a Privacy Breach: Protocol and Forms [Privacy Breach Protocol]*. Halifax, NS: Province of Nova Scotia.

<https://beta.novascotia.ca/sites/default/files/documents/1-1132/managing-privacy-breach-protocol-and-forms-en.pdf>.

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<https://oipc.novascotia.ca/sites/default/files/forms/FOIPOP%20Forms/Form%201.pdf>.