



## DECLARATION CONCERNING A JUDICIAL RECORD

The legislative provisions concerning judicial records in the *Education Act* and the *Act respecting private education* [introduced into those acts by the *Act to amend the Education Act and the Act respecting private education* (Statutes of Québec, 2005, chapter 16)] refer to the following elements of a judicial record:

- any conviction for a criminal or penal offence committed in Canada or elsewhere, unless a pardon has been obtained for that offence
- any charge still pending for a criminal or penal offence committed in Canada or elsewhere
- any court order outstanding against the applicant in Canada or elsewhere

### DEFINITIONS AND INFORMATION

#### ***Criminal offence***

An offence created by a federal law to impose a sanction for grave misconduct that infringes the fundamental values of society. Laws that define criminal offences include the *Criminal Code*, and the *Controlled Drugs and Substances Act*.

#### ***Penal offence***

An offence created by a federal or provincial law to impose a sanction for a particular type of conduct. For example, the *Employment Insurance Act* and the *Canadian Environmental Protection Act* include penal offences created by a federal law; the *Highway Safety Code* and the *Youth Protection Act* include penal offences created by a provincial law. A penal offence may also lead to a sanction imposed by municipal authorities (e.g. for an offence covered by a city by-law).

#### ***Charge still pending***

A charge that has been laid in a case where the judicial or administrative court has not yet rendered a decision.

#### ***Court order***

A decision by a judge requiring a person to respect certain conditions, such as a surety under section 810 of the *Criminal Code*, a probation order, an order of prohibition to drive or to possess firearms, a restitution order or an order prohibiting a person from contacting

persons under age 14 or being in a place where such persons are likely to be encountered. This list is not comprehensive. Under the *Criminal Code*, a discharge is considered a court order.

#### ***Conviction for an offence for which a pardon has been obtained***

An offence for which a pardon has been obtained need not be mentioned. Information on applications for a pardon can be obtained from the National Parole Board Web site at <<http://www.npb-cnrc.gc.ca>>.

#### ***Other information***

The *Act to amend the Education Act and the Act respecting private education* (Statutes of Québec, 2005, chapter 16), which, among other things, makes the declaration concerning a judicial record compulsory, can be viewed on the Publications du Québec Web site at <<http://publicationsduquebec.gouv.qc.ca>>.

#### ***For more information:***

LESTER B. PEARSON SCHOOL BOARD  
John Brennan  
Director of human resources  
(514) 422-3000 ext. 31101

## DECLARATION CONCERNING A JUDICIAL RECORD\*

Volunteer  OR Trainee  OR LBPSB Employee

School / Centre / Department \_\_\_\_\_

**PLEASE COMPLETE IN BLOCK LETTERS USING A BLUE PEN; VOLUNTEERS AND TRAINEES MUST PROVIDE A PHOTOCOPY OF A GOVERNMENT ISSUED PHOTO ID. The photocopy along with the original must be presented to an appropriate LBPSB authority (administrator, HR, secretary) to be validated and initialed.**

SECTION 1			PERSONAL INFORMATION		
LAST NAME		LAST NAME AT BIRTH			
FIRST NAME		MIDDLE NAME			
DATE OF BIRTH (yyyy-mm-dd)	SEX <input type="checkbox"/> Male <input type="checkbox"/> Female		PHONE NUMBER		
CURRENT ADDRESS (number, street, apartment)					
CITY		PROVINCE		POSTAL CODE	
PREVIOUS ADDRESS (number, street, apartment) (If you have been at your current address less than five years)					
CITY		PROVINCE		POSTAL CODE	

Check the appropriate boxes in each of the following sections. If you need more space to provide all the information requested, continue on a separate sheet and enclose it with this form. Enter your name at the top of any additional sheet(s).

SECTION 2			CONVICTIONS		
<b>A - CRIMINAL OFFENCE(S)</b>					
<input type="checkbox"/> I have not been convicted of a criminal offence in Canada or elsewhere or, if I have been convicted of a criminal offence, I have obtained pardon.					
or					
<input type="checkbox"/> I have been convicted, in Canada or elsewhere, of the following criminal offence(s):					
OFFENCE	DATE	LOCATION OF COURT			
<b>B- PENAL OFFENCE(S)</b>					
<input type="checkbox"/> I have not been convicted of a penal offence in Canada or elsewhere or, if I have been convicted of a penal offence, I have obtained pardon.					
or					
<input type="checkbox"/> I have been convicted, in Canada or elsewhere, of the following penal offence(s):					
OFFENCE	DATE	LOCATION OF OFFENCE AND, WHERE APPLICABLE, OF COURT			

**SECTION 3****CHARGE(S) STILL PENDING****A - CRIMINAL OFFENCE(S)**

I am not subject to any pending charges for a criminal offence in Canada or elsewhere.

or

I am subject to one or more pending charges, in Canada or elsewhere, for the following criminal offence(s):

OFFENCE	DATE	LOCATION OF COURT

**B- PENAL OFFENCE(S)**

I am not subject to any pending charges for a penal offence in Canada or elsewhere.

or

I am subject to one or more pending charges, in Canada or elsewhere, for the following penal offence(s):

OFFENCE	DATE	LOCATION OF OFFENCE AND, WHERE APPLICABLE, OF COURT

**SECTION 4****COURT ORDER(S)**

I am not subject to any court order in Canada or elsewhere.

or

I am subject to the following court order(s) made against me in Canada or elsewhere:

ORDER	DATE	PLACE OF ORDER

The *Education Act* specifies that:

- this form must be sent to the school board concerned;
- any person working or coming into regular contact with minor-age students must, **within 10 days** of being notified of a change in his or her judicial record, inform the school board concerned of this change, regardless of whether the person has already filed a declaration concerning his or her judicial record;
- a teaching license holder must, **within 10 days** of being notified of a change in his or her judicial record, inform the Minister of Education, Recreation and Sports of this change, regardless of whether the person has already filed a declaration concerning the person's judicial record;
- a school board must inform the Minister of Education, Recreation and Sports in each case where it concluded that the judicial record of a teaching license holder has a bearing on the duties that are, or may be, assigned to the teaching license holder by the school board;
- a school board may verify this declaration or have it verified, in particular by a Quebec police force, and may communicate or receive any information for the purpose of this verification.

**NOTE**

- A declaration form will be considered incomplete and will be returned to the sender if: it is not signed, or if one or more questions remain unanswered.
- A false declaration may lead to the rejection of an application or to administrative or disciplinary measures.
- The full judicial record must be declared. However, only the offences that, in the opinion of the school board, have a bearing on the person's duties will be considered.

**I certify that all the information provided in this declaration form is accurate and complete.**

Signature \_\_\_\_\_ Date \_\_\_\_\_

Received by: (LBPSB Representative at Head Office) \_\_\_\_\_

*N.B. The School Board is under the obligation to verify judicial records prior to hiring. Consequently, the employment or service offer, or, as the case may be, the keeping of the new employment is **conditional** and will not be valid until such time as, after analyzing the results, the employer may conclude that there is no link between the candidate's record and the nature of the employment.*