

**MINISTER'S DIRECTIVE**  
**No. MD 2025 - 09**

**Enhanced Education Authority Measures to Support the Protection and Safety of Students**

Pursuant to subsections 3(1)(a) and 4(2)(e) of the *Education Act* R.S.P.E.I. 1988, Cap. E-.02,  
I hereby issue the following Minister's Directive regarding the protection and safety of students.

**1. Definitions**

In this Minister's Directive the following definitions apply:

**Criminal Offence:** An offence of a criminal nature and which resulted in a criminal conviction in Canada, or an offence under the criminal law of a jurisdiction outside of Canada, in which the offence occurred.

**Criminal Record Check:** A document which states whether an individual has been charged with or convicted of a Criminal Offence.

**Employment Check:** An investigation to verify a candidate's information and suitability for a position.

**Immediate Disclosure:** A document signed by an individual which discloses any new criminal charges, or convictions for a Criminal Offence, within seven days of that individual being notified of the new charges or convictions.

**Offence Declaration:** A document signed by an individual that discloses if that individual has been convicted of a Criminal Offence during a specified period.

**Vulnerable Sector Check:** A document which states whether an individual has been charged or convicted of a Criminal Offence or has a record suspension (pardon) for sexual offences.

**2. Background**

The Minister of Education and Early Years, through the Department of Education and Early Years (DEEY) and the education authorities, has a responsibility to provide safe learning environments for students. Under the United Nations Convention on the Rights of the Child, students have the inherent right to be protected from harm.

The safety of students is paramount when considering suitability for employment within the school system. The education authorities currently have a variety of measures in place, including human resource and volunteer policies and procedures, criminal record checks, vulnerable sector checks, and employment reference checks, to ensure safe learning environments for students. However, additional measures are required to be put in place by the education authorities to ensure that all new and current employees and volunteers meet the requirements to attend to the safety of students. These additional measures involve creating or updating policies and procedures described below. These policies and procedures will be implemented while respecting the privacy of all employees and will ensure that personal information is maintained in accordance with the applicable legislation.

### **3. Responsibilities Under the *Education Act***

As outlined in Part III of the *Education Act*, education authorities are responsible for ensuring a safe learning environment for students, for the management and supervision of employees, as well as for the maintenance of a healthy workplace, including:

#### **15(2) Director's responsibilities**

Subject to the direction of the members of the education authority the Director shall

(a) exercise general supervision and management over the employees of the education authority

#### **20(2) Responsibilities**

An education authority has the following responsibilities:

(c) ensure that each student enrolled at a school operated by the education authority and each staff member employed by the education authority is provided with welcoming, caring, respectful and safe learning environment that respects diversity and a sense of belonging

#### **33. Employment and management of personnel**

(1) Subject to this Act and the regulations and the Minister's directives, an education authority may employ and is responsible for the management of instructional and non-instructional personnel.

#### **Terms and conditions of employment**

(3) An education authority may specify terms and conditions of employment for instructional personnel and non-instructional personnel that do not conflict with this Act or the regulations or a current collective agreement between the Agency and the respective authorized representatives for instructional personnel and non-instructional personnel

### **4. Conditions of Employment**

To ensure safe learning environments for all students, the education authorities shall continue to require an individual who has been offered employment to undergo criminal and vulnerable sector checks, and employment checks. In accordance with Section 6 of this Directive, and pursuant to established policies and procedures, the education authorities may require an employee returning from a leave of absence to undergo criminal and vulnerable sector checks, and, where applicable, employment checks. The education authorities shall also require new and existing employees to adhere to policies and procedures relating to immediate disclosures and offence declarations. As prescribed below, the education authorities shall require all employees to undergo criminal record checks on a three-year rotational basis.

### **5. Updating or Development of Policies and Procedures**

Education authorities shall update existing, or establish new, policies and procedures regarding employment of personnel in the education authority to support enhanced protection and safety of students within all schools operated by the education authority. The updating of existing, or establishment of new, policies and procedures shall be consistent with this Minister's Directive and will respect the privacy of its employees.

The education authorities shall update or develop policies in partnership and consultation with employee unions and federations, the Office of the Child and Youth Advocate, students, and other education system stakeholders.

## 6. Records Check Measures

The updating of existing education authority policies and procedures, or the creation of new policies and procedures, shall include, at a minimum:

- The requirement of each employee to submit a satisfactory criminal record check prior to employment as well as a requirement for updated criminal record checks on a rotational basis;
- The requirement of each employee, as applicable, to submit a satisfactory vulnerable sector check prior to employment as well as a requirement for updated criminal record checks on a rotational basis;
- Requirements of employment checks;
- Requirements for annual offence declarations; and
- Requirements for immediate disclosures

as may be applicable.

## 7. Implementation

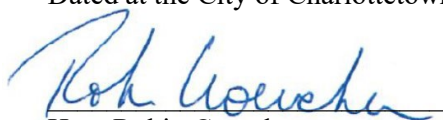
The education authorities shall begin updating existing policies and procedures, or developing new policies and procedures, immediately. Full implementation of the operational and implementation plans for the new or updated policies, procedures, and record check schedules shall be in effect by September 1, 2026.

The education authorities shall have the new or updated policies and procedures, and schedules for criminal record checks, vulnerable sector checks, and offence declarations, along with the new operational and implementation plans, in effect by the dates outlined in the following table:

Implementation Schedule for Enhanced Education Authority Measures	
Effective Date	Documents & Processes for New and Existing Employees
January 30, 2026	<ul style="list-style-type: none"><li>• Offence declaration</li><li>• Immediate disclosure</li></ul>
March 31, 2026	<ul style="list-style-type: none"><li>• New or updated policies for criminal record checks, vulnerable sector checks, and employment checks</li><li>• New or updated procedures for criminal record checks, vulnerable sector checks, and employment checks</li></ul>
September 1, 2026	<ul style="list-style-type: none"><li>• Full operational plan</li><li>• Full implementation plan</li><li>• Criminal record check schedule</li><li>• Vulnerable sector check schedule</li></ul>

This Minister's Directive is effective on the 22<sup>nd</sup> day of October 2025.

Dated at the City of Charlottetown on the 22<sup>nd</sup> day of October 2025.



Hon. Robin Croucher  
Minister of Education and Early Years