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## POLICY

The Board of Education recognizes that various employees of the School District may, from time-to-time, require authorization to maintain order and that, on occasion, access to School District facilities needs to be restricted.

This authority is found in Section 177 of the *School Act*, allowing the principal or other school administrator to direct a person to leave school property, and preventing the person from returning without prior approval of the principal or administrator. It also enables the principal or administrator to call for assistance from law enforcement if necessary. If a person contravenes this section of the *School Act*, he or she commits an offence. The purpose of providing this authority to principals and other administrators is to maintain order on school premises and to ensure the protection of students and staff.

The full text of the relevant legislation is provided below:

### Maintenance of order

- 177** (1) A person must not disturb or interrupt the proceedings of a school or an official school function.
- (2) A person who is directed to leave the land or premises of a school by a principal, vice principal, director of instruction or a person authorized by the board to make that direction
- (a) must immediately leave the land and premises, and
  - (b) must not enter on the land and premises again except with prior approval from the principal, vice principal, director of instruction or a person who is authorized by the board to give that approval.
- (3) A person who contravenes subsection (1) or (2) commits an offence.
- (4) A principal, vice principal, or director of instruction of a school or a person authorized by the board may, in order to restore order on school premises, require adequate assistance from a peace officer.

Section 1 of the *School Act* defines “school” as follows:

#### “school” means

- (a) a body of students that is organized as a unit for educational purposes under the supervision of a principal, vice principal or director of instruction,
- (b) the teachers and other staff members associated with the unit, and
- (c) the facilities associated with the unit,

and includes a Provincial resource program and a distributed learning school operated by a board.

Legal Reference: *The School Act, Section 177*

## POLICY NO. 2100

### MAINTENANCE OF ORDER / TRESPASSERS ON SCHOOL PROPERTY

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#### REGULATIONS

These regulations refer to any proceedings of a school or the School District and include, but are not limited to, unwelcome visitors to the schools during the school day and all co-curricular and extra-curricular school functions including sports events, dances and performances. Exclusion orders may be issued in circumstances where the school district determines that a person's actions:

- pose a risk to the safety of students, staff or others in the school community, or
  - present significant and ongoing disruption to the educational programs offered by the school.
1. The employees of the Board who are authorized to maintain order as specified in Section 177 of the *School Act* are: superintendents, assistant superintendents, directors or equivalent, and principals and vice-principals and their designates, except in extraordinary circumstances.
  2. Any person who is in or on school board property without a legitimate purpose may be asked to leave. That request should be made before the RCMP are called.
  3. The RCMP should be contacted if the administrator determines this is necessary (e.g. the person refuses to leave after being directed to do so or if there is reason to be concerned about a threat from the individual).
  4. Any incident involving an exclusion order under Section 177 must be reported to the superintendent or designate as soon as practicable.
  5. A staff member who encounters an unwelcome visitor should notify the administration. Only if the statutory officer of the Board or his designate is unavailable should the staff member direct the visitor to leave. A witness should be present.
  6. The person who makes an exclusion order should document the incident showing the name of the school, date, time, location, a description of the incident, the name of the person directed to leave (if known), the name of the witness (if any), the length of exclusion, date for review, and the name of the person documenting. Copies should be filed in the school office and at the school board office.
  7. As soon as possible, written notification is to be provided to the excluded person, including reasons for and length of exclusion, date for review, and information about avenues of appeal. This letter should be copied to the superintendent and the RCMP.
  8. If the visitor leaves but returns, on that day or subsequently, the date and time of his/her return should be documented and a witness obtained. The RCMP should be notified at once as the return is an offence under Section 177.
  9. Any personal information collected in relation to an exclusion under the terms of Section 177 or this policy will be managed in accordance with the *Freedom of Information and Protection of Privacy Act*.
  10. The process for appeals is noted in Appendix A.

Appendix A  
(School Letterhead)

Date

To Parent/Guardian of (Student):

Address

*\*Address directly to the Perpetrator if an adult, and customize the letter accordingly*

Dear \_\_\_\_\_:

On (Date), (Name of Student/Perpetrator) was requested by the Principal and/or Board authorized designate of (Name of School) to leave (Name of School) property.

I am informing you of *Section 177* of the *School Act* which states:

- (1) No person shall disturb or interrupt the proceedings of school or an official school function.
- (2) A person who is directed to leave the land or premises of a school by an administrative officer or a person authorized by the Board to make that direction:
  - (a) shall immediately leave the land and premises, and
  - (b) shall not enter on the land and premises again except with prior approval from the administrative officer or a person who is authorized by the Board to give that approval.
- (3) A person who contravenes subsection (1) or (2) commits an offence.
- (4) An administrative officer of a school or a person authorized by the Board may, in order to restore order on school premises, require adequate assistance from a peace officer.

In accordance with the above, (Name of Student/Perpetrator) is directed to not trespass upon (Name of School) school property from this date forward until (Date) except by appointment. A copy of this letter will be given to the (local police jurisdiction). (Name of Student/Perpetrator) should be aware that if (he/she) chooses to come on the school grounds, a complaint will be laid and charges pursued by the (local police jurisdiction). This decision may be appealed to the Superintendent of Schools. Unsatisfactory resolution of the matter may be appealed to the Board of Education.

I regret that (Name of Student/Perpetrator)'s actions have made this letter necessary.

Yours truly,

Principal  
Name of School

cc: (Name), Superintendent of Schools  
(Name), Safe Schools Coordinator  
Cst. (Name), RCMP  
Principal of student's school if applicable