

5018: EXCLUSION ORDER (AP)

Approved: 16 11 08

ADMINISTRATION PROCEDURES

Section 177 of the *School Act* is intended to prevent the disruption of schools and school functions, and to ensure the protection of students and staff. This section allows the principal or other school administrator to direct a person to leave school property, and prevents 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 section 177 of the *School Act* 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 distributed learning school operated by a board.

Guidelines

Exclusion orders may be issued by persons of authority as identified in this procedure when that person determines that an individual'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.

Persons within the school district who have authority to direct individuals to leave school property under section **177** of the *School Act* are:

- Superintendent
- Assistant Superintendent
- Directors of Instruction
- Director of Operations
- Secretary Treasurer
- Principals
- Vice Principals

Procedures

1. Where practical provide prior notice to Superintendent or designate of the intention to issue an exclusion order.
2. Call for assistance from the police if the person of authority determines this is necessary (ie. individual refuses to leave school property, individual makes threats)
3. Report the incident to the Superintendent or designate.
4. Provide written notification to the excluded individual as soon as possible including reasons for and length of exclusion, date for review, and information about the district's appeal policy.
5. Document the incident and concerns and file the information with the Superintendent or designate. The report must include at a minimum:
 - a. Name of school
 - b. Date, time and location of incident or incidents
 - c. Description of incident or incidents (ie. what happened, who was involved, etc.)
 - d. Name and contact information of person excluded under section 177
 - e. Name of principal or administrator who directed the individual to leave school property
 - f. Length of exclusion
 - g. Date for review
 - h. Name of person completing the document
 - i. Copy of the exclusion letter

Process for Appeal

An individual who has received an exclusion letter has the right to appeal that decision. All appeals are subject to board policy 115.

Review

School administrators must review the exclusion order with the Superintendent or designate by the review date indicated in the exclusion letter. The results of that review and any accompanying conditions to removing the exclusion order must be communicated to the individual who has been excluded from school property.

Freedom of Information and Protection of Privacy

The School District is subject to the *Freedom of Information and Protection of Privacy Act*. Accordingly, complaint documentation may be subject to access and disclosure under this legislation.