

SCHOOL DISTRICT NO. 53 (Okanagan Similkameen)

POLICY

No. D-8

Adopted: February 22, 2017
Amended: October 26, 2022

SAFE, CARING AND ORDERLY SCHOOLS

Preamble

The Board of Education expects positive and welcoming cultures in all of its schools and facilities, and is committed to providing safe, caring and orderly environments for learning.

Policy

The Board of Education recognizes its responsibility to have an education system that is safe for all individuals. It acknowledges and respects the rights of students and staff to have a safe, caring and orderly environment for learning. The Board, therefore, recognizes the authority of the School Principal to direct a person to leave the school property in order to prevent the disruption of schools and school functions, and to ensure the protection of students and staff.

REFERENCE

School Act: Maintenance of Order - Section 177

Ministry of Education and Child Care – ERASE- Expect Respect and a Safe Education

SCHOOL DISTRICT NO. 53 (Okanagan Similkameen)

REGULATIONS

No. D-8

Adopted: June 28, 2017
Amended: October 26, 2022

SAFE, CARING AND ORDERLY SCHOOLS

PROCEDURES

Section 177 of the *School Act*, Maintenance of Order (attached as Appendix 1) 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, to direct a person to leave school property, and prevents the person from returning without prior approval of the Principal or designate. It also enables the Principal to call for assistance from law enforcement if necessary. If a person contravenes section 177 of the *School Act*, he or she commits an offence and the RCMP will be notified. The purpose of providing this authority to Principals, is to maintain order on school premises and to ensure the protection of students and staff.

1. Exclusion orders may be issued in circumstances where the school district determines that a person's actions:
 - a. pose a risk to the safety of students, staff or others in the school community, or
 - b. present significant and ongoing disruption to the educational programs offered by the school.
2. The following person(s) have authority to direct individuals to leave school property under section 177 of the *School Act*:
 - a. School Principal, Vice Principal or Principal designate
 - b. Superintendent of Schools
 - c. Secretary Treasurer.
3. The Principals will provide prior notice (when possible) to the Superintendent or Secretary Treasurer of the intention to issue an exclusion order under section 177 of the *School Act*.
4. The Principals will call for assistance from police if they determine this is necessary (e.g. person refuses to leave after being directed to do so, or if there is reason to be concerned about a threat from the individual).
5. The Principals will report the incident to the Superintendent or Secretary Treasurer.
6. The Principals will provide written notification to the excluded person as soon as possible, including reasons for and length of exclusion, date for review, and information about the avenues and processes for appeal.
7. The Principals will document the incident using the *Notification of Exclusion Order*.
8. All personal information collected in relation to *School Act*, section 177 exclusion, shall be in accordance with the *Freedom of Information and Protection of Privacy Act*.
9. To appeal an exclusion under section 177, if so required, see School District No. 53 (Okanagan Similkameen) Bylaw H-19 - Parent/Student Appeals. An appeal must be filed within 15 days of the date of the incident.

REFERENCE:

School Act: Maintenance of Order - Section 177

Ministry of Education and Child Care & Ministry of Public Safety and Solicitor General

ERASE - Expect Respect and a Safe Education

Bylaw H-19 - Parent/Student Appeals

Appendix 1

Maintenance of Order under Section 177 of the *School Act*

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.

School Act [RSBC 1996]