

AP 340 – Prohibiting Access to School Property – Maintenance of Order

Background

The safety and security of students and staff is a high priority for the Abbotsford School District. The purpose of this procedure is to ensure the protection of students and staff and prevent disruptions of schools, as outlined in Section 177 of the *School Act*.

Procedures

1. Principals and other authorized personnel are permitted under this section to direct a person to leave school district property.
2. Persons directed to leave school property under Section 177 of the *School Act* (see ‘Maintenance of Order’ below for the full text of Section 177) may not return without the prior approval of the principal or other authorized personnel who may call for assistance from law enforcement if necessary.
3. If a person contravenes this section of the *School Act*, he or she commits an offence.
4. Issuance Guidelines
 - 4.1 Exclusion orders may be issued in circumstances where the school district determines that a person’s actions:
 - 4.1.1 Pose a risk to the safety of students, staff or others in the school community, or
 - 4.1.2 Present significant and serious disruption to the educational programs offered by the school.
 - 4.2 The following are authorized to direct others to leave school / or all district property under this section:
 - 4.2.1 Superintendent
 - 4.2.2 Assistant Superintendent
 - 4.2.3 Secretary-Treasurer
 - 4.2.4 Director/Associate/Assistant Director
 - 4.2.5 District Principal
 - 4.2.6 Principal/Vice Principal or designate
5. Procedures for Issuance
 - 5.1 Any of the individuals authorized above should consult with an Assistant Superintendent or Superintendent before issuing a written exclusion order.

- 5.2 The administrator should contact the Abbotsford Police Department if necessary (e.g. if 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).
 - 5.3 Written notification (using the district template letter) must be provided to the excluded person as soon as possible, including reasons for and length of exclusion, date for review, and information about avenues of appeal.
 - 5.4 All exclusion orders must be reported to the Superintendent, or designate. The school and the district office will maintain a record of all exclusion orders.
 - 5.5 Authorized individuals must document the incident, including the following information:
 - 5.5.1 Name of school
 - 5.5.2 Date, time, and location of incident(s)
 - 5.5.3 Description of incident(s)
 - 5.5.4 Name (and contact information) of person excluded under Section 177.
 - 5.5.5 Name of principal or other administrator who directed the person to leave the school property
 - 5.5.6 Length of exclusion
 - 5.5.7 Date for review (not to exceed one year)
 - 5.5.8 Name of the person completing the document
6. Appeals
- 6.1 Excluded persons may appeal the exclusion to the immediate supervisor of the administrator who issued the order;
 - 6.2 The appeal must be filed within 30 days from the date indicated on the written notification;
 - 6.3 Appeal decisions and the associated reasons will be communicated in writing within 10 working days of hearing the appeal.
 - 6.4 Should the decision to exclude significantly affect the education, health or safety of a student, an individual may file an appeal under Section 11 of the *School Act* and Board Policy 14 – Appeals Process.

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.

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.

Reference: Appendix AP 340-1 Section 177 Exclusion Order District Template Letter
Board Policy 14 ‘Appeals Process’
School Act Section 11

AP 340-1 Section 177 Maintenance of Order – School Template Letter

*Date

*Name

*Address

Abbotsford, BC V*

Re: School Act Section 177 Maintenance of Order

Dear Mr./Ms. {Name}:

Education and the safety of both students and staff are our priorities in all Abbotsford schools. We have policies and procedures in place to help us achieve these important goals.

It has come to our attention that on (*date and explanation for issuing 177).

School District Administrative Procedures 325 - *Student Safety*, and 340 – *Prohibiting Access to School Property – Maintenance of Order* (AP 340), copies of which are enclosed, establish that employees of the Board of Education are authorized to act in potentially dangerous situations to protect students and maintain order. Under the *School Act*, as outlined in AP 340, you are being issued a Section 177 Maintenance of Order. This is issued in consultation with the Abbotsford Police Department. Accordingly, you are not permitted to be on or in the property of (*Select one: Name school and address **OR** all district property) or attend any district events at any time except with prior approval from myself or authorized personnel. Any and all communication will be directed to my attention, or designate, via email or telephone.

If you disagree with this decision, you may contact the Assistant Superintendent by telephone at 604.859.4891. After speaking with the Assistant Superintendent, should the decision to exclude be deemed to significantly affect the education, health or safety of a student, an individual may file an appeal under Section 11 of the *School Act* and Board Policy 14 – Appeals Process, a copy of which is enclosed.

Please be aware that it is an offence for any person to disturb or interrupt the proceedings of a school, or to enter on school lands or premises in violation of this order. This requirement is in effect until (end date). At that time, should there be any concerns brought forward, we will not hesitate to reinstate the order and/or take further steps to ensure the safety of our students and our staff.

Sincerely,

*Name, Principal

cc: School File (*if applicable)
All District Principals (*only if a district wide order)
Assistant Superintendent
Secretary-Treasurer's Office
Abbotsford Police Department
Safe Schools Teacher