

ADMINISTRATIVE PROCEDURE 120

TRESPASSING AND MAINTENANCE OF ORDER

BACKGROUND

The Board is committed to and responsible for ensuring the maintenance of order in schools, on school property and at District events.

Maintenance of Order under Section 177 of the *School Act* may be issued in circumstances where the principal or vice-principal determines that a person's actions pose a risk to the safety of staff, students and others in the school community, or present a significant and ongoing disruption to the educational programs offered by the school or the District and include, but are not limited to, unwelcome visitors to schools during the school day, after school and all co-curricular and extra-curricular school functions including sports events, dances and performances.

PROCEDURES

1. All persons on school property are expected to comply with school rules and regulations. Schools will display a sign at major entrances directing all visitors to report to the office.
2. Visitors are required to report their presence to the school office, inform the school secretary or principal/vice-principal of the purpose of the visit while on school property.
3. The following employees are authorized by the Board to issue Maintenance of Orders pursuant to Section 177 of the *School Act*: Principal, Vice Principal, Director of Instruction, Assistant Superintendent, or Superintendent of Schools.
4. A staff member who encounters an unwelcome visitor should notify administration. Only if the statutory officer of the Board, or their designate, is unavailable should the staff member direct the visitor to leave. A witness should be present.
5. Any person who is on school property during or after the instructional day may be asked to leave. The request to leave must be made prior to requesting the assistance of the RCMP if the person refuses to leave the grounds or premises after being directed to do so.
6. Where practicable, provide prior notice to the Superintendent of Schools, or designate, of the intent to issue a Maintenance of Order pursuant to Section 177 of the *School Act*.
7. The Principal or Vice Principal, in collaboration with the School Lead (Director of Early Years/Elementary or Director of Middle/Secondary), will develop and provide written notification (Maintenance of Order letter) to the excluded person as soon as possible. This letter will include reasons for the exclusion, the length of the exclusion, the date for review, and information about the avenues for appeal.

- 7.1. Provide a copy of Maintenance of Order letter to the local RCMP and School Lead.
 - 7.2. Letter will be tracked at both the school and District level.
8. The principal or vice-principal will document the incident, including the following information at a minimum.
 - 8.1. Name of School;
 - 8.2. Date, time, and location of incident(s);
 - 8.3. Description of incident(s) (e.g., what happened, who was involved, etc.);
 - 8.4. Name (and contact information, when possible) of person excluded under Section 177;
 - 8.5. Name of principal or vice-principal who directed the person to leave school property;
 - 8.6. Length of exclusion in consultation with the School Lead;
 - 8.7. Date for review of decision to exclude;
 - 8.8. Means of delivering the Maintenance of Order letter;
 - 8.9. RCMP file number for incident (if a file was opened by the RCMP) and name of the attending officer; and,
 - 8.10. Name of person completing the form.
9. Any personal information collected in relation to a Section 177 Maintenance of Order will be dealt with in accordance with the Freedom of Information and Protection of Privacy Act.

APPEALS PROCESS

1. Persons excluded through Section 177 have 30 days to appeal the decision directly to the Superintendent of Schools or designate. If the Superintendent of Schools made the decision to exclude, the appeal will be forwarded to the Board.
2. A decision on the appeal will be made and communicated in writing within 14 business days of receiving all requested information. In some cases, an appeal of an exclusion under Section 177 could be heard through a Section 11 appeal (Bylaw 2008-1 Appeals Procedure), where a decision of a board employee significantly affects the education, health or safety of a student.

References: *School Act* sections 11 and 177, Bylaw 2008-1 Appeals Procedure, Form 120 Trespassing and Maintenance of Order Incident, Maintenance of Order Section 177 Letter Template

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