

# SCHOOL DISTRICT No. 69 (QUALICUM)

## ADMINISTRATIVE PROCEDURE

### SECTION 177 – EXCLUSION ORDER

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#### **Purpose**

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 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. Section 177 may be used, for example, to prevent a stranger who presents a threat to student safety from accessing school property. However, there may also be circumstances where persons associated with the school, such as parents, employees, or volunteers, are denied access to school property under section 177. It is important to note that this section is intended to be used only in exceptional circumstances, where there is a risk to student/staff safety or significant and ongoing disruption to the educational programs offered by the school.

The Board of Education is responsible for establishing and communicating procedures for application of section 177 of the ***School Act*** within School District 69.

#### **Guidelines**

Section 177 exclusion orders may be issued in circumstances where a person of authority with the school district determines that a person's actions:

- Pose a risk to the safety of students, staff or others in the school community
- Present significant and ongoing disruption to the educational programs offered by the school

Those persons within the school district who have authority to direct individuals to leave school property under the terms of section 177 of the ***School Act*** within School District 69 are:

- Superintendent
- Assistant Superintendent
- Directors or Managers
- Principals and Vice-Principals

#### **Procedures to be followed when a person is excluded from school property under the terms of section 177 of the *School Act*:**

1. Where practicable, seek approval of the Superintendent or Assistant Superintendent prior to issuing a section 177 exclusion order.
2. If necessary, call for assistance from the RCMP if the person refuses to leave the grounds or premises after being directed to do so or if there is reason to be concerned about a threat from the individual.

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3. Report the incident to the Superintendent or Assistant Superintendent.
4. Provide written notification to the excluded person as soon as possible, including reasons for and length of exclusion, date for review, and information about avenues of appeal (A template letter for use by authorized staff is available on the District Sharepoint site).
5. **Prepare a report on the incident/s, including the following information at a minimum:**
  - Name of school
  - Date, time, and location of incident or incidents
  - Description of incident or incidents (i.e. what happened, who was involved, etc.)
  - Name (and contact information, when possible) of person excluded under section 177
  - Name of principal or other authorized staff member who directed the person to leave school property
  - Length of exclusion
  - Date for review of decision to exclude
  - Means of delivering the exclusion order letter
  - RCMP file number for incident (if a file was opened by the RCMP) and name of the attending officer
  - Name of person completing document
6. Submit a copy of this report to the Administrative Assistant to the Superintendent.
7. File a ***Schools Protection Program*** incident report.

#### **Process for appealing an exclusion order issued under the terms of section 177 of the *School Act*:**

1. An individual who receives an exclusion order may appeal that decision through the process outlined in ***Board Policy 6240 - Resolution of Concerns***. Such an appeal would begin at Step 3 – School District Review.
2. 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. For more information see the School District's Privacy Policy at [www.sd69.bc.ca](http://www.sd69.bc.ca).

#### **References:**

- *School Act: Section 177*
- *Board Policy 6240: Resolution of Complaints*
- *Board Bylaw 5: Board Appeals*