



Section Six: School District Facilities

612 – PROHIBITING ACCESS TO SCHOOLS (SECTION 177 OF THE *SCHOOL ACT*)

Introduction

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 an online learning school operated by a board."



Section Six: School District Facilities

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Background

Section 177 of the *School Act* prohibits the disturbance or interruption of school proceedings or official school functions, and authorizes principals and other school administrators to direct individuals to leave school property and to call for assistance from a peace officer if necessary. Persons directed to leave school property under Section 177 of the Act may not return without the prior approval of the principal or other administrator. The contravention of this Section of the Act constitutes 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. 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. Section 177 of the *School Act* 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.

Policy

1. Prohibiting an individual from a school should only occur after other reasonable options to resolve the situation have been considered and/or attempted and only under the following circumstances:
 - 1.1 pose a risk to the safety of students, staff or others in the school community
 - 1.2 present significant and ongoing disruption to the educational programs offered by the school, or
 - 1.3 when directed to do so by a peace officer
2. The following individuals are authorized to issue a Prohibited to Access a School order:
 - 2.1 Superintendent of Schools
 - 2.2 Deputy Superintendent
 - 2.3 Assistant Superintendent
 - 2.4 Directors of Instruction
 - 2.5 Principal of the school, or
 - 2.6 Vice-principal of the school
3. When issuing a Prohibiting to Access a School order, the following procedures are to be followed:
 - 3.1 Where practicable, provide prior notice to the Superintendent of Schools or designate of the intention to issue an exclusion order under Section 177.
 - 3.2 If the safety of staff or students is a concern, seek the assistance from a peace officer. (e.g. 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).
 - 3.3 Report the incident to the Superintendent of Schools or designate.



Section Six: School District Facilities

“Together We Learn”

- 3.4 Provide written notification to the excluded person as soon as possible, including reasons for and length of exclusion, date for review, and the ability to appeal the decision (See Policy 460 – Appeals).
4. The issuer of the order must maintain appropriate documentation of the incident, including, at a minimum, the following information:
 - 4.1 name of school
 - 4.2 date, time, and location of incident or incidents
 - 4.3 description of incident or incidents (i.e. what happened, who was involved, etc.)
 - 4.4 name (and contact information, when possible) of person excluded under Section 177
 - 4.5 name of principal or other administrator who directed the person to leave school property
 - 4.6 length of exclusion
 - 4.7 date for review, and
 - 4.8 name of person completing document
5. Orders issued under this Policy can be appealed following Policy 460 – Appeals.
6. Personal information collected in relation to a Section 177 exclusion, must be protected in accordance to Policy 387 – Freedom of Information and Protection of Privacy and the BC *Freedom of Information and Protection of Privacy Act*.
7. The Superintendent of Schools will maintain a record of all orders issued and track the progress of withdrawing such orders.