

MAINTENANCE OF ORDER EXCLUSIONS

Background

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 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 administrators is to maintain order on school premises

Exclusion orders may be issued in circumstances where the school or school district determines that a person's actions:

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

Procedure

The school or district administrator should:

1. Where practicable, provide prior notice to the Superintendent or Assistant Superintendent of the intention to issue an exclusion order under Section 177 of the School Act.
2. Call for assistance from the police if he or she determines this is necessary (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. Report the incident to the Superintendent or designate. The school and school district will maintain a record of all exclusion orders.
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.
5. Document the incident, 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 the person(s) excluded;

- Name of the administrator who directed the person to leave school property;
- Anticipated length of exclusion;
- Date for review; and
- Name of the person completing document.

Persons excluded from school or school district premises under Section 177 have the right to appeal the decision based on the following:

- Excluded persons have the right to respond to the information included in the written notification of exclusion;
- Excluded persons have 1 month from the date indicated on the written notification to file an appeal;
- An appeal will be heard by someone other than the original decision maker; and
- Appeal decisions and the associated reasons will be communicated in writing within 45 days of hearing the appeal.