



SCHOOL DISTRICT #49 (CENTRAL COAST)

Administrative Procedures Manual

Administrative Procedure: S-11 Protection of Pupils and Maintenance of Order

Date: December 11, 2019

Procedures

1. The following individuals may issue orders pursuant to section 177 of the *School Act*:

- a. Superintendent of Schools
- b. Directors of Instruction;
- c. Principals and Vice Principals; and in his/her absence the Teacher-in-Charge, in his/her absence Teachers and in their absence Custodial and Non-Teaching Staff
- d. Law enforcement officials designated by the Superintendent (such as School Liaison Officers).

2. Orders under section 177 of the *School Act* may be issued when the actions of an individual:

- a. pose a risk to the safety of students, staff or others in the school community;
- b. present significant and/or ongoing disruption to the operation of a school, a school function, or an educational program.

3. Where practicable, before issuing an order pursuant to section 177:

- a. the responsible school official should first attempt to resolve the situation without issuing such an order; and
 - b. should communicate to the Superintendent of Schools or designate the intention to issue an order pursuant to section 177.
- 4. For clarity, the responsible school official may issue a section 177 order without first completing the process outlined in subsections 3(a) and (b) if in the opinion of the responsible school official, it is not practicable to complete the process outlined in 3(a) and 3(b) in the circumstances.**
- 5. Where a person refuses to leave school district property after being directed to do so pursuant to section 177, or where there is reason to believe an individual may pose a threat to themselves, others, or to property, the responsible school official shall call for assistance from a peace officer.**
- 6. The responsible school official shall confirm any order issued pursuant to section 177 of the *School Act* in writing. The notice shall include the following:**
- a. The name and address of the school or school district property from which the person is to be excluded;
 - b. The name of the person excluded from the school or school district property, with contact information if known;
 - c. A summary of the circumstances giving rise to the issuance of the order, including, as applicable, the date, time and location of any incident or incidents, witnesses to the incident, and a general statement as to the nature of the disruption to the school, school function or educational program.
 - d. The name and title of the person issuing the order and preparing the written notification of it;
 - e. The duration of the order (if applicable);

- f. The date by which the order will be reviewed; and
 - g. A statement that the order pursuant to section 177 may be appealed and the process for such appeal.
- 7. Where an order is issued pursuant to section 177, the responsible school official shall inform the Superintendent of Schools or designate without delay. The Superintendent or designate will retain copies of the section 177 orders that have been issued within the school district.**
- 8. An order issued pursuant to section 177:**
- a. may be appealed within 30 days of its issuance, unless the responsible individual or panel considering the appeal considers a further period is appropriate.
 - b. where the order issued pursuant to section 177 of the *School Act* may significantly affect the education, health or safety of a student, the student or the student's parent(s) may appeal the decision pursuant to section 11 of the *School Act* in accordance with the Board's appeal bylaw number two.
 - c. where the order may not significantly affect the education, health or safety of a student, the order may be appealed to the next level of administration issuing the order (i.e., an order of a principal may be appealed to a director of instruction; an order of an assistant superintendent may be appealed to the Superintendent of Schools; an order of the Superintendent of Schools may be appealed to the board).
 - d. the board may establish procedures for the conduct of each appeal to ensure fairness and that the excluded individual has the opportunity to fairly respond to the decision to grant the order, including whether the appeal shall be conducted in writing or whether an oral hearing will be granted;
 - e. an appeal will normally be heard within thirty (30) days of being filed, unless such time limit is extended on reasonable grounds;

- f. A decision on the appeal shall be rendered in writing, with reasons, within 14 days of the hearing of the appeal.
 - g. a decision on the appeal is final and may not be appealed further, except that decisions appealed pursuant to section 11 may, if permitted by the *School Act* and Appeals Regulation be appealed to the Superintendent of Appeals;
- 9. Any information in relation to a section 177 order will only be collected, used or disclosed in accordance with the provisions of the *Freedom of Information and Protection of Privacy Act*. Such information may be collected to:**
- a. maintain a safe, orderly and effective educational environment at schools and on school district property;



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Section 177(2) School Act of British Columbia

Name: _____

DOB: ____/____/____ Phone # _____
yyyy/mm/dd cell landline

Address: _____

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.

Persons directed to leave school property under this section of the Act may not return without the prior approval of the principal or other administrator. Exclusion orders may be issued in circumstances where the 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.

I, (Name of issuer / Title) _____, an authorized person of School District #49 from (school/program) _____ at Bella Coola, British Columbia, make the following direction:

(a) You shall immediately leave the land and premises of (School / Program)

Comments _____

(b) You shall not enter on these lands or premises again except with prior approval from myself or another person authorized by the School Board to give that approval.

Comments _____



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Notice of Service and Intention

Service of this document to you today provides notice forthwith that you shall immediately leave the land and premises herein described and not enter on the land and premises again. Persons directed to leave school property under this section of the Act may not return without the prior approval of the principal or other administrator. Should you re-enter the described lands and premises, a Report to Crown Counsel may be submitted proposing a prosecution against you. If you are prosecuted, this notice will be entered as evidence at your trial.

For more details on the application of this notice, relevant policy, and how to appeal, you may contact the School Board 49 Administration office for more information.

This notice is effective immediately, and shall be in force until 11:59pm on

_____ day of _____, 20_____

Dated this _____ day of _____, 20____ at Bella Coola, British Columbia.

Excluded Person's Signature

Signature of Authorized Person

Parent or Guardian's Name (if the excluded person is under age 18):

Parent or Guardian's contact phone # (if the excluded person is under 18): -

An individual, or Parent/Guardian if the person is under age 18, who receives an exclusion order may appeal that decision through the process outlined in the Board's Bylaw #2 - Appeals.

Certificate of Service

I, _____ (name), an authorized person pursuant to the School Act of British Columbia, certify that on _____ (date), I served the excluded person named above with a true copy of this "Exclusion Order by delivering it to him/her personally.

Signature of Person Serving

Date Signed



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Report to the Superintendent

Report on Issuance of an Exclusion Order Maintenance of Order, Section 177

Name and Address of School:

Name of principal or administrator issuing exclusion order:

Contact information of person excluded under Section 177:

Name:

Mailing address:

Phone number(s):

Email Address:

Date, time and location of incident or incidents resulting in the exclusion order:

Description of incident or incidents (what happened, who was involved,
results/affects, etc.): Length of exclusion:

Date official

notification sent:

Date of review: