Northeastern Catholic District School Board

ACCESS TO SCHOOL AND BOARD PREMISES

Administrative Procedure Number: APE001

POLICY STATEMENT

The Northeastern Catholic District School Board (NCDSB) is committed to providing safe, accepting, and inclusive learning environments and work places consistent with Christian principles. For the protection of students, staff, visitors, and community partners, it is necessary to monitor access to the Board's premises and to respond to unauthorized persons/visitors in accordance with relevant legislation, Board policy, and related procedures.

REFERENCES

Education Act
Ontario Regulation 474/00 *Access to School Premises*
Trespass to Property Act, 1990
NCDSB Policy
- C-3 Community Use of Schools
- E-1 Access to School and Board Premises
- E-32 Equity and Inclusive Education
- E-34 Safe Schools

DEFINITIONS

Authorized Person
A person who is permitted on school premises including:
- a person enrolled as a pupil in the school;
- a parent or guardian of such a pupil;
- a person employed or retained by the Board;
- a person who is otherwise on the premises for a lawful purpose;
- a person who is invited to attend an event, a class or a meeting on school premises provided the person is on the premises for that purpose; and
- a person who is invited onto school premises for a particular purpose by the Principal, Vice-Principal or another person authorized by Board policy provided that the person is on the premises for that purpose.

Principal
Refers to the Principal of a school, their designate or the employee who is in charge of the particular property.

School and Board Premises
Includes, but is not limited to, a school building, a facility of the Board, the Board Office, parking lots, playgrounds, and/or an alternative setting where education or an educational activity is occurring.

Trespasser
A person who:

- does not have permission to be on School / Board premises and is not classified as an Authorized Person;
- refuses to follow the direction of the Principal or the Board's policy and procedures;
- anyone whose presence in the Principal's judgement, is detrimental to the safety or well-being of a person on the premises;
- a person who fails to report their presence in a specified manner.

PROCEDURES

1.0 GENERAL

1.1 A school, alternative learning setting, and Board Office are places that promote responsibility, respect, civility, and academic excellence in a safe learning, teaching, and working environment. All students, parents/guardians, and staff have the right to be safe, and to feel safe, in their NCDSB communities.

1.2 The Principal shall hold responsibility for the provisions of this policy and procedures on school sites and the Chief Executive Officer shall hold responsibility as it relates to the Board Office.

1.3 Provisions of the *Education Act* shall be used at all times in matters relating to authorized persons' access to school and board premises.

1.4 Authorized persons who are permitted on school and Board premises, subject to any lawful restrictions, are:

i) Persons enrolled a pupil of the school;
ii) Parents/guardians of such a pupil;
iii) Persons employed or retained by the Board;
iv) Person who are otherwise on the premises for a lawful purpose.

1.5 An authorized person is not entitled to have access to all areas of the premises and may only access areas as permitted by the Principal.

1.6 An authorized person is not permitted to remain on NCDSB premises if the person fails to obtain permission, or if their presence is detrimental to the safety and/or well-being of a person on the premises, in the judgement of the Principal or the Chief Executive Officer.

1.7 The Principal or Chief Executive Officer has the authority to issue a trespass notice to a person whose presence is detrimental to the safety or well-being or a person on the

premises. This does not apply to students enrolled in the school or students attending a program for expelled or suspended pupils at the school.

2.0 ACCESS TO SCHOOL AND BOARD PREMISES

2.1 Staff are expected to adhere to entry to premises practices when an authorized person seeks entry to the school. This may include but is not limited to:

i) View the person on the camera monitor;
ii) Confirm the person's identity and purpose for entry to the premise;
iii) Confirm that the person must report to the main office.

2.2 Secondary schools shall open only those doors that are required for the normal conduct of the school, limiting access to unauthorized visitors.

2.3 All visitors/person authorized on school premises must report their presence to the main office, state the purpose of their visit, and adhere to sign-in procedures.

2.4 Appropriate signage must be mounted at the main entrance noting the requirement that all authorized visitors report to the main office immediately upon entry to the building.

2.5 The Principal has the authority to determine whether a person's presence is detrimental to the safety or well-being of a person on the premise. The Chief Executive Officer has this same authority for the Board Office.

2.6 Where a person does not have lawful reason for being on school or board property and/or poses a threat to school safety, the Principal or Chief Executive Officer must exercise sound judgement in order to preserve safety.

2.7 It is the responsibility of all staff to notify the Principal/Chief Executive Officer of the presence of unauthorized persons as soon as possible.

2.8 After hours access to school and board premises by anyone who is not an employee of the NCDSB is regulated by the Community Use of Schools policy and procedures.

3.0 DEALING WITH AN UNAUTHORIZED PERSON OR TRESPASSER

3.1 Unless there is imminent danger, an unauthorized person or trespasser on school or board property must first be asked to leave peacefully.

3.2 If the person refuses to leave, or if they have caused property damage, the police may be called to assist with the individual.

3.3 The Principal must document the incident and advise a supervisory officer of any action taken.

3.4 A trespass notice may be issued to the unauthorized person by mail or personal delivery if the person's attendance in the future is undesirable or may have detrimental impacts on the school community.

4.0 CONSEQUENCES FOR TRESPASSING

4.1 In cases of trespassing, the Principal may:

i) Issue a trespass notice; or

ii) Lay a charge; or

iii) Request the police to do any of the above.

4.2 Issue a trespass notice

i) The Principal will complete and send a trespass notice to the trespasser by mail or personal delivery. If the trespasser is under the age of 18 years, a copy will be sent to the parents/guardians as well.

ii) The Principal will retain one copy of the aforementioned letter at the school and will also submit one copy to the local police detachment and the Office of the Superintendents.

iii) The Office of the Superintendents will notify the Chief Executive Officer accordingly.

4.3 Lay a charge

i) If the trespasser is on the premises, a charge can be made by the police with the Principal as a witness. The police, may in certain circumstances, request the Principal to lay the charge.

ii) If the police lay the charge, a summons will be given to the trespasser immediately.

iii) If the police ask that the Principal lay the charge, the Principal may be asked to appear before the Justice of the Peace with their detailed report of the incident. The officer involved will also submit a report.

iv) The police will explain the procedure in all such cases.

v) If the trespasser has left the premises, the Principal may still lay a charge by informing the police of that intent.

vi) The Principal will submit a copy of their report of the incident to the Office of the Superintendents, who will in turn advise the Chief Executive Officer.

5.0 REVIEW OF TRESPASS LETTERS

5.1 Each Principal shall maintain a list of individuals who may have restricted access to the school and/or other Board premises as a result of a court order or who have been issued a trespass letter. This list is to be maintained in the school office and communicated, in confidence and as necessary, with appropriate staff.

5.2 Each trespass letter must be reviewed at least one time annually by the Principal of the site to which the letter pertains to determine if the circumstances that necessitated the letter still exist.

5.3 If a trespass letter is to be rescinded, a meeting should occur with the Principal and the person to whom the trespass letter applies, to review access to school premises expectations and to ensure that the incident that necessitated the letter does not occur again.

6.0 RELATED FORMS AND DOCUMENTS

LETTER: Trespass Letter Template
LETTER: Rescinding Trespass to Property Template

Chief Executive Officer: *Tricia Stefanic Weltz*
Date: May 2024