

SD 42 POLICY: 3901

MAINTENANCE OF ORDER IN SCHOOLS

The Board of Education is responsible for ensuring the maintenance of order in schools, on school property, and at school district events. The safety of students, staff and others in the school community is paramount, and to that end, authorized individuals may make orders in accordance with the procedures set out below pursuant to section 177 of the *School Act* to prevent and address any disturbance, disruption or interruption of a school.

Background

Section 177 of the *School Act* addresses the preservation of order on school premises, including ordering a person to leave and calling in police help if necessary. 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. It provides authority to principals and other administrators or designated individuals to ensure the orderly operation of schools and school programs and to ensure the protection of students, staff and property. This section creates two offences: (1) it is an offence for a person to "disturb or interrupt the proceedings of a school or an official school function"; and (2) it creates an offence for failing to follow a direction of a principal, other school administrator or person authorized by the Board to direct a person to leave school property, and from returning without prior approval of the principal, administrator or other designated person. It also enables the principal or administrator to call for assistance from law enforcement if necessary.

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 a distributed learning school operated by a board.

Orders under Section 177 may be used in a variety of circumstances, including preventing strangers who present a threat to the safe and efficient operation of a school from accessing school property, addressing circumstances involving disruptive, threatening or unruly parents, students, staff or volunteers or taking steps to address harassment (of parents, students or staff) within a school or the school community. Section 177 orders may be made whether the conduct that is disturbing or interrupting the operation of the school occurs on or off school property. Section 177 orders should not be made except in unusual circumstances without first attempting to remedy the problem with other approaches.

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