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Appendix L
PROCEDURE

Access to Schools

Procedure No.:- <u>Number:</u> Effective Date:- 2017 June 27	4008h
Department: <u>Procedure Owner:</u>	Learning Support Services – Culture for Learning – <u>Safe Schools</u>
<u>Effective Date:</u>	
<u>Amendment Dates:</u>	
<u>EIE Review Date:</u>	
Reference(s): <u>Resources:</u>	<ul style="list-style-type: none"> • The Education Act, <u>RSO 1990, c E.2</u> • <u>O. Reg. 474/00, Access to School Premises</u> • Trespass to Property Act, <u>R.S.O. 1990, c. T.21</u> .1. Access to Premises Act .2. Charter of Rights and Freedoms .3. Bill 13: Accepting Schools Act, 2012 .4. Safe Schools Act, 2001 .5. Caring and Safe Schools in Ontario .6. Occupational <u>TVDSB</u> Health and Safety Act .7. Municipal Freedom of Information and Protection of Privacy Act .8. PPM128: The Provincial Code of Conduct and School

~~Boards Code of Conduct~~

- ~~.9. PPM 144: Bullying Prevention and Intervention~~
- ~~.10. PPM 145: Progressive Discipline and Promoting Positive Behaviour~~
- ~~.11. Police/School Board Protocol, 2017~~
 - ~~TVDSB Equity and Inclusive Education Policy and Its Procedures [\(2005\)](#)~~
- ~~.12. TVDSB Harassment Policy and Procedure~~
- ~~.13. TVDSB Independent Procedure: Information Technology Security~~
- ~~.14. TVDSB Health and Safety Policy and Its Procedures~~
 - TVDSB Violence in the Workplace Policy and Procedure [\(3011a\)](#)
 - [TVDSB Creating Safe and Caring Schools Policy \(4008\)](#)
 - [TVDSB Safe Arrivals Policy and Procedure \(4010\)](#)

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1. ~~The~~ Intent

- 1.1. This procedure operationalizes access to Thames Valley District School Board ~~is committed to ensuring~~ (TVDSB) school sites consistent with TVDSB Creating Safe and Caring Schools Policy (4008) and the *Trespass to Property Act*.

2. Definitions (Note: Throughout this document, all defined terms will be capitalized to indicate they have a procedure-specific definition.)

- 2.1. **Bias-Aware** refers to the conscious recognition and understanding of biases that ~~it~~ ~~provides~~ individuals possess, including implicit biases that may operate on a subconscious level.
- 2.2. **Culturally Inclusive** refers to recognizing and valuing the diverse cultural backgrounds, language and contributions of individuals. It aims to create environments where everyone feels respected, valued and able to contribute fully, regardless of their cultural background.
- 2.3. **Inclusion** or **Inclusive** refers to the principle of acceptance, in which diversity is honoured and all individuals are accepted.
- 2.4. **Parents** refers to parent(s) and guardian(s) and can also include caregivers or close family members who raise the child.
- 2.5. **Relationship-Based Approach** refers to the idea that healthy relationships are central to human development and are the basis through which trust, safety, connection and community are formed.
- 2.6. **Student** or **Pupil** refers to a person enrolled at the school.
- 2.7. **Trauma-Informed** refers to an approach that acknowledges and accounts for the impacts of stress and or trauma on a person's well-being and ability to stay regulated.
- 2.8. **TVDSB School Building Sites** or **School Premises** refers to TVDSB school buildings and surrounding property.
- 2.9. **Visitors** refers to any person on a TVDSB School Building Site that is not a TVDSB employee, student, or parent/guardian of a student.

3. Objective of the Procedure

- 3.1. This procedure specifies the steps TVDSB will take to create learning and working environments that are safe, accepting and Inclusive for all. ~~by ensuring the~~

appropriate people are on TVDSB School Building Sites.

~~4.~~ 1.0 ACCESS TO SCHOOL SITES

3.2. ~~In order~~ This procedure clarifies how Parents and caregivers who have been issued a trespass letter can continue to be engaged in their student's education and communicate with TVDSB staff.

4. Roles and Responsibilities

4.1. **Principals** are responsible for operationalizing the below procedures at their TVDSB School Building Sites and communicating with their Superintendent.

4.2. **Superintendents of Student Achievement** are responsible for ensuring effective communication between themselves and principals and providing guidance on trespass matters.

5. Authorized Persons on School Sites

5.1. According to *Ontario Reg. 474/00, Access to School Premises* and consistent with Section 6 of this procedure, the following persons are permitted to be on school sites:

5.1.1. A person enrolled as a student on the School Premises;

5.1.2. A Parent or guardian of such student;

5.1.3. A person identified by a Parent/guardian to the school as a caregiver permitted to pick up or drop off a student;

5.1.4. A person employed or retained by TVDSB;

5.1.5. A person who is otherwise on School Premises for a lawful purpose;

5.1.6. A person who is invited to attend an event, a class or a meeting on the School Premises and

5.1.7. A person who is invited onto School Premises for a particular purpose by the principal or another person authorized by TVDSB to do so is permitted to be on school board premises.

6. Access To School Sites

~~4.1.~~6.1. To ensure a safe learning environment, all persons, including Parents and guardians and Visitors authorized to be on School Premises, must report their presence to the school office and obtain permission to remain on the School

Premises. ~~A person is not permitted to remain on school premises if the person fails to obtain permission as noted unless the principal has pre-authorized an alternate procedure. Such pre-authorization procedures may apply to a person employed or retained by the Board or a person who is otherwise on the premises for a lawful purpose (eg. delivering mail, voting, et cetera).~~

6.1.1. A person is not permitted to remain on School Premises if the person fails to obtain permission as outlined in Section 6.1.

~~4.2.6.2.~~ The principal has a duty under the Education Act s.265(m) to refuse to admit to the school or classroom a person whose presence in the school or classroom would, in the principal's ~~judgement~~judgment, be detrimental to the physical or mental well-being of the students. ~~The Access to Premises Act extends the scope of this to include persons detrimental to the safety or wellbeing of a person on the premises.~~

6.2.1. When making this decision, the principal should consider:

6.2.1.1. Using a Bias-Aware, Relationship-Based approach;

6.2.1.2. Communicating in a Trauma-Informed and accessible way and

6.2.1.3. Being Culturally Inclusive.

6.3. The Education Act extends the scope of this to include persons detrimental to the safety or well-being of any person on the School Premises.

~~4.3.6.4.~~ Authority to be on School Premises does not entitle a person to ~~have~~ access ~~to~~ all areas of the School Premises.

7. Restricting Access to School Sites

7.1. The Education Act and The Trespass to Property Act ~~provides~~provide authority to ~~deal with principals to address~~ a person not acting in a lawful manner, such as entering School Premises or failing to leave after being directed to do so by the principal ~~or designate. Matters under the Trespass to Property Act are normally referred to a police officer. Principals may contact.~~

7.2. To determine if a person should receive a trespass letter the principal will do the following:

7.2.1. Speak, if it is safe to do so, with the person and remind them of expectations of behaviour while on TVDSB property in an effort to correct behaviour;

7.2.2. Discuss the possibility of issuing the person a trespass letter with the Superintendent ~~of Student Achievement in situations where charges are not laid by police in order to determine~~ responsible for that TVDSB School Building Site to;

7.2.2.1. Determine if a verbal or written warning should be issued and

7.2.2.2. Determine if a Trespass Letter is needed to limit access to all or some of the TVDSB School Building Site.

7.3. The principal should determine which TVDSB staff working within the building need to be aware that a person has been issued a trespass letter.

~~4.3.1.~~7.3.1. Principals will determine, based on school safety, what ~~action, if any will~~ actions should be taken ~~on behalf of the Board~~ if a person who has received a trespass letter is seen on the School Premises.

7.4. The principal must communicate the following, in writing, with the person who has been issued a trespass letter:

7.4.1. That communication and involvement in their student's education will continue and in what format;

7.4.2. That their trespass letter will be reviewed by the principal before the start of the next school year and

7.4.3. Their options for sharing concerns regarding their trespass letter, as outlined in Section 9.

8. Review of Trespass Letters

8.1. Before the start of each school year, all trespass letters will be reviewed by the principal to determine if the circumstances that necessitated the letter still exist

8.2. A person issued a trespass letter may request in writing to the school principal to review their trespass letter at any time, including their rationale for rescinding the letter. The principal will review the trespass letter and rationale provided to determine if the circumstances that necessitated the letter still exist.

8.3. If a review of a trespass letter is conducted using Section 8.1 or 8.2, the result of that review, including rationale, must be shared in writing with the person who was issued the trespass letter.

9. Resolving Concerns Associated with Trespass Letters

~~4.4.~~9.1. If a person issued a trespass letter wishes to share concerns regarding their letter, they should follow the process outlined in TVDSB Resolving Public Concerns Policy and Procedure (2029a.)