

## AP 1315: Maintenance of Order

### Purpose

[Section 177 of the School Act \(Maintenance of Order\)](#) provides authority to school/district officials to maintain order on school premises.

Section 177 prohibits any person from disturbing or interrupting school or official school functions. Through Section 177, principals, vice principals, directors of instruction or other authorized persons may direct individuals to immediately leave school property and not return to the premises again except through prior approval. Further, in order to restore order on school premises, a peace officer may be called for assistance. A contravention of Section 177 by an individual constitutes an offence.

Section 177 may be used to prevent an individual who presents a threat to student or staff safety from accessing school or district property. It is important to note that this section is intended to be used only in exceptional circumstances, where there is a risk to student/staff safety or significant and ongoing disruption to the educational programs offered at a school.

### Procedures

1. Section 177 - Maintenance of Order applies to any school and school function including, but not limited to, sports events, dances, Parent Advisory Council meetings, school pickup and drop-off, and performances.
2. Any person who is in the school building without a legitimate purpose or who is disrupting or interrupting the proceedings of a school or school function, may be asked to leave. That request must be made prior to the police (RCMP or Nelson City Police-NCP) being called.
3. Wherever possible, the principal or vice-principal will direct the visitor to leave the building or grounds, and a witness to the request should be present.
4. An employee who encounters a person causing a disruption should notify the school principal or vice-principal. The employee should direct the person to leave only if the principal or designate is not available. A witness should be present whenever possible.
5. The person who directs the person causing the disruption to leave shall document the request showing the date, time, reason, and the name of the witness.
6. The person directed to leave should be told that they may not return. They should not be interviewed by any school personnel as this may constitute a violation of their rights.
7. If the person causing a disruption refuses to leave, or appears likely to be violent, police may be called for assistance.

8. Those persons within the school district who have authority to direct individuals to leave school or district property under the terms of Section 177 of the *School Act* are:
  - 8.1 Superintendent;
  - 8.2 Directors of Instruction;
  - 8.3 Principals and Vice-Principals; or
  - 8.4 Manager of Safe Schools/OHS.
9. Section 177 Maintenance of Order letters shall be issued in circumstances where a person of authority with the school district determines that a person's actions:
  - 9.1 pose a risk to the safety of students, staff or others in the school community, or
  - 9.2 present significant and ongoing disruption to the educational programs offered by the school.
10. Procedures to be followed when a person is excluded from school or district property under Section 177 of the *School Act*:
  - 10.1 The school principal or vice principal will seek prior approval from the Superintendent or designate to issue an exclusion order under Section 177.
  - 10.2 The principal or vice-principal shall call for assistance from the RCMP or Nelson City Police (NCP) if the person refuses to leave after being directed to do so or if there is reason to be concerned about the person acting in a violent manner.
11. The principal will report any calls to police for assistance to the Superintendent or designate.
  - 11.1 Once permission to issue a Section 177 exclusion order has been gained from the Superintendent or designate, the principal or vice-principal will use the Maintenance of Order letter template to provide written notification to the excluded person as soon as possible, including reasons for and length of exclusion, date for review, and information and avenues of appeal.
  - 11.2 The principal or vice principal issuing the Maintenance of Order letter will ensure they have documented the incident with the following information:
    - 11.3 Name of the school or district location;
    - 11.4 Date, time, and location of incident(s); and,
    - 11.5 Description of incident(s) including what occurred, who was involved, steps to resolve if applicable.

12. Name and contact information of the person excluded under Section 177 and the;
  - 12.1 Name of the principal or other staff who directed the person to leave school property;
  - 12.2 Length of exclusion to the end of the school year or up to 90 days;
  - 12.3 Means of delivering the letter of exclusion;
  - 12.4 (If a police file was opened), police file number and name of attending officer;
  - 12.5 Date for review;
  - 12.6 Date incident was documented and name of person completing the document.
13. Submit to the Superintendent's office the following:
  - 13.1 File a Schools' Protection incident report.
  - 13.2 Where necessary, submit a WorkSafe BC Violence in the Workplace report.
  - 13.3 Send Maintenance of Order Superintendent Form to the Superintendent's Office.
  - 13.4 Retain a copy of all information in a secure location for a period of not less than 1 year.
14. The Superintendent or designate will retain copies of Section 177 exclusion orders that have been issued within the school district until the exclusion order expiry date.
15. The decision to issue an exclusion order may be made in accordance with School District No. 8 (Kootenay Lake) appeal Bylaw #1 Student/Parent Appeal.
16. Any information in relation to Section 177 order will only be collected, used, or disclosed in accordance with the provision of the Freedom of Information and Protection of Privacy Act. Such information may be collected to maintain a safe, orderly, and effective educational environment at schools and on school district property.