

**MOOSE FACTORY ISLAND
DISTRICT SCHOOL AREA BOARD**

BOARD POLICY NO. GOV-20	
Approved	
Last Revised	
Board Motion	

ACCESS TO SCHOOL PREMISES

1. PURPOSE

It shall be the policy of the Moose Factory Island District School Area Board that the school provides a safe and welcoming learning and working environment.

For the protection of students, staff and visitors, and to preserve the integrity of the instructional day, it shall be necessary to monitor access to the Board's premises.

This policy applies to all persons accessing school premises under the jurisdiction of the Moose Factory Island District School Area Board. The Board endorses and promotes an access to school premises policy which is consistent with the values, traditions, and distinctiveness of Ministik School.

2. DEFINITIONS

Authorized Person: An authorized person is a person as specified in subsection 3.3 of this policy.

Occupier: Under the *Trespass to Property Act*, "occupier" includes a person who is in physical possession of premises; or a person who has responsibility for and control over the condition of premises or the activities there carried on; or control over persons allowed to enter the premises. The *Trespass to Property Act* allows educators to exercise control over persons entering onto their property and gives educators powers of arrest and detention.

School/Board Premises: These premises include the school Board buildings, and all adjacent Board property which is attached to the school or Board buildings.

Trespassing: Trespassing carries the definition used in the *Trespass to Property Act*.

POLICY

3. Control of Access

3.1 The Moose Factory Island District School Area Board recognizes that control of access to school premises under its jurisdiction shall be in accordance with the provisions of sections 212(1), 265(m) and 305 of the *Education Act* and Ontario Regulation 474/00.

- 3.2 The Board authorizes the supervisory officer, system and school administrators, and staff members to exercise all the rights and duties of occupiers under the provisions of the *Trespass to Property Act*.
- 3.3 The Board recognizes that the following persons are permitted to be on school premises, subject to any lawful restriction:
- a) a person enrolled as a pupil in the school;
 - b) a parent, guardian or person having daily care and control of a pupil under age 18 years;
 - c) a person employed or retained by the Board;
 - d) a person who is otherwise on the premises for a lawful purpose (e.g. delivering mail, voting);
 - e) a person who is invited by school official(s) to attend an event, a class or a meeting on school premises, providing the person is on the premises for that purpose; and
 - f) 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 the person is on the premises for that purpose and complies with any restrictions on his or her attendance.
- 3.4 Where appropriate, the principal or designate shall restrict access to specified areas of the school.
- 3.5 An authorized person, identified in subsection 3.3, is not permitted to remain on school premises if his or her presence is detrimental to the safety or well-being of a person on the premises in the judgment of the principal, vice-principal, principal designate, or another person authorized by the Board to make such a determination.
- 3.6 The Board has the right to lock the school premises when the premises are not being used for a purpose authorized by the Board.
- 3.7 Access to school premises during non-school hours shall be governed by the appropriate provisions of this policy and other related policies and administrative procedures of the Moose Factory Island District School Area Board.
- 3.8 All visitors, including parents/guardians, must report to the main office of the school. The school will implement a sign-in procedure and/or identification process, e.g. badges for all visitors.
- 3.9 A person is not permitted to remain on school premises if the person fails to report or sign in as required.
- 3.10 Regular visitors working with students shall have a criminal record check and shall sign a confidentiality form.
- 3.11 Every person who is not acting under a right or authority conferred by law and who, without the express permission of persons authorized by the Board:

- a) enters on premises when entry is prohibited; or
- b) engages in an activity on premises when the activity is prohibited; or
- c) does not leave the premises immediately after directed to do so by the authorized person;

is guilty of an offence.

- 3.12 The principal, vice-principal, or designate shall exercise the rights of the Board as an occupier under the provisions of the *Trespass to Property Act*, sections 212(1), 265(m) and 305 of the *Education Act*, and Ontario Regulation 474/00 with respect to an individual determined to be in non-compliance with provisions of this policy.
- 3.13 Unauthorized visitors shall be given notice in accordance with the *Trespass to Property Act*. Copies of the notice shall be forwarded to the police and the supervisory officer.
- 3.14 Failure of an individual or individuals to comply with this policy, subsequent to receiving a verbal or written warning by a school official, may result in charges under the *Trespass to Property Act* or the Access to School Premises Regulation 474/00. Conviction of an offence may result in a fine of up to \$5000.00.

Legal References

Trespass to Property Act

Education Act, subsection 212 (1) Disturbance of School or Class

Education Act, paragraph 265 (1) (m) Access to School or Class

Education Act, paragraph 265 (1) (n) Visitor's Book

Education Act, section 305 Access to School Premises

Education Act, Part XIII Behaviour, Discipline and Safety

Ontario Regulation 474/00 Access to School Premises

PPM No. 141 School Board Programs for Students on Long-Term Suspension

PPM No. 142 School Board Programs for Expelled Students

Board References

Board Policy GOV-01 Vision, Mission, and Values

Board Policy GOV-03 Role of the Corporate Board

Board Policy GOV-04 Role of the Supervisory Officer

Board Policy GOV-09 Safe Schools: Board Code of Conduct

Board Policy GOV-16 Appeals and Hearings Regarding Student Discipline: Suspension and Expulsion

Administrative Procedure 378 Student Discipline: Suspension

Administrative Procedure 379 Student Discipline: Expulsion

Administrative Procedure 534 Damage to School Property

Administrative Procedure 540 Use of School Facilities by Outside Groups