



## The Northwest Catholic District School Board

Section	Number	
D	0	2

### **ADMINISTRATIVE PROCEDURES**

**Title:                    Trespass to Property Act**

**Preamble:**

While maintaining its procedure of encouraging maximum use of its school premises, there is a need for control over entry and use of Board premises, which includes all buildings and grounds. These procedures are intended to be in keeping with the Trespass to Property Act, 1990 or its successor, and are set as a guide to exercise control over Board property and facilities.

**Procedures:**

**A.**     The following persons are specifically authorized to act with the authority of an occupier, and in so doing, be authorized to direct trespassers to leave school premises and property and to arrest without warrant any trespassers pursuant to the Trespassers to Property Act:

1.     all principals, teaching staff, custodial staff and secretarial staff employed in the Board's schools;
2.     all employees employed in the Board Office;
3.     all custodial help employed under any type of contract with the Board; and
4.     any Trustee of the Board.

**B.     Procedures to be used by staff**

1.     The following procedures should be used in dealing with persons who are suspected of trespassing on school premises and school property:
  - a)     identify yourself;
  - b)     ask the person to identify himself and state his/her business;
  - c)     do not touch the person or try to lead him/her away;
  - d)     have another adult accompany you as a witness;
  - e)     if the person appears to be a trespasser or is engaged in an unauthorized activity, direct such a person to leave the premises;
  - f)     if deemed appropriate, take reasonable steps to have him/her arrested by calling police;

- g) as soon as possible following the incident, fill out Form D-02-01, Incident Report and make hand-written notes including as many details as possible about the incident including:
  - i) the person's name (if known)
  - ii) a description of the person
  - iii) the time of the incident
  - iv) details of the conversation
  - v) any other pertinent details
- h) report the incident immediately to your principal or immediate supervisor who should be given any notes of the incident as well.
- i) Supervisory personnel will consult with the police and the Board's legal counsel to ask advice on the laying of charges.

**C.** Principals shall ensure that all staff is aware of this procedure by reviewing the procedure at the beginning of each school year.

Cross Reference to Administrative Procedures/Governance Policies		Date of Implementation March 22, 2003	Legal/Ministry of Education Reference
			Ed Act 53, 265 (1)(m), 305
Section	Number	Date of Last Review February 16, 2016	Trespass to Property Act, 1(2)

**APPENDIX 1**  
**Insert on School Letterhead**

DATE

**REGISTERED MAIL**

Name of Parent/Guardian/Youth 18 and Over  
Address  
City, ON Postal Code

Dear Mr. and Mrs.:

**Re: Name of Individual Prohibited Access to Property and Premises**

Under the authority of the **Education Act** and **The Trespass to Property Act**, and amendments thereto, **Name of Individual Prohibited** is prohibited from entering school building(s) or engaging in any activity on any property owned by **Name of School**.

If **Name of Individual Prohibited** fails to comply with this notice, charges will be laid against him/her under the said Acts. The maximum fine if found guilty of the charge is \$2,000. Information regarding the reason(s) for issuing the notice can be requested through phone or written contact with the principal of the school.

This notice remains in effect for **insert period of time**, or until revoked by the principal prior to this date.

I have forwarded a copy of this letter to the Local Regional Police.

Yours truly,

Name of Principal

pc: Police  
Director of Education  
Superintendent of Education

H-07-022  
12/07/DB0