

Title: **TRESPASSING**

Adopted: December 2011

Reviewed:

Revised: October 2023

Authority: Ontario Education Act: Sec 305

Ontario Trespass to Property Act

Ontario Regulation 474/00: Access to School Premises

**POLICY**

It is the policy of the KidsAbility School Authority that to give appropriate notice regarding access to and the use of school premises, and to authorize the principal or other designated members of the Authority's employees and other duly authorized agents to act with the authority of an occupier in compliance with legislation contained in the Trespass to Property Act and Ontario Regulation 474/00: Access to School Premises.

**BACKGROUND**

1. The KidsAbility School Authority school premises exist for unique and specific purposes
2. The Authority must safeguard school premises for those purposes on behalf of the public.
3. The Trespass to Property Act gives a school board all the rights and duties of an occupier in respect of its school premises,
4. According to the acts and regulation, the following persons are permitted to be on school premises when the premises are being used for a purpose authorized by the Authority:
   1. a person enrolled as a pupil in the school.
   2. a parent or guardian of such a pupil.
   3. a person employed or retained by the Authority.
   4. A person who is otherwise on the premises for a lawful purpose
   5. A person who is invited to attend an event, a class or a meeting on school premises is permitted to be on the premises for that purpose.
   6. A person who is invited onto school premises for a particular purpose by the principal is permitted to be on the premises for that purpose.
5. Permission to be on school premises does not entitle a person to have access to all areas of the school premises.
6. The Authority has the right to lock the school premises when the premises are not being used for a purpose authorized by the Authority.
7. Persons entering school premises without authority or using them to engage in prohibited activities may endanger such premises,
8. A person is not permitted to remain on school premises if the person’s presence is detrimental to the safety or well-being of a person on the premises, in the judgment of the principal or another person authorized by the Authority to make such a determination.
9. A person is not permitted to remain on school premises if a policy of the Authority requires the person to report their presence on the premises in a specified manner and the person fails to do so.

**GUIDELINE**

1. Unless invited or otherwise directed by the school principal (or designate), all persons who enter school premises and who are not students or staff members of that school, must report to the main office of the school promptly upon arrival and obtain the principal’s (or designee’s) permission to remain on the school premises.

**RESOURCES**

[**Ontario Education Act Sec 305**](https://www.ontario.ca/laws/statute/90e02#BK566)

[**Ontario Trespass to Property Act**](https://www.ontario.ca/laws/statute/90t21)

[**Ontario Regulation 474/00: Access to School Premises**](https://www.ontario.ca/laws/regulation/000474#:~:text=(1)%20A%20person%20is%20not,474%2F00%2C%20s.)