



**POLICY SECTION:** SAFE SCHOOLS

**SUB-SECTION:**

**POLICY NAME:** TRESPASS

**POLICY NO:** S.S.14

<b>Date Approved:</b> August 27, 2015	<b>Review Cycle:</b> May 2018	<b>Dates of Amendment:</b> December 6, 2011; September 11, 2014; August 27, 2015
<b>Cross Reference:</b> <i>Trespass to Property Act</i> O. Reg.474/00, Access to School Premises S.S. 04 Access to School Premises		

## **Purpose**

This policy affirms the need for students, teachers and other staff to feel safe in their school community. The purpose of this policy is to outline the steps followed in those circumstances where an individual may be trespassing on school property. The policy also describes an appeal process available to an individual who wants to contest a trespass notice.

## **Scope and Responsibility**

This Policy extends to all visitors, organizations or other individuals accessing or seeking access to Toronto Catholic District School Board schools or other TCDSB premises. The Director of Education, supported by the Superintendent of Safe Schools and school principals, is responsible for this policy.



**POLICY SECTION:** SAFE SCHOOLS

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**POLICY NAME:** TRESPASS

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### **Alignment with MYSP:**

Living Our Values  
Fostering Student Achievement and Well Being  
Inspired and Motivated Employees  
Strengthening Public Confidence

### **Financial Impact**

Generally, there is no significant financial impact on the TCDSB.

### **Legal Impact**

The Education Act requires school boards and all schools of a board to maintain a positive and safe learning environment. When the safety of a school community or other TCDSB community may be compromised by the presence of a visitor or other individual, all reasonable steps must be taken to protect the safety of students, teachers, school staff, and other members of the school community.

### **Policy**

All Toronto Catholic District School Board personnel are authorized by the Board of Trustees to exercise the rights and responsibilities of the Board as a person who has responsibility for, and control over, Board premises for the purposes of the provisions of the *Trespass to Property Act*.



**POLICY SECTION: SAFE SCHOOLS**

**SUB-SECTION:**

**POLICY NAME: TRESPASS**

**POLICY NO: S.S.14**

## **Regulations**

1. The Toronto Catholic District School Board is committed to ensuring that schools be an example of Christian Community that promote, maintain, and encourage responsibility, respect, civility, equity, inclusivity, academic excellence, and well-being in a safe learning and teaching environment. A positive school climate exists when all members of the school community feel safe, comfortable, and accepted, and is supported through a whole-school approach. The Trespass Policy will be applied in a manner consistent with the TCDSB's Catholic values.
2. The principal, teachers and support personnel shall safeguard the students in regard to trespassers on school property.
3. Unknown visitors may be requested to produce proper identification as per Policy S.S. 04 Access to School Premises and to follow locally established school visitor procedures.
4. A person 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, a vice-principal or another person authorized by the board to make such a determination. Failure to leave the premises when asked will result in the visitor being considered a trespasser.
5. A person is not permitted to remain on school premises if a policy of the board requires the person to report his or her presence on the premises in a specified manner and the person fails to do so. Failure to leave the premises when asked will result in the visitor being considered a trespasser.
6. A person identified as a trespasser shall be warned and asked to leave the



**POLICY SECTION: SAFE SCHOOLS**

**SUB-SECTION:**

**POLICY NAME: TRESPASS**

**POLICY NO: S.S.14**

property by the principal, vice-principal, or another person authorized by the Board as a person who has responsibility for, and control over, the condition of Board premises or the activities being carried on at Board premises.

7. Where there is an element of danger with respect to a trespass situation, the police shall be contacted.
8. Where the identity and address of the trespasser is known and the Principal does not wish the individual to re-enter Board premises, the superintendent shall be consulted and a "Trespass Notice" may be sent by the school principal or designated official.
9. A Principal shall consider issuing a "Cease and Desist Letter" to a person prior to issuing a Trespass Notice. A Cease and Desist Letter may be a sufficient response to encourage the person to stop acting in a way that is detrimental to the safety or well-being of other persons on the premises.
10. Where a Trespass Notice is sent, a copy shall be retained at the workplace and a copy shall be forwarded to the local police division.
11. When a Trespass Notice has been issued, the Principal will review the issues that gave rise to the Trespass Notice being issued and make a determination whether present circumstances warrant the Trespass Notice being rescinded. The Principal will conduct such review once every ninety (90) days after the Trespass Notice was issued.
12. A record of any trespassing notices will be kept by the Principal and by the Safe Schools Department. The Safe Schools Department will present a quarterly update report to the Board of Trustees.



**POLICY SECTION: SAFE SCHOOLS**

**SUB-SECTION:**

**POLICY NAME: TRESPASS**

**POLICY NO: S.S.14**

13. An individual who wishes to appeal a trespass notice has available the following appeal process. The appeal process must be followed in the order prescribed:

- i. Communicate in writing directly with the school principal and provide reasons why the trespass notice should be rescinded. The principal will respond within 14 days upon receipt of the appeal.
- ii. Communicate verbally or in writing with the school superintendent, advising why the trespass notice should be rescinded. The school superintendent will discuss the appeal with the school principal.
- iii. Communicate verbally or in writing with the Associate Director of Education (Academic Affairs). The Associate Director will discuss the appeal with the school superintendent.
- iv. The Associate Director of Education (Academic Affairs) will discuss the appeal with the Director of Education, as required.

At every stage of the appeal process, the views of both the school principal and the individual subject to the trespass notice will be considered.

The school principal, after having given reasonable consideration to the basis of the appeal and the advice of the area superintendent, (and the associate director, where applicable), will render a decision within 2 business days with respect to the appeal.



**POLICY SECTION: SAFE SCHOOLS**

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**POLICY NAME: TRESPASS**

**POLICY NO: S.S.14**

## **Definitions**

### **School Climate**

The learning environment and relationships found within a school and school community. A positive school climate exists when all members of the school community feel safe, included, and accepted, and actively promote positive behaviors and interactions.

### **Metrics**

1. Annual Safe Schools Climate surveys administered to representative groups of TCDSB students.
2. Anonymous school climate surveys conducted with Parents and Staff at least every two years.
3. Safe Schools data: Reporting Forms – Part I, Trespass Notices, Violent Incidents