

Trespass and access restriction notices

School boards may need to prohibit or restrict individual access to school property when dealing with difficult or unreasonable conduct from members of the public. Under the *Trespass to Property Act* and the *Education Act*, school boards have a broad right to limit or prohibit entry onto board property.

The *Education Act* governs access to school premises, including who is permitted to have access and who controls that access. It allows principals, vice-principals, and other authorized people to determine if an individual's presence is harmful to the safety or well-being of another person on the premises, and decide if limits will be placed on that person's access to school premises.

A school board can also issue a trespass notice under the *Trespass to Property Act* that can:

- Ban a person outright from board property, or
- Set specific conditions under which a person can access board property.



Boards should consider a trespass notice or access restriction as a last resort, and these measures should restrict access as little as possible.

Every school board should **develop and publicize a policy that sets out, at a minimum:**

- Examples of circumstances that could result in a trespass notice or an access restriction
- Details about what documentation is needed to support issuing a notice or restriction (such as complaint and investigation records, prior cautions, or warnings)
- Procedures for issuing and serving notices or restrictions, including who can issue them
- Information that should be included in a notice or restriction, including time limits for any restrictions
- How an affected person can raise concerns about the notice or restriction, including processes for review or appeal

School boards should consult the *Education Act* and Ontario Regulation 474/00, *Access to School Premises*, when developing trespass and access restriction policies.

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