



Title: **ACCESS TO STUDENTS IN SCHOOL**

Adopted: January 2019
Reviewed: November 2021
Revised:

Related: O. Reg 474/00 Access to School Premises
O. Reg 521/01
Education Act Part X, clause 265 (1) (m)
Education Act Sections 212 and 471/07
Education Act, Reg. 298 sec. 11.1 (a) and (b)
Trespass to Property Act
Police Record Check Reform Act (Nov 2018)
PPM 149 Protocol for Partnerships with External Agencies for Provision of
Services by Regulated Health Professionals, Regulated Social Service
Professionals, and Paraprofessionals
SHSM:009 – Safe Welcome

Policy

It is the policy of the Bloorview School Authority (BSA) to allow access to the school to those with a statutory right of access and to those whose outreach, presence, involvement or provision of services will be of benefit to the pupils and/or staff.

Permitted access to the school premises does not include permission to interact with individual or groups of students.

Direct or indirect access to or interviews with pupils of BSA, other than by staff or consultants to the Board, shall only occur with the prior consent of the parent given to the principal.

This policy relates only to physical access to the school premises. It does not relate to access to student records.

Background

1. The Board recognizes that the following persons are permitted to be on school premises pursuant to the Education Act and Ontario Regulation 474/00 (Access to School Premises)
 - A person enrolled as a pupil;
 - A parent or guardian of such pupil;
 - A person employed or retained by Board;
 - A person who is otherwise on the premises for a lawful purpose;
 - A person who is invited to attend an event, a class or a meeting on school premises, provided the person is on the premises for that purpose;
 - A person who is invited onto school premises for a particular purpose by the principal, a Vice-Principal or another person authorized by the Board policy provided the person is on the premises for that purpose;
 - A trustee of the Board;
 - A Member of the Provincial Legislature for the school in his/her constituency; or

2. Persons who may seek to have access to or to interview pupils enrolled in the school, other than school staff and Board consultants are:
 - Custodial parents, guardians and their identified delegates;
 - Non-custodial parents (some restrictions may apply regarding physical access or access to records);
 - Police;
 - Public Health Nurses;
 - Children's Aid Societies;
 - Others, as deemed appropriate.

3. Because of the unique relationship between the school and Holland Bloorview Hospital, special access circumstances are in place (especially for some hospital staff such as occupational and physiotherapists). Such special access circumstances must be arranged through the Principal and must be kept within the spirit of this policy.

4. Before permitting access, it is the responsibility of the Principal to ascertain the aforementioned category into which the person seeking such access may fall, and to apply these Regulations and related Protocols/Guidelines accordingly.

Regulations

5. Given the obligation of the Board, the Principal, the teachers, and other staff, to safeguard the welfare of the students in appropriate cases, the Principal must be satisfied that the visitor is the person who he/she purports to be and that the appropriate criminal background check (in accordance with O. Reg 521/01 the Police Record Check Reform Act) has been done (if necessary). Unless the visitor is known to the Principal, proper identification should, with sensitivity and discretion, be insisted upon. This may be accomplished, among other ways by:
 - Personal identification of the visitor by someone in the school
 - Production of a driver's license
 - Verification of information given by the visitor against information contained in school records; and
 - In the case of an immigration officer, a legally valid authorized order for the apprehension of the pupil.
6. Visitors not known to the Principal or Vice-Principal of the school shall be requested to produce proper identification and to follow the access procedures of reporting to the office upon arrival. Such persons will be requested to sign the Visitor's Book, stating name and reason for the visit.
7. Those individuals who are permitted on school premises in accordance with regulation 1 are not entitled to have access to all areas of the school premises. The Principal shall determine access to pupils in a classroom.
8. In accordance with O. Reg. 474/00, where a Principal, Vice-Principal, or another individual with delegated authority concludes that a person's continuing presence on school premises is detrimental to the safety or well-being of anyone on school premises, that person is not permitted to remain on school premises. If necessary, the Principal may issue a Trespass notice in accordance with the Trespass to Property Act
9. The Director, the Principal, the Vice-Principal or a teacher following consultation with the Principal, may invite visitors to make instructional or other presentations to and for the benefit of the pupils or the staff of the school. Presentations must be in harmony with the Mission and Vision Statement and Multi-Year Strategic Plan of BSA. For this reason, appropriate staff are required to scrutinize the aims, objectives and methods of those invited to make presentations in the school.

10. The Principal will normally cooperate with a custodial parent or guardian who wishes to visit with one or more of his/her children at the school. This cooperation will generally be extended to a person who has been authorized by the custodial parent/guardian to act in his or her place. Such authorization must have been received in writing or verbally by the Principal or Vice-Principal. When the Principal or Vice-Principal receives an authorization verbally, such authorization must be witnessed by another staff person and verified in writing as soon as possible.

11. The Board permits access to students by the Toronto Police Service in accordance with the Police/School Board Protocol. Where Police wish to interview a student, whether as a suspect, victim, or witness, the following rules apply:
 - The Principal will promptly contact the parent or guardian to advise that the Police have requested an interview and invite the parent or guardian to be present.

 - Where the Police request that the parent or guardian of the student not be advised of the Police request for the interview, the Principal may permit an interview to take place in the school and without prior parental consent. The Principal has the discretion to permit such an interview as long as this option is exercised within the parameters of the Police/School Board Protocol.

 - If the parent cannot or will not be contacted prior to an interview, the Principal, Vice-Principal or teacher in charge must be present in the interview to act "in loco parentis" during the interview

 - The Police have an obligation to advise a student of his or her rights under the Charter of Rights and Freedoms and the Youth Criminal Justice Act. As part of the duty to act in loco parentis, the Principal, teacher, or other person present at the interview shall request the Police officer to explain these rights to the student.

12. In the case of a student who is a ward of the Crown or a Children's Aid Society, all of the above Regulations that deal with the access to the student apply.

13. Children's aid societies have an obligation by law to afford protection to children in need thereof, and for this purpose, have the power to apprehend such children. When investigating suspected child abuse, the Abuse Team (Children's Aid Society and Police Officer) may determine that it is in the child's best interest that the interview take place without prior knowledge, presence and consent of the parents.

14. Not-for-Profit individuals and organizations may approach the Principal for approval for access, provided the students receive a beneficial learning experience.

15. The Principal may use volunteers in the school to assist staff with school activities.
 - Volunteers will perform such duties as assigned by the Principal and without remuneration.

 - All volunteers who will be assisting students on a regular basis will be required to complete the Confidentiality form and must have submitted a current Criminal Background Check with Vulnerable Sector Screening (see Police Record Check Reform Act - Nov 2018) before the commencement of the assignment.

 - Parent volunteers may not be permitted to work in the classroom of their own child on a regular basis, subject to the discretion of the Principal.

 - The cost of the background check is at the volunteer's expense, although the Principal has the discretion to assume the costs when deemed appropriate.