

<b>Policy:</b>	Refusal of School Admission	PROG-325
<b>Division:</b>	PROGRAMS	
<b>Cross Reference:</b>	GOV-101 – Student Appeals PROG-303 - Child Protection PROG-304 – Traumatic-Critical Incidents PROG-307 - Police Investigations PROG-310 – Student Records PROG-311 – School Zoning, Student Registration and Transfers HR-800 – Respectful Workplace-Harassment Prevention and Resolution HR-811 – Prevention of Workplace Violence	

## **ADMINISTRATIVE PROCEDURES/REGULATIONS**

### **Principal**

1. Upon receipt of a complaint, the Principal will ask the complainant or her/his family member to document any concerns she/he has with respect to her/his safety or well-being (physical or mental), while attending school due to the complaint and the possible presence of the accused student in school.
2. The Principal will inquire as to whether the complainant or her/his family member has reported the alleged incident to police and whether the police have commenced an investigation into the complaint or whether any charges have been laid.
3. If charges have been laid, the Principal will inquire if the family has been made aware of any undertakings that the accused has been placed under in relation to the complainant, and document those undertakings, if they exist.
4. Immediately advise the Regional Assistant Director of Education-Programs of the complaint and discuss options to address any concerns the complainant or her/his family members have raised with respect to the complainant's safety and well-being (physical or mental), while attending school with the accused student. Such options will be discussed with the complainant and her/his family.

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5. Advise the CEO/Director of Education in writing of the complaint, and provide all information the Principal has gathered, including any information relating to any criminal investigation; charges or undertakings in place; concerns raised by the complainant or her/his family with respect to the complainant's attendance at school with the accused student, and details of all options that have been considered within the school to address those concerns. Copies of all documentation that has been gathered or created by the Principal should be provided to the CEO/Director of Education.
6. Advise the CEO/Director of Education of options available for an alternative educational program for the accused student should the CEO/Director of Education determine that the presence of the student in the school would have a detrimental impact on the physical or mental well-being of the complainant.
7. If a decision is made by the CEO/Director of Education to refuse a student admission to school under the Act, (s.35.1), the principal, following direction from the CEO/Director of Education to provide alternate delivery of the educational program for the student, will work with the student and the student's family to finalize an alternative delivery of educational program with the required supports.
8. If a decision is made by the CEO/Director of Education to refuse a student admission to school under the Act, (s.35.1) the principal will continue to provide to the CEO/Director of Education any information she/he receives in relation to the complaint, including any changes in information originally provided. The principal will, in consultation with the Guidance Counsellor or Educational Psychologist and the Regional Assistant Director, follow up with the families of the complainant, and the accused student, to determine if there is any change in circumstances that would be relevant to determining whether the accused student should continue to be denied admission to school.

**CEO/Director of Education**

9. The CEO/Director of Education will review all relevant information that is available in relation to the complaint when determining whether a student should be refused admission to school under the Act (s.35.1). This will include, but not be limited to, information received from the complainant and her/his family and the accused student and her/his family; any information received from law enforcement, or prepared as part of the law enforcement process; any information received by school and district staff, and any information relating to available options to address identified concerns with respect to harm to students or staff from the presence of the student in school.

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10. The CEO/Director of Education will confirm that an investigation has commenced into the reported complaint or that charges have been laid. Confirmation may include a police file number; court order, or other documentation. Where this information has not been provided to the Principal, such information will be requested from the appropriate law enforcement agency.
11. When a decision is made by the CEO/Director of Education to refuse a student admission to school, the CEO/Director of Education will provide notice of the refusal to the student and the student's family in writing. The notice will set out the reasons for refusal, and the right to appeal the decision in accordance with the Act (s.35.1) and the District's Student Appeals Policy.
12. The CEO/Director of Education will direct the Principal and work with the school to provide alternate delivery of the educational program for the student and to work with the student and the student's family to develop an alternative delivery of educational program.
13. The CEO/Director of Education will review the decision for refusal of admission to school within 15 days of the initial date of communicating the refusal, and at least every 15 days following. The CEO/Director of Education will determine whether there has been any change in the status of the criminal investigation, criminal charges, undertakings in place (if any), or any other relevant information provided by the complainant and her/his family and the accused student and her/his family and any other information that would be considered relevant to the decision of whether the student should continue to be refused admission to school. In the event that such information is provided before the 15 days required review, the CEO/Director of Education will consider such information and determine whether it would affect the decision to refuse admission to school at the time the information is provided.

14. Storage and Retention

Any information prepared in accordance with the Youth Criminal Justice Act (YCJA) and disclosed to the District or a school in relation to a criminal investigation or criminal charges of a student including, but not limited to, information provided to ensure compliance with a court order or undertaking concerning interim release following charges, must be kept separate from any other record of the student and must not be accessible to any other person except where authorized under the YCJA. Information received under the YCJA must be disposed of in accordance with the YCJA and/or relevant district policy.

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