

EXCLUSION UNDER THE EDUCATION ACT

**AS 29.0
Section P
June 2014**

Education Act

Clause 265 (1) (m) of the Education Act addresses access to a school or classroom. It provides that it is the duty of a principal of a school:

“Subject to an appeal to the board, to refuse to admit to the school or classroom a person whose presence in the school or classroom would in the principal’s judgment be detrimental to the physical or mental well-being of the pupils.”

In this regard, a principal has the authority to refuse to admit to the school a person whose presence in the school would, in his or her judgment, be detrimental to the physical or mental well-being of the pupils, subject to an appeal to the school board.

In order to appeal this exclusion, a parent/guardian/adult student may write to the Director of Education of the Board. An appeal of the decision to exclude a student must be in writing and the notice of appeal must include the specific reasons for the appeal, including why the party believes that the exclusion should not have been imposed.

APPENDIX A
EXCLUSION LETTER
(For Students in Exceptional Circumstances)

DELIVERED BY HAND or REGISTERED MAIL

Insert Date

Insert Name of Recipient
Insert Recipient's Address

Dear *Insert Recipient's Name*:

Re: *Insert Name and Address of the School*

The *Education Act* authorizes a principal to refuse to admit to the school a person whose presence in the school would, in the principal's judgment, be detrimental to the physical or mental well-being of the pupils, subject to an appeal to the school board.

After careful consideration, in my judgment [Name of Student]'s presence in [Name of School] is detrimental to the physical and/or mental well-being of the pupils of the school. If he/she enters or remains on [Name of School] property, contrary to this notice, he/she may be charged with trespassing under the Trespass to Property Act.

The reasons for this exclusion are:

This exclusion will be reviewed on *[Insert Date]*.

In order to appeal this exclusion, you may write to the Director of Education of the Nipissing-Parry Sound Catholic District School Board. An appeal of the decision to exclude a student must be in writing and the notice of appeal must include the specific reasons for the appeal, including why the person who was excluded believes that the exclusion should not have been imposed.

Yours truly,

Insert Principal's Name/Designate

cc: Superintendent of Education
OSR