



# St. James-Assiniboia School Division

Great Schools for Growing and Learning

M.R. Wake  
Superintendent

C.M. Melville  
Secretary-Treasurer / Chief Financial Officer

January 17, 2022

No clear reason for this.  
s.231(4)(b) requires a reason to be valid.  
PSA

Dear

Re: Trespassing on St. James-Assiniboia School Division property

I am writing to advise that as a result of your recent conduct, engaging in harassing behaviour and generally disrupting the normal operations of the Division, you are no longer welcome on Division property.

Please be advised that you are prohibited from being on any and all Division property, including École Bannatyne effective immediately.

PSA → Under the provisions of *The Public Schools Act*, section 231(4)(b), any person who has been given an oral or written notice to not trespass on division property shall remain off of school and division premises. Section 231(6) states that any person who contravenes this section is guilty of an offence and is liable on summary conviction.

This next Act does not apply to people with rights but they left that part out.  
PTA → The *Petty Trespasses Act* states that "[a]ny person who enters or in any way trespasses upon lands or premises that are the property of another .... after being requested by the owner .... not to do so .... is guilty of an offence .... and is liable on summary conviction to a fine." Section 1(4)

Any violation of the foregoing will be dealt with directly by the Winnipeg Police Service. PTA

In addition to being barred from attending on Division property, the Division also states that you are not to contact any employees of the Division until further notice. We strongly encourage that you immediately cease and desist attending at the private residences of any school division employee(s) and have instructed our employees to contact the police, should you disregard this directive.

Please treat this matter with the utmost importance and govern yourself accordingly. Your anticipated cooperation is appreciated.

Sincerely,

Mike Wake, Superintendent

C. David Simpson, Fillmore Riley LLP



# St. James-Assiniboia School Division

*Great Schools for Growing and Learning*

M.R. Wake  
Superintendent

C.M. Melville  
Secretary-Treasurer / Chief Financial Officer

January 17, 2022

Winnipeg, MB

*mailed: June 2, 2022*

*Received: June 6, 2022*

Dear

This letter is to follow-up with you on the Trespass letter that was hand delivered to you and dated January 17, 2022.

Please be advised that you continue to be prohibited from being on all Division property, including École Bannatyne. As such, any application to the position of lunch supervisor would not be accepted. In addition, attendance at any school events, inclusive of volunteer work or parent/guardian events would be at the sole determination of the St. James-Assiniboia School Division Superintendent or designate.

As your children approach the year-end events at École Bannatyne, we will communicate with you prior to any year-end celebrations if you are permitted to attend an event at the school as a one-time only exception. It is our expectation that you continue to comply with the trespass and communication plans in place so that there is an opportunity for such an exception to be granted.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Wake".

Mike Wake, Superintendent

C. Jenness Moffatt, Assistant Superintendent, Education (K-12), Student Services and Administration



# St. James-Assiniboia School Division

Great Schools for Growing and Learning

J.M.T. Moffatt  
Acting Superintendent

C.M. Melville  
Secretary-Treasurer / Chief Financial Officer

September 16, 2022

Public Copy

#1699375

VIA EMAIL

This letter further escalates the attack and strips away more Parental Rights. All without reason or merit.

This is a follow up to the no trespassing letters that were sent to you via email and registered mail on January 17, 2022 and June 2, 2022 as well as hand delivered to you on June 2, 2022 that specifies that you are prohibited from trespassing on all St. James Assiniboia property until further notice. This trespass letter remains in effect for the 2022-2023 school year. Please take note that the no trespassing order is inclusive of any school events, before, during, and after the school day on all division property.

Under the provisions of *The Public Schools Act*, section 231(2)(a)(b), No person shall disturb or interrupt a school, a class in a school, or an activity of a school by his or her actions on school premises or near school premises; or trespass on school premises. Section 231(4)(b), any person who has been given an oral or written notice to not trespass on division property shall remain off of school and division premises. Section 231(6) states that any person who contravenes this section is guilty of an offence and is liable on summary conviction. *This cookie cutter letter leaves no room for a reason. Arbitrarily stripping Parental Rights.*

*The Petty Trespasses Act states that "[a]ny person who enters or in any way trespasses upon lands or premises that are the property of another ... after being requested by the owner .... not to do so .... is guilty of an offence .... and is liable on summary conviction to a fine." Section 1(4) of this Act has an exception for people with Rights, but that has been "left out" of this cookie cutter Letter.*

Here they ramp up the attack. Again without reason.

To plan proactively for your involvement in the school lives of your children who attend schools in our division, the following guidelines will be put into place:

- If you have any concerns or questions regarding your children's school progress at any of the schools where your children attend, a telephone call to the school office to speak to the Administrator will be the primary method of communication.
  - o École Bannatyne: S. Melo (Principal)
  - o École Ness: A. Eyjolfson (Vice Principal)

They will direct your inquiry to the appropriate teacher/staff.

- Alternative communication (such as a telephone call or online TEAMS meeting) will be put into place for regularly scheduled Triad conferences.

This generic libel is written this way to be used against anyone. Who will get this letter next?

I understand that these conditions are limiting to you, however, in response to disruptive behaviour you have demonstrated with staff in the past year, these guidelines will ensure appropriate boundaries are in place. Conditional on your behaviour and adherence to this plan, I look forward to considering reassessment of the trespass order in the future. Please treat this matter with respect and importance.

Sincerely,



Jenness Moffatt  
Acting Superintendent

This a matter of Public concern.

- cc. J. Buckwold, Acting Assistant Superintendent, Education (K-12), Student Services and Administration  
S. Melo, Principal, École Bannatyne  
R. Boyko, Principal, École Ness  
A. Eyjolfson, Vice Principal, École Ness

This letter 8 months later further ramps up the attack. All the while, following their instructions.

Was following the SJASD's instructions not the response they were hoping for???

Note: There is **no reason(s)** for decision. This letter from the School Board of Trustees is **arbitrarily stripping Parental Rights** without judicial process or informing why.



## St. James-Assiniboia School Division

*Great Schools for Growing and Learning*

J.M.T. Moffatt  
Acting Superintendent

C.M. Melville  
Secretary-Treasurer / Chief Financial Officer

January 16, 2023

#1727666

**VIA EMAIL**

Winnipeg, MB  
Email: \_\_\_\_\_

Dear Mr.

Thank you for your preparation for presenting to the St. James- Assiniboia School Division Board of Trustees as a delegation on December 6, 2022. Your request that the Board review the current Trespass Letter that bans you from Division property was carefully considered. See below for the outcome of your request:

- **The Trespass Order stands as written until after Spring Break 2023.**
- **Commencing April 3, 2023**, the Trespass Letter would continue to be in place with the following exceptions, which permits you to attend the following described events:
  - Your children's student TRIAD/parent-teacher conferences,
  - Your children's school concerts in which your child is performing, or their work/performance is on display.

If you are able to govern yourself accordingly, a full lifting of the Trespass Order would commence the first day of school, **September 5, 2023**. Prior to this reinstatement, you would be required to meet with Senior Administration for mediation and planning forward.

In response to your request, Senior Administration would like the opportunity to meet with you as soon as possible in January 2023 to discuss this plan. Please contact Gillian Muir, extension 2010 to schedule a time to meet.

Thank you for your time and presence at the Board meeting.

Sincerely,

A handwritten signature in cursive script that reads "Cheryl Smukowich".

Cheryl Smukowich  
Board Chair

cc. J. Moffatt, Acting Superintendent

---

2574 Portage Avenue, Winnipeg, Manitoba, R3J 0H8

Telephone: 204-888-7951

Fax: 204-831-0859

www.sjasd.ca