



# SUNSHINE COAST SCHOOL DISTRICT 46

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January 30, 2026

Lisa D.S. Bildy, JD, BA

Libertas Law

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Delivered via email to: bildy@libertaslaw.ca

Dear Lisa D.S. Bildy,

Re: Lara Yates Section 177 Appeal:

I am writing further to your letter of January 13, 2026 appealing the direction issued to Ms. Yates pursuant to s. 177 of the *School Act* which was set out in a letter from Rae dene Pednaud (the “Principal”) to Ms. Yates dated December 5, 2025 (the “Direction”). I am providing my written decision and reasons, consistent with the appeal process outlined by the Superintendent’s office.

In reaching this decision, I have reviewed:

- your January 13, 2026, correspondence and attachments, which include the Principal’s December 5, 2025 letter and s. 177 direction;
- the Principal’s description of events, impact and rationale dated January 23, 2026 (the “Principal’s Description”); and
- the written response to the information that you provided on January 28, 2026.

After reviewing the information, I am upholding the Principal’s Direction under section 177 of the School Act on December 5<sup>th</sup> 2025.

Section 177 provides that a person must not disturb or interrupt the proceedings of a school or an official school function and authorizes the principal (or designate) to direct a person to leave school premises, with re-entry only by prior approval.

Based on the Principals' Direction and the Principal's Description, I find that the conduct on December 4, 2025 by Lara Yates did disturb and interrupt an official school function and had a significant impact on the learning community, including distress, a diminished sense of safety for some attendees, and the need for immediate and ongoing supports. This disruption was not trivial in its impact, and it occurred in a setting that included students, families, staff, and community members.

While the behaviour occurred during the event, removing the individual immediately was assessed as likely to escalate the situation and create additional disruption and harm to the learning community. The direction under section 177 was therefore issued the next day, as soon as it could be done safely and effectively, while still addressing the disruption and protecting the school community. Section 177 requires that a person leave immediately once a direction is given; it does not require that a direction be issued at the moment of the incident.

Importantly, the school's rationale for the Section 177 direction was grounded not only in the incident itself, but also in the ongoing impact, the risk of recurrence based on the circumstances, and a broader pattern of escalating conduct in communications and at prior events.

You have referred to Ms. Yates's fundamental freedom under s. 2(b) of the *Canadian Charter of Rights and Freedoms* to hold and express her opinions and beliefs about public education. I acknowledge that Ms. Yates has a right to these freedoms. However, *Charter* rights are not absolute. Section 1 of the *Charter* confirms that rights may be subject to reasonable limits, prescribed by law, that can be demonstrably justified in a free and democratic society. *Charter* rights may also be subject to limitations in discretionary decisions that, when balanced against a statutory objective, are proportionate in nature.

In making my decision, I have considered your submission that there is an expressive interest at issue and I have balanced that interest against the statutory objective of maintaining a safe and orderly environment during a school-related event. The conduct in question was extremely disruptive and upsetting, occurred during the school day, with students and school staff present, and had a significant impact on the learning community. It was also clear to the principal based on the surrounding circumstances that there was a risk this behaviour would continue in the future. Accordingly, the Section 177 Direction was aimed at preventing further disruption and harm within the school community and in my view represented a proportionate balancing of any expressive rights or interests engaged and the statutory objective of maintaining a safe and orderly environment during a school related event.



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For these reasons, it is my decision that the appeal is denied and the section 177 Direction is not overturned.

I recognize that exclusions of a parent from school property can be difficult and can feel significant. However, Ms. Yates is reminded that the Direction does not prevent her from transporting her child to and from school provided she does not contravene the Direction. The Direction similarly does not prevent Ms. Yates from communicating with staff, although she must take direction from the Principal concerning appropriate communications. Finally, the Direction does not prevent Ms. Yates from holding or expressing her beliefs provided she does not enter school property to do so. The intent of upholding the Direction is to ensure that school operations and school events remain safe, respectful, and centered on students.

If you have concerns with respect to the fairness or process relating to the issuance of the Direction and of my decision herein, those should be directed through the office of the Ombudsperson.

As a separate matter, I would like to meet with Ms. Yates so we can speak of the continuity of learning for her children.

Sincerely,

Jennifer Roberts

Assistant Superintendent of Schools

School District 46 – Sunshine Coast