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## ADMISSION OF ORDINARILY RESIDENT STUDENTS

### Background

The status of a parent (or legal guardian) must be evaluated prior to applying this resident review. Students whose parents (or legal guardians) have a status of Canadian Citizen, landed immigrant, convention refugee, refugee claimant, protected person, applied for landed immigrant status, admitted under a K-12 teacher exchange, diplomat, Minister's permit, work permit or study permit are considered eligible for provincial funding.

The reporting of students for funding from the Provincial Government requires consistent procedures to determine that the student is ordinarily resident in the District. This Administrative Procedure sets out the guidelines to determine that the student is ordinarily resident.

All persons of school age (as defined in the *School Act*) who are resident within the boundaries of the District, and whose guardian(s) are ordinarily resident in British Columbia, are entitled to enroll in an educational program provided by the District. Such students will be provided free of charge with the services and materials set out in section 82(1) of the *School Act*. This Administrative Procedure outlines the criteria for guardianship and residency.

### Definitions

Ordinarily Resident: Districts must determine, in a fair and even-handed manner, whether an applicant falls within the definition of "ordinarily resident" for the purposes of Section 82 of the *School Act*. (Public School Policies: Eligibility of Students for Operating Grant Funding: revised March 18, 2013)

School Age is defined in the *School Act* as a person who has or will have attained the age of five (5) years on or before December 31 of that school year and who has not attained the age of nineteen (19) years before July 1 in the year of application.

### Procedures

1. The District will determine a student is ordinarily resident if both student and parent (or legal guardian) have a permanent place of residence and an ongoing physical presence in British Columbia.
2. The place of residence for the student shall be determined by the place where the parent (or legal guardian) is ordinarily resident unless there is satisfactory evidence that the student's ordinary residence is different.



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3. A legal guardian is the parent(s) or a person appointed by a Canadian court order. A letter from the parent is not sufficient to designate a person as a legal guardian.
4. For the purposes of delivering distributed learning services, a student is ordinarily resident in the province of British Columbia if the student and the parent (or legal guardian) are ordinarily resident in the province.
5. A student may be temporarily absent from the residence of the parent (or legal guardian) but there must be clear documentation that the student will be returning to the parental home at the end of the absence. Students on exchange, athletes competing at elite levels and students involved in extended travel may be considered ordinarily resident.
6. The District will use Ministry of Education criteria in determining residency.
7. Registration for students new to the District who are in elementary grades will occur at the District Office.
8. Registration for students new to the District in secondary grades will occur at the school.
9. Proof of residency of the student new to the District and/or his/her legal guardian(s) who are Canadian citizens, who have or have applied for refugee status, or who have or have applied for permanent resident status, will be required by the District staff or Principal/Vice-Principal at the time of registration.
  - 9.1. Proof of residency will be the BC Service Card and if not available, one of the following:
    - 9.1.1. BC Driver's License.
    - 9.1.2. BC ID Card.
    - 9.1.3. Recent property tax statement.
    - 9.1.4. Purchase agreement for the purchase of a new home.
    - 9.1.5. A utility statement outlining the owner's name and address.
    - 9.1.6. Formal rental or lease agreement.
    - 9.1.7. A utility statement outlining the renter name and address.
    - 9.1.8. At least two of these documents must also contain proof of current address.
10. Parents who are not Canadian citizens, do not have or have not applied for refugee status, or do not have or have not applied for permanent resident status must use the Provincial Funding Eligibility Checklist to determine funding eligibility. The checklist is available at the District Office and through the District website.
11. **Administrative Procedure 305 – Student Registration and Attendance Area Boundaries** will apply for determination of school catchment area.



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12. Information on visiting students is to be forwarded to the Director of Instruction, Learning and Innovation for approval.

13. In all cases residency and eligibility determination will be made in reference to Ministry of Education criteria.

Reference: Sections 2, 3, 4, 7, 20, 22, 23, 65, 74.1, 75, 75.1, 82, 85 *School Act*  
School Regulation 265/89  
K-12 Funding and Eligibility of Students for Operating Grant Funding  
Students From Refugee Backgrounds: A Guide For Teachers and Schools

Adopted: May 18, 2022

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