

BOARD OF EDUCATION

SCHOOL DISTRICT NO. 35 (LANGLEY)

POLICY MANUAL

Policy No. 7009

SUBJECT: ENTRY TO AN EDUCATIONAL PROGRAM

Date
Revised 14 03 11 18 06 19

A student who resides in British Columbia shall be eligible to enroll in an educational program provided by the Board of Education in keeping with the provisions of Section 82 of the *School Act* without payment of fees if they are ordinarily resident in the province. The term *ordinarily resident* is defined as residence in the daily life of the student, as opposed to special or occasional residence. It requires that the parent/legal guardian makes, or intends to make his/her permanent home in British Columbia. The courts have interpreted the term “ordinarily resident” in this context by assessing whether the parent/legal guardian has:

- A ‘settled purpose’ for taking up residence in the community; and,
- There is sufficient continuity of residence, despite temporary absences.

For acceptance into an educational program and upon registration, the parent or legal guardian will be required to provide proof of their citizenship status and their British Columbia residence address, as well as the child’s age,.

While a single indicator alone is not enough to establish residency for the purposes of Section 82 of the *School Act*, the larger the number of positive indicators as listed below, the more likely it is that the parent/legal guardian qualifies as a resident of British Columbia for the purpose of receiving Ministry funded public education:

- Ownership of dwelling or long-term lease or rental of dwelling
- Residence of spouse, children and other dependent family members in the dwelling
- Legal documents indicating British Columbia residence
- Provincial driver’s license
- Employment within the community
- Parent or legal guardian filing income tax returns as a British Columbia resident
- Provincial registration of automobile
- Canadian bank accounts or credit cards
- Links to community through religious organizations, recreational and social clubs, unions and professional organizations
- Subscriptions for life or health insurance, such as MSP coverage
- Business relationships within the community

Likewise, while none of the factors alone are sufficient, the larger the number of negative indicators as set out in the following list, the more likely it is that the parent/legal guardian will not meet the qualifications to receive Ministry funded public education for their child:

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- Residence of parent/legal guardian and/or family home in another jurisdiction, even if the student has a BC legal guardian
 - Existence of another dwelling outside of British Columbia where the person and/or their family regularly resides
 - Foreign bank accounts or credit cards
 - Parent or legal guardian's employment in another jurisdiction
 - Parent or legal guardian filing income tax returns in another jurisdiction
 - Identification documents from another jurisdiction
 - Substantial ties with a former country or place of residence

A student who resides in British Columbia whose parent(s)/legal guardian(s) do NOT meet the criteria of being ordinarily resident in the province shall still be eligible to enroll in the educational program provided by the Board of Education, however, payment of all fees may be required. (See Policy No. 7002 – Admission of International Students)

Decisions regarding the entry of a student into an educational program are determined by School District staff. Should there be any dispute as to whether a student meets criteria for Ministry of Education funding, a parent/legal guardian may appeal the decision to the Superintendent or designate. (See Policy No. 1205 – Student – Parent Appeals)

1. The parent or legal guardian of a child wishing to enroll in an educational program for the first time in School District No. 35 must present verification of the child's birthdate from one of the following documents at the time of registration:
 - a) Birth Certificate
 - b) Certificate of Citizenship
 - c) Certificate of Indian Status
 - d) Court Order
 - e) Canada Immigration Documents
 - f) Passport
 - g) Permanent Resident Card
 - h) Driver's License

2. Parents/legal guardians must provide proof of their citizenship status by producing one of the following documents:
 - a) Birth Certificate
 - b) Certificate of Citizenship
 - c) Certificate of Indian Status
 - d) Canada Immigration Documents
 - e) Passport
 - f) Permanent Resident Card

3. At the time of registration, parents/legal guardians must provide proof of residency by providing one of the following clearly showing the same parent names and residence address as on the registration form:
 - a) British Columbia Driver's License
 - b) Mortgage Statement
 - c) Municipal Tax Bill
 - d) Utility Bill
 - e) Subject-Free Home Purchase Contract (with a move-in date within six months)