

STUDENTS

Registration of Resident And Non-Resident Students

1.0 This Procedure Should be Followed When Registering All Students

1.1 Before registering any student, have the parent/guardian complete an **Application for Direction of School Support**; send this form to MPAC at P.O. Box 9808, Toronto, ON M1S 5T9 or courier deliveries to 601 Milner Avenue, Suite 200, Scarborough, ON M1B 6B8.

1.2 Determine whether the student was born in Canada.

If the student was born outside of Canada, collect the following documents:

- Immigration documents confirming the **date-of-entry to Canada** (for Landed Immigrants, IMM 5292, IMM 1000 or Permanent Resident Card (copy both sides of PRCard)).

AND

- the student's birth certificate showing **country of birth** and **birthdate**.

In all other situations, refer the student to Accounting & Finance Department - Non-Resident Clerk.

1.3 Refer to Procedure: *Permission to Enrol a Resident Internal Student*, for Resident "Out of School Area" students.

1.4 Contact the Non-Resident Clerk, 666-5500, ext. 5497, for the following issues:

- Aboriginal students
- If there is any question regarding the status of the student, contact the Non-Resident Clerk

1.5 Ensure that all permission letters have been renewed for any non-resident student before registering the student for the following school year. Renewal letters are issued by the Non-Resident Clerk upon payment of non-resident tuition fees paid by the parent/guardian.

The attached guidelines are provided to assist Principals and school secretaries with the registration of resident and non-resident students.

2.0 Guidelines for Registering Students

- 2.1 The following guidelines will assist School Secretaries and Principals when dealing with the following situations:

REFERENCE:

- 3.0 (a) Determining whether a student is resident or non-resident
- 3.0 (b) Custody and Guardianship
- 3.0 (c) Students who change addresses but remain at same school
- 3.0 (d) Hockey players - Oshawa Generals
- 3.0 (e) Non-Fee Paying Foreign Students
- 4.0 (a) Aboriginal Students
- 4.0 (b) Students Entering Durham from Outside Canada
- 4.0 (b) (i) Visa Students: Student Authorization
- 4.0 (b) (ii) Visitors from outside Canada
- 4.0 (b) (iii) Student Exchanges
- 4.0 (c) Non-resident Students from a Striking Board
- 4.0 (d) Renewing Letters of Permission to Register
- 4.0 (e) Families moving from Durham at various times of the year
- 4.0 (f) Education of persons unlawfully in Canada
- 4.0 (g) Special circumstances

3.0 Registering Resident Students

- (a) RESIDENT STUDENTS

A Resident Student is one who:

- resides with his/her parents or with a person who has lawful custody* of the student *in the province of Ontario*;

OR

- is 16 or 17 years old and who has withdrawn from parental control to attend school in the area in which they are living rather than where their parents live;

AND,

- is 18 years of age or over;

Students who meet the above criteria are not required to pay fees.

- (c) *CUSTODY AND GUARDIANSHIP

For the purposes of determining Guardianship and Residency, for school registration purposes, where the person(s) seeking to register the student is other than a custodial parent, that person must provide at the time of registration, a copy of a Court Order, which assigns Custody or Guardianship to such person(s); in addition the school administration would satisfy itself that the student does in fact reside with the person who has custody and/or has been assigned Guardianship, and that that person is also a Durham resident (as per section 33, sub-sections (1) and (5) of the Education Act.)

A letter from a lawyer signed or apparently authorized by the Custodial parent, or from the Custodial parent directly, purporting to assign or give permanent or temporary custody or guardianship to another person will not be considered adequate for the purposes of defining lawful custody or guardianship or residency, thereby creating an entitlement to register the potential student.

SPECIAL CIRCUMSTANCES

There may be circumstances however where the/a person(s) seeking to register the student purports to have custody and/or guardianship pursuant to, or indicates a willingness to provide, an apparently legal contract or agreement, duly executed by both the custodial parent(s) and the other party/person, which assigns custody and/or guardianship to that other person.

Such situations, should they arise, should be referred through the appropriate Area Administrative Officer to the Superintendent of Education/Operations for approval. There may be certain special personal circumstances where such an arrangement may be considered acceptable for registration and grant purposes. Such requests should be accompanied by some explanation of the personal circumstances leading to the request, and a copy of the supporting contract/agreement should also be provided. If the contract/agreement does not specifically refer to and similarly assign decision-making authority in relation to field trips, etc. to the second party, a "Consent to Guardianship" should also be provided (See Appendix A). These agreements will only be approved, for school registration purposes where:

- (a) there is a legitimate personal circumstance, such as family illness or other appropriate grounds.
- (b) the Superintendent is satisfied that the person seeking to register the student resides within the boundaries of the DDSB;
- (c) the Superintendent is also satisfied that the potential student resides with that person; and
- (d) there is no evidence that the arrangement is being advanced as part of a commercial, for profit, activity.

(d) REGISTERING ALL STUDENTS

- (i) Before registering any student, the Student Registration form must be completed for all students being registered in any school, including students transferring from one Durham school to another.
- (ii) **BOUNDARIES:**
When registering students, particular attention should be paid to the fact that many addresses in the Durham Region are not within the boundaries of the Durham District School Board. If necessary, addresses may be checked with the Planning Department.
- (iii) *"Home School" is defined as the school designated for student attendance by the Durham District School District based on student address and school boundary. Refer to Procedure #5080.*

(d) HOCKEY PLAYERS - OSHAWA GENERALS

Major Junior and Junior Hockey Players living with families who qualify as residents may be registered as resident students. Contact the Area Superintendent's Office.

(e) NON-FEE PAYING FOREIGN STUDENTS

(i) Require Authorization

The following require letters from the Non-Resident Clerk before registration:

- a student under the lawful custody of a permanent resident within the Durham District School Board;
- a student who is in Canada while his/her parent or other person who has lawful custody is in Canada pursuant to employment authorization or ministerial permit issued by the Department of Employment and Immigration;
- a student whose parent/guardian is under a diplomatic, consular or official acceptance issued by the Department of External Affairs;
- a student who is a dependent within the meaning of the Visiting Forces Act and living in the jurisdiction;

(ii) No Authorization Required (as per PPM 136)

- children of Refugee Claimants (collect documentation pertaining to date-of-entry to Canada (IMM 1442 - Refugee Protection Claimant Document), country of birth and birthdate)

All of the above are considered resident-internal students once registered.

4.0 REGISTERING NON-RESIDENT STUDENTS:

(a) ABORIGINAL STUDENTS

Reserve land is tax exempt land. Natives (status and non-status) and Non-Natives who live on the reserve are classed as non-resident students who have their fees paid by the First Nations Education Authority.

Refer all cases to the Non-Resident Clerk.

(b) OUT OF COUNTRY STUDENTS

(i) Visa Students: Student Authorization

All foreign students arriving in Canada on a Student Visa/Student Authorization must pay tuition fees in advance in order to attend a Durham District School Board school. Refer all cases to the Non-Resident Clerk.

(ii) Visitors:

A visitor's Visa is not the same as a Student Visa.

Visitors from out of the country must not be allowed to register children of school age in a Durham school. Refer all cases to the Non-Resident Clerk.

(iii) Student Exchanges

Student exchanges should be co-ordinated with the Area/Superintendent/Administrative Officer.

(c) NON-RESIDENT STUDENTS FROM A STRIKING BOARD

Students who wish to attend a Durham District School Board school because their own School Board is on strike are accepted only under the following conditions:

- The Durham District School Board has made a determination to accept qualifying students from the Striking Board;

OR

- the parent/guardian has a residence in our jurisdiction and moves into this residence with the student. Tuition fees and a letter of permission would not be required and the student would be accepted.

OR

- a person living within our jurisdiction gains lawful custody of the student.

(d) RENEWING LETTERS OF PERMISSION

All letters of permission allowing non-resident students to attend a Durham District School Board school are issued for a maximum of one school year. As a result, these students (or their parents) must arrange with the Non-Resident Clerk to renew the letters, usually in April/May. Schools should not register these students before a renewal letter is provided.

(e) STUDENTS WHO BECOME NON-RESIDENTS DURING THE SCHOOL YEAR

Students who have started the school year in a Durham District School Board school, and move after September 30th, may be allowed to finish the school year and will be required to fill out the Permission to Enrol Out of Area form (Secondary or Elementary). The Principal is to advise the student and parents by letter with a copy to the Administrative Officer, that if the student wishes to continue the following year, the Permission to Enrol Out of Area form must be completed and approved by the Principal and Area Superintendent/Administrative Officer.

(f) EDUCATION OF PERSONS UNLAWFULLY IN CANADA

P/PM No. 136 states:

"Section 49.1 was added to the Education Act in 1993 to ensure that minor children are not denied an education because of their immigration status or that of their parents. the section reads as follows:

A person who is otherwise entitled to be admitted to a school and who is less than eighteen years of age shall not be refused admission because the person or person's parent or guardian is unlawfully in Canada."

(g) SPECIAL CIRCUMSTANCES

All non-resident students requesting the waiving of fees because of "special circumstances" should be referred to the Area Superintendent's Office for authorization before registration begins.

Appendix:

Appendix A – Consent for Guardianship

Effective Date

92-06-24

Amended/Reviewed

2007-01-19

2012-10-10

Appendix A

Consent for Guardianship*

Date: _____

Dear _____,
(adult accompanying the student)

The purpose of this letter is to verify that you are currently the adult in care (guardian) of

_____.
(student's name)

You are residing at _____
(full address of student's guardian)

During the time that you are caring for the above named student, you will be requested to authorize field trips, make medical decisions, communicate with the school on the student's progress and agree to the student's participation in extra-curricular activities and all other education-related decisions. You will be entitled to access the student's records and information regarding the student's progress.

In order for the school to have a clear understanding of this arrangement, please have the child's custodial parent sign this letter and return it to the school's office for our records. The school may call the custodial parent named in this letter to verify the authenticity of this arrangement. If at any time this arrangement is changed, please contact the school as soon as possible.

I _____, understand and agree to the
(Print name of guardian)
information provided in this letter. If at any time this arrangement changes, I will contact the school to inform the school's administration of the new arrangement.

(Signature of guardian) (Witness) (Date)

I _____, understand and agree to the
(Print name of custodial parent)
information provided in this letter. If at any time this arrangement changes, I will contact the school to inform the school's administration of the new arrangement.

(Signature of custodial parent) (Witness) (Date)

(Address of custodial parent)
custodial parent) _____
(Phone Number of

* Consent is not required if a Court Order has determined the arrangement.

School Office use only

Date of issuing letter from school office: _____

Date of return of letter to school office: _____

c: Superintendent of Operations