

Title: Age of Majority – Adult Student Rights and Responsibilities

Adopted: 2025-09-18

Effective: 2025-09-18

Amended/Reviewed: 2026-01-08

This procedure must be interpreted, applied, and implemented in ways that uphold Indigenous and human rights and responsibilities, promote accessibility, and prevent and address (and do not reinforce) discrimination/discriminatory barriers.

1.0 RATIONALE

Durham District School Board (DDSB) has legal obligations to protect student privacy and ensure appropriate control over student records when a student reaches the age of majority (18 years) or is an independent minor. This procedure provides clear operational direction and must be interpreted in ways that uphold Indigenous rights, human rights, accessibility, and student dignity.

This procedure is issued under the authority of the Director of Education and supports consistent, legally compliant practices across DDSB schools. It aligns with DDSB's Privacy Policy and applicable legislation.

2.0 DEFINITIONS

2.1 Adult Student: A student 18 years of age or older.

2.2 Independent Minor: For the purpose of this procedure, a student aged 16 – 17 years of age, who has withdrawn from parental control.

2.3 Consent to Share Information: A DDSB form authorizing ongoing information sharing.

2.4 Confidential Information: Ontario Student Record (OSR) contents, attendance, Individual Education Plans (IEPs), behaviour notes, communications, etc.

3.0 RESPONSIBILITY

The Director is responsible for the development, implementation and monitoring of procedures developed to support Board policies.

The Superintendents support implementation and monitor compliance within their portfolios.

Principals ensure school-based implementation, communication, and accurate record keeping.

School staff comply with consent requirements, protect confidentiality, and document appropriately.

4.0 Objective

This procedure outlines the rights, responsibilities, and processes for adult students and independent minors, aligning with the Education Act, Municipal Freedom of Information and Protection of Privacy (MFIPPA), and the Age of Majority and Accountability Act.

This procedure is to be interpreted and applied in accordance with the District's commitment to promoting and upholding Indigenous rights and human rights and the Safe and Respectful Workplace and Harassment Prevention policy in all of its learning and working environments. It strives to ensure lawful, consistent, and respectful handling of student information and decision-making.

5.0 APPLICATION AND SCOPE

This procedure applies to DDSB secondary schools and to all administrators, teachers, guidance, and office staff who manage student information. It applies to adult students, independent minors, and all matters related to student records, consent, and communication.

6.0 Rights and Responsibilities of Adult Students

Adult students:

- Have control of their OSR.
- Make their own educational decisions.
- Determine who is allowed to participate in school communications and educational decisions.
- Are responsible for updating their contact information.
- Must complete and submit the Consent to Share Information Form if they wish school staff to speak with parents or guardians.
- Are responsible for managing all aspects of their education.

7.0 Consent to Share Information and Involve Parents/Guardians

Written consent via the DDSB Consent to Share Information Form is required for ongoing information sharing with parents or guardians.

For specific meetings or individual interactions, consent may be verbal, written, gestured, or provided through assistive or augmentative communication (AAC) tools, and must be documented in meeting notes, communication logs, or

PowerSchool notes.

8.0 Independent Minors

Independent minors are treated as adult students once independence is verified through required evidence such as proof of independent residency, declaration of self-support, or a signed withdrawal form.

9.0 School Operational Expectations

Schools must notify students turning 18, provide consent forms, document consent, and ensure information is handled in accordance with MFIPPA.

10.0 Guardianship and Capacity Considerations

Students aged 18+ are presumed capable. Legal documentation is required to assign decision-making authority.

Acceptable legal documents include:

- A court order granting legal guardianship.
- A power of attorney for personal care or education-related matters.
- A statutory guardianship order under the Substitute Decisions Act.

10.1 Collaborative Support

Where no legal guardianship is in place, but concerns exist about a student's ability to make informed decisions, the school team collaborates with Inclusive Student Services (including Psychological Services for identifying appropriate external supports, not capacity determination) and the student's family or care providers.

10.2 Points of Consideration

Consent may be communicated in various ways, including verbal responses, written communication, gestures, or through AAC tools. Staff must document any consent provided.

Presumption of capacity applies. If a student cannot respond or concerns exist regarding understanding, consult a supervisor.

Use simple, respectful consent questions adapted to the student's communication needs.

11.0 Revocation of Consent

Students may revoke consent at any time. Schools must update records promptly.

12.0 Monitoring and Review

This procedure will be monitored through school and Superintendent oversight and reviewed every five years or earlier, where legislative changes require.

13.0 APPENDICES

Appendix A – Mature Student Report in PowerSchool

Appendix B – Student Notification Template

Appendix C – Consent to Share Information Form

14.0 REFERENCE DOCUMENTS

- 1) Durham District School Board Privacy Policy
- 2) Education Act, R.S.O. 1990
- 3) Municipal Freedom of Information and Protection of Privacy Act, R.S.O 1990
- 4) Age of Majority and Accountability Act, R.S.O. 1990
- 5) Substitute Decisions Act, 1992, S.O. 1992
- 6) Ontario Student Record (OSR) Guideline