

STUDENT ADMISSIONS, CATCHMENT AREAS AND PLACEMENT

Outlined below are the regulations to support the Policy No. 1: District Foundational Statements and Policy No. 21 New Westminster Sanctuary Schools.

Procedures

1. Admissions

Subject to section 74.1 of the *School Act*, a person is entitled to enroll in an educational program provided by the board of a school district if the person is of school age and is resident in that school district. To be eligible for provincial funding, students must be ordinarily resident in BC with their parent/legal guardian.

Schools should directly register students whose parent/guardians are First Nations, Canadian Citizens and Permanent Residents, including those with convention refugee status.

Temporary Residents including refugee claimants, deemed residents, authorized students, and dependents of study permit or work permit holders will be referred to the Newcomer Office to verify their eligibility for admission as fee-paying or non-fee-paying students, and for receipt of an Acceptance Letter, where applicable.

Students who are living in the community without immigration status, are entitled to admission to school as per New Westminster Sanctuary Schools Policy No. 21. Schools will refer such students to the Newcomer Office to determine if fees apply.

2. Eligibility Requirements

2.1 School Age

A student is eligible for admission in September of a school year if the student will have attained the age of five years on or before December 31 of a school year. The student is eligible to continue to receive an educational program until June 30 of the school in which the person reaches the age of 19 years.

2.2 Age Requirements

2.2.1 Acceptable documents establishing proof of age include a Canadian Birth Certificate or foreign birth certificate with certified translation in English.

2.2.2 If a birth certificate is not available other documents used to register a student on an interim basis until the birth certificate is produced include: Canadian Passport, Canadian Citizenship Card, Canadian Citizenship Certificate, Confirmation of Permanent Residence and Passport, Permanent Resident Card (front & back), First Nations Documentation or Band Card, Refugee Claimant document (does not confer status), or Temporary Resident documentation.

See also *Appendix A: Detailed Age Requirement*

2.3 Guardianship

Guardianship is defined by the *Family Law Act*. Persons who are not a child's parents can become that child's guardian either by a court order under Section 30 or by a will under Section 50 of the *Infants Act*.

2.4 Guardianship Requirements

Acceptable documents establishing legal guardianship include a birth certificate naming the biological parents (translated into English if applicable), or Appointed Guardianship documents such as a court order, will, or adoption record.

See also *Appendix B: Detailed Parent/Guardianship Requirements*

2.5 Residency

In accordance with Section 82, of the British Columbia *School Act*, a board must provide instruction free of charge to every student of school age resident in British Columbia and enrolled in an educational program in a school operated by the board. Section 82(2) states a student is resident in British Columbia if the student and the student's guardian are ordinarily resident in British Columbia.

To be eligible for Ministry of Education Operating Grant Funding ("funding"), boards must ensure that students meet age and residency requirements. A board may charge fees for services provided by the board to any applicant not ordinarily resident in BC.

It is a fiduciary responsibility of Boards of Education to 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*. Being resident, in contrast to being present, involves a settled and enduring connection between a person and a place. The term "resident" excludes tourists and casual visitors to a place.

Immigration status is relevant but does not determine ordinary residence. For example, persons who have applied for convention refugee status but not yet received a determination, and persons who have applied for permanent resident status from within Canada, are ordinarily resident in BC if there are other indicators of continuity with the community and residence for a settled purpose other than receiving free public education. Similarly, persons who have relocated from another Canadian province or territory are ordinarily resident if they show sufficient other indicators of continuity and settled purpose.

An applicant for provincial funding must show, on the basis of objective evidence, that they have established a regular, habitual mode of life in the community with a sufficient degree of continuity which has persisted despite temporary absences.

A person who comes to Canada on a time-limited basis and has not taken steps to obtain permanent residence in Canada usually will not be ordinarily resident because he or she has no legitimate expectation of remaining in Canada.

Boards of Education are entitled to scrutinize the purpose for which the person or family has established its residence in the community to prevent an abuse of the system under which higher fees may lawfully be charged.

2.6 Residency Status

- 2.6.1 A parent/guardian who is First Nations, is a Canadian citizen or is a Permanent Resident may register their dependent child at the student's catchment school. Proof of the child's age and identity, authority for guardianship, and residency for the parent and child will be reviewed.
- 2.6.2 Temporary residents in the categories listed below will be accepted on an annual basis. Applicants will need a current Letter of Acceptance from the Newcomer Office.
- a. A student who resides in the District and
 - i. has made a claim for refugee status in Canada and whose claim has not yet been determined, or
 - ii. who is detained in custody in a youth custody centre, or
 - iii. is participating in a one in/one out reciprocal and equal exchange with a non-graduated school age resident student.
 - b. A student who is in the District and the parent/guardian in BC has applied for Permanent Residency from within Canada (i.e. to a Canadian processing centre) and can support the application with an acknowledgement letter from Immigration Refugee & Citizenship Canada (IRCC).
 - c. A student who is in the District with a parent/guardian who can substantiate meeting these criteria:
 - i. has been lawfully admitted to Canada for temporary residence and is authorized to work for a period of one year or more, and is employed for at least 20 hours per week;
 - ii. has been lawfully admitted to Canada and is authorized to study for a period of one year or more, and is enrolled in a degree or diploma program (no certificate programs) at a public post-secondary institution in British Columbia or in a degree program at a private post-secondary institution in British Columbia;
 - iii. has been lawfully admitted to Canada and is authorized to study for a period of one year or more and all of the following conditions apply:
 - o The parent or guardian is enrolled in English as a Second Language (ESL/ELL) program of up to a year in duration at an institution that has an Education Quality Assurance Designation (EQA). The adult student will be deemed resident for up to one year only. Beyond one year, children of an ESL/ELL student will be considered international students and districts may charge international student fees.
 - o The parent or guardian has been accepted to a degree or diploma program at a public post-secondary institution in British Columbia, or a degree program at a private post-secondary institution.
 - o The acceptance to the degree or diploma program is contingent upon the completion of an ESL program.

- d. A student who has been lawfully admitted to Canada and is participating in an educator exchange program with a public school in British Columbia.
 - e. A student who is carrying out official duties under the authority of the Visiting Forces Act or as an accredited diplomatic agent, preclearance officer, consular officer or official representative in Canada of a foreign government with a consular post in British Columbia.
- 2.6.3 Deemed Resident - Students are also entitled to free public education and are eligible for provincial operating grant funding if they belong to one of the categories of persons who have been deemed resident under Section 16 of the School Regulation. These include:
- a. A youth who has entered into an agreement with the director under section 12.2 of the *Child Family and Community Service Act* (the guardian of the student is also deemed resident), and
 - b. An inmate of a correctional centre under the *Correction Act* or a penitentiary under the *Corrections and Conditional Release Act (Canada)*.
- 2.6.4 Students who do not fall into the above categories are required to provide documentation verifying their residency status to determine eligibility for admission as fee-paying students.
- 2.6.5 The Board passed Policy No. 21 New Westminster Sanctuary Schools that ordinarily resident students with precarious or no immigration status shall be welcomed in our schools and information about them or their families shall not be shared with immigration authorities. Schools will refer these students to the Newcomer Office to determine if fees apply.

2.7 Residency Documents

In addition to establishing Citizenship/Permanent Residency in Canada, one primary document and one supporting documents showing residency in the school district is required. Financial details can be redacted:

- 2.7.1 Primary Documentation: Long-term tenancy agreement, property purchase documents, property tax notice with home owner grant eligibility, address verification from a government agency (such as housing shelter), or in case of a shared accommodation, letter from registered owner with proof of ownership attached.
- 2.7.2 Supporting Documentation: Vehicle registration, proof of employment in the community, MSP Health cards, income tax return as a BC resident, or correspondence from a government agency or immigration lawyer.
- 2.7.3 The school's principal or designate has the discretion to seek further documentation if he or she has reason to doubt the authenticity of any document presented to the school. Any registration decisions based on false or misleading documentation can be changed or rescinded at any time by the Superintendent of Schools.

See also *Appendix C: Detailed Residency Requirements*

3. Catchment Areas

The Board of Education (the Board) believes that school catchment area boundaries are necessary for the efficient use of facilities to meet the educational needs of the children of New Westminster. These boundaries may be adjusted from time to time in light of changing demographic patterns. The Board authorizes the Superintendent or designate to make such adjustments. However, the Board believes such changes should not impact families living in the affected area who already have children enrolled in the school concerned. Notice and opportunity for input with respect to proposed boundary changes will be provided to the public at least three months prior to the proposed effective date.

Almost all children should be accommodated in the school serving the catchment area in which they reside (see figure 1: Elementary School Catchment Areas). However, in a case where parents wish to enroll a student in a school other than the one serving the catchment area in which they reside, they may apply to do so in accordance with the procedures.

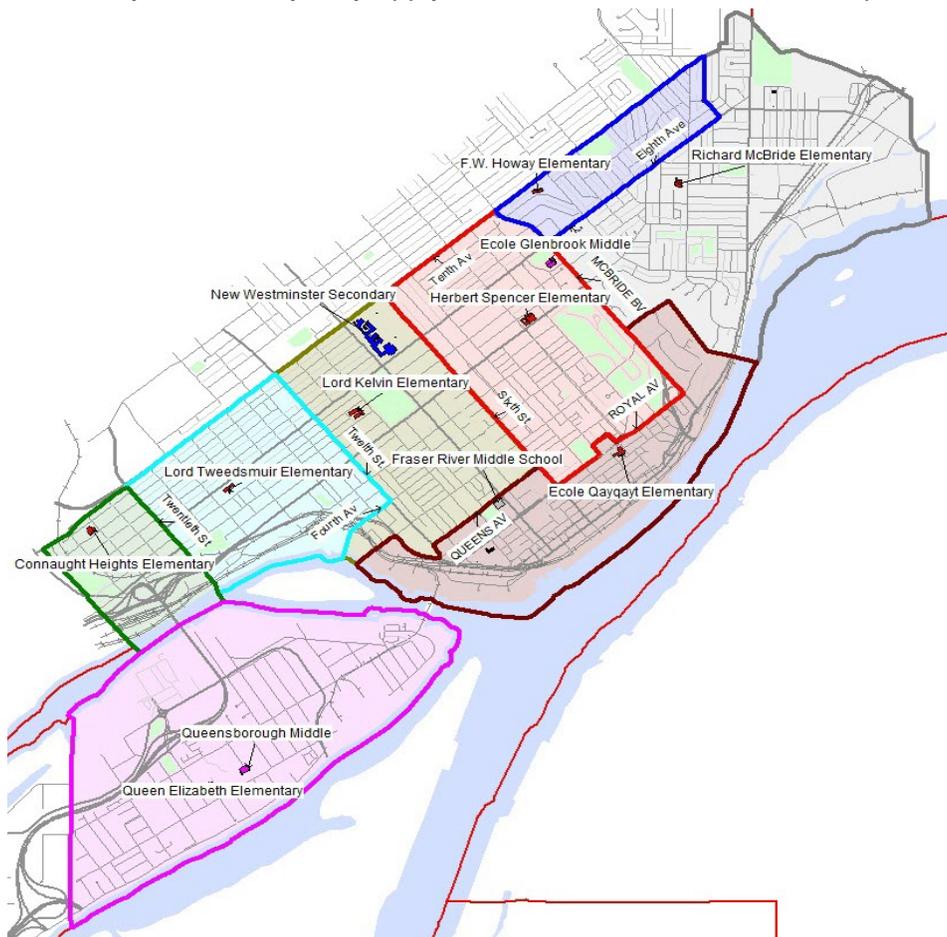


Figure 1: Elementary School Catchment Areas

4. Placement Procedures

4.1 Timeline and Registration

Before the 1st of January in each school year, the Board will establish and publish dates for the submission of applications to enroll at schools for the following school year.

Applications from new students to enroll for the next school year will be received at their catchment school during regular office hours. Parents/guardians must register their child at their catchment school before completing a Programs of Choice, Out-of-Catchment or Out-of-District Application.

4.2 Dates for the receipt of applications from students, as space, facilities, and resources permits, are as follows:

4.2.1 In-catchment area children:

- a. Registration will be accepted beginning the second Monday in January for September school start to the second Friday in March. Registrations received by this date will be accommodated at their catchment school unless the school has been deemed at full capacity by the Superintendent. Schools deemed at full capacity may have limited space in certain grades and placement cannot be guaranteed.
- b. Applications received after second Friday in March are placed on a waiting list.
- c. Application received after the second Friday in March will be accommodated as space allows on a first come first serve basis.
- d. All placements will be confirmed by the first Friday in June.

4.2.2 Out-of-Catchment (but in District) and Out-of-District children:

- a. Applications will be accepted beginning the second Monday in January for September school start to the end of the day of instruction on the second Friday in February.
- b. Admission decisions at the desired school or program may not be made before 3:00 p.m. on the second Friday in June.

4.3 Availability of Space in a School

From time-to-time, due to space limitations, and class size and composition limits, it may be necessary to temporarily limit particular classes, grades or schools to new enrolments. The Superintendent or designate is authorized to make such determinations. Schools at, or approaching, capacity may be designated as 'full' by the district. Management of enrolment at schools designated full will be overseen by the Superintendent or designate.

The acceptance of any out-of-catchment and out-of-district and/or late transfer applicants will be severely restricted and possibly prohibited altogether at these school sites. Parents wishing to enroll their child in the class, grade or school concerned will

be required to enroll the child in the school designated by the Superintendent or designate but will be offered the option of transferring their child to their catchment school if an opening occurs later during the school year. In any case, all such children will be given the option of transferring to the catchment school no later than the beginning of the next school year.

4.3.1 Priority Order

If:

- space, facilities, and resources are determined to be available by the Superintendent or designate in consultation with the school principal; and
- application deadlines and other registration requirements have been met, then enrolment in educational programs in a school will be offered in the following priority order:

1. Continuing catchment students are automatically re-enrolled;
2. Continuing out-of-catchment and out-of-district students are automatically re-enrolled when remaining in the same school and program;
3. New catchment area students;
4. Siblings of out-of-catchment continuing students;
5. Students who are out-of-catchment and who are registered in and attending before and/or after-school childcare at a licensed childcare facility within the catchment area;
6. Students who are out-of-catchment;
7. Siblings of continuing out-of-district students;
8. Students who are out-of-district.

4.3.2 Waitlists will be established for those not accepted immediately, to be maintained until the last day of instruction in September. Re-evaluation of space availability will take place periodically until the last day of instruction in September to ensure that the maximum numbers of requests are met at the earliest time possible.

4.3.3 Out-of-catchment and out-of-district students who attend school in New Westminster and students enrolled in special programs (e.g.) French Immersion, Montessori, etc. are expected to find their own means of traveling to and from school.

5. School Transition

Student who wish to transition as an out-of-catchment or out-of-district student from elementary to middle or middle to secondary must apply to the desired out-of-catchment/out-of-district school.

6. Suspended Out-of-District Students

Enrolment applications from out-of-district students may be refused if the student:

- a. is under suspension from a BC public school or school district, or

- b. has been refused an educational program by a BC public school board under section 85(3) of the *School Act* for refusing to comply with the code of conduct and other rules and policies of the board or has failed to apply himself to his or her studies.

Such applications will be referred to the Superintendent or designate for approval or refusal.

7. Programs of Choice

Applications from new students for available spaces at Programs of Choice will follow the guidelines as per Administrative Procedures 220.

8. Withdrawal from Programs of Choice or District Programs

If a student, who is enrolled in a program of choice or district program (e.g. French Immersion or Montessori), withdraws during the school year, they are expected to return to their catchment school. However, the student may apply for an out-of-catchment placement at the current school of placement. Approval of the request will be based on available space, facilities, and resources.

9. International Students

Student admissions, registrations and placement will follow the policy and guidelines as per Administrative Procedure 301.

Definitions

Age - A student is eligible for admission in September of a school year if the student will have attained the age of five years on or before December 31 of a school year. The student is eligible to continue to receive an educational program until June 30 of the school in which the person reaches the age of 19 years.

Availability of Space in Schools – refers to identifying limitations in program capacity, including consideration of the following factors:

1. operating capacity of the school as defined by the Ministry of Education
2. the physical space in which the instructional programs operate in the school
3. the school staff assigned to the school by the district
4. the ability of the school to provide appropriate educational programs for the applicant and other students

Catchment Area Child – means a person of school age, and resident in the catchment area of the school. For each Programs of Choice (e.g.) French Immersion and Montessori, there are specific catchment boundaries.

Out-of-Catchment Area Child – means a person of school age, and a resident in the school district and non-resident in the catchment area of the school

Out-of-District Child – means a person of school age, resident in British Columbia, and non-resident in the school district.

Guardianship – is defined by the *Family Law Act*. Persons who are not a child's parents can become that child's guardian either by a court order under Section 30 or by a will under Section 50 of the *Infants Act*.

Resident - a student is considered resident if the student is ordinarily resident in the school district and the guardian of the person of the student is ordinarily resident in British Columbia.

Sibling – refers to only those siblings attending an educational program in a school concurrently.

Out-of-Catchment Transfer is a school-age student or child applying to attend a school other than the catchment school, by request.

Capacity (Physical Space) – refers to a calculation that is based upon the number of classrooms (physical space) for enrolling purposes and approved classroom enrolment sizes.

Appendices

Appendix A: Detailed Age Requirement

Appendix B: Detailed Parent/Guardianship Requirements

Appendix C: Detailed Residency Requirements

Appendix D: Funding Eligibility Chart

Reference Documents: *The School Act, Sections 74 and Section 82 and others*
 School Regulation, Section 16
 The Family Law Act, Section 27 and Section 39
 The Infants Act, Section 50 and Section 51
 The Child, Family and Community Service Act
 The Adoption Act

SD No. 40 (New Westminster)

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Modification to this document is not permitted without prior written consent from SD No. 40 (New Westminster)