

1.0. School Administration

1.A. General

1.A. RIGHT TO ATTEND SCHOOL

Adopted: January 12, 2016

Reviewed by Committee: February 25, 2020

Policy Reference: EL-1.1

Legal Reference: Public Schools Act, Sections 1, 1.1, 41(1) (a), 58.9(1), 259(1)

General Responsibilities:

School Boards must provide an education for or make provision for students to be educated from grades 1-12 inclusive and provide adequate school accommodations for all resident persons who have the right to attend school. All documentation necessary for proper placement and programming must be provided by parents/legal guardians prior to acceptance of a student to attend a school in Lakeshore School Division.

Documentation may include:

- Birth Certificate
- Manitoba Health Number
- Schools of Choice Form
- Parent/Guardian Declaration for Non-Resident Students
- Acceptable Technology Use Form

Resident Pupil

Under the *Public Schools Act (PSA)* a resident pupil is defined as a pupil

- a. Whose parent or legal guardian, with whom he resides, is a resident therein, or
- b. Who has attained the age of 18 years and is a Canadian citizen or permanent resident as defined in the *Immigration and Refugee Protection Act (Canada)* resident therein, or
- c. Who, by reason of being dealt with under any provision of *The Child and Family Services Act* or the *Young Offenders Act (Canada)*, becomes a resident therein, or
- d. Who is designated in writing by the Minister as a resident therein.

Right to Attend

A person who is six years of age or older on December 31 in a calendar year has the right to attend school from the beginning of the fall term of that calendar year until the last day of June in the calendar year in which the person becomes 21 years of age; or the day the person receives a graduation diploma, whichever comes first.

By, way of example, a person who turns 21 years of age in February 2016 and has not yet received a graduation diploma has the right to access a fully subsidized public school education until June 30, 2016. A person who turns 21 years of age in August 2016 and has not yet received a graduation diploma would, as of July 1, 2016 no longer have the right to attend school.

Lakeshore School Division may choose to admit students who do not have the right to attend and may charge such students tuition.

Entrance Age in Lakeshore School Division

A child attaining the age of five years on or before December 31 is eligible for enrolment in Kindergarten of the fall term of that school year.

All students registering in Lakeshore School Division must present a birth certificate and a Manitoba Health Number.

Program Not Offered Locally

School boards are also required to make provision for resident pupils (having the right to attend) to go to school in another school division/district for the purpose of attending a recognized school program (English, Français, French Immersion, Senior Years Technology) not offered by the school division/district that the student is a resident of. Lakeshore School Division has the authority to designate the out-of division/ district school to be attended and is responsible for paying the residual costs. Where transportation eligibility exists for the student, the school board is required to provide transportation or support in lieu of transportation.

Right to Enrol Under Schools of Choice

Within the provisions of the Schools of Choice initiative, students have the right to seek admission to any public school in the province. School boards are required to consider applications from non-resident persons who have the right to attend school. Generally, there is no cost to pupils/parents for exercising choice if application deadlines have been met. (See Regulations and Procedures 1.19 Schools of Choice)

Non-Resident Students

Students who are not residing with their parent or legal guardian within Lakeshore School Division may be allowed to attend a school by the principal if the following conditions are met:

1. Parents or legal guardian must submit a Schools of Choice application, provide all documentation necessary for proper placement and programming and grant

- permission to contact the student's last school. (see Parent/Guardian Declaration for Non-Resident Students)
2. Parents or legal guardian must provide contact information to contact them in the event of an emergency.
 3. Parent or legal guardian must indicate in writing that they are legal guardian for the student and that they have given permission for the student to reside with someone other than themselves.
 4. Parent or legal guardian must indicate in writing that they will remain involved with the education of their child and that they are the primary contact for that child and that they will allow another person to deal with routine communications with the school e.g. sign permission forms for field trips etc.
 5. Any student approved for attendance must be at no additional cost to the school division.
 6. All requirements of Schools of Choice will apply, including transportation.
 7. Applicants must complete the attached "Parent/Guardian Declaration for Non-Resident Students" and submit with the Schools of Choice application.
 8. In exceptional circumstances where a child is determined to be at risk, the Superintendent/CEO may allow a student to attend if Schools of Choice admission guidelines are not met.

Sample Parent letter – on Division letterhead

Name of parent

Address of parent

Date

Dear (add name)

Re: Attending school in Lakeshore School Division.

The Public Schools Act does not recognize your son/daughter as a resident pupil.

Under *The Public Schools Act (PSA)* a resident pupil is defined as a pupil

- a) whose parent or legal guardian, with whom he resides, is a resident therein, or
- b) who has attained the age of 18 years and is a Canadian citizen or permanent resident as defined in the *Immigration and Refugee Protection Act (Canada)* resident therein, or
- c) who, by reason of being dealt with under any provision of *The Child and Family Services Act* or the *Young Offenders Act (Canada)*, becomes a resident therein, or
- d) who is designated in writing by the minister as a resident therein.

Students who are not residing with their parent or legal guardian within the Lakeshore School Division may be allowed to attend a school by the principal if the following conditions are met:

1. Parents or legal guardian must submit a Schools of Choice application (deadline of May 15 each school year), provide all documentation necessary for proper placement and programming and grant permission to contact the student's last school. Parents or legal guardian must provide contact information to contact them in the event of an emergency.

2. Parent or legal guardian must indicate in writing that they are legal guardian for the student and that they have given permission for the student to reside with someone other than themselves.
3. Parent or legal guardian must indicate in writing that they will remain involved with the education of their child and that they are the primary contact for that child and that they will allow another to deal with routine communications with the school e.g. sign permission forms for field trips, student progress, behavior incident, etc.
4. Any student approved for attendance must be at no additional cost to the school division.
5. All requirements of Schools of Choice will apply, including transportation.
6. Applicants must complete the attached "Parent/Guardian Declaration for Non-Resident Students" and submit with the Schools of Choice application.

If you are unclear about any of these conditions, or have additional questions, please do not hesitate to contact me. We look forward to having student's name continue as a student at School.

Sincerely

Name

Superintendent/CEO

Parent/Guardian Declaration for Non-Resident Students

We/I, _____ of the City/Town of _____, in the Province/Territory of _____, HEREBY CERTIFY THAT:

1. We/I am/are the mother/father/legal guardian of

_____, who was born on the _____ (d/m/y),

2. We/I grant permission for _____

to reside with _____ of _____
(address).

3. We/I will remain involved with the education of _____

and will maintain current contact information at the school. We/I do grant permission for _____ to deal with routine communications with the school such as signing permission forms for field trips, attending Student Conferences, etc.

Note: Acceptance of non-resident students must be at no additional cost to Lakeshore School Division.

_____ Date: _____

(Signature of parent/guardian)

_____ Date: _____

(Signature of Notary Public)