
Board Governance Policy Cross Reference: [1, 12, 13](#)

Administrative Procedures Cross Reference:

[Schools of Choice](#)

[Transportation Grant \(Out-of-Division Programs\)](#)

Form Cross Reference:

[Early Experiences-Early Development Form](#)

[New Student History Form](#)

[Statutory Declaration](#)

[Student Information Form](#)

[Student Registration Letter](#)

Legal/Regulatory Reference:

[The Child and Family Services Act \(CFSA\)](#)

[Divorce Act \(Canada\)](#), s. 16(5)

[The Family Law Act](#)

[The Public Schools Act](#), sections 1, 1.1, 41(1) (a), 58.9(1), 259 (1)

The Interlake School Division (ISD) believes that all students eligible to attend Division schools should be registered promptly unless circumstances arise where additional documentation is required to satisfy any concerns regarding the student's registration eligibility.

The ISD requires documentation from parents, guardians, or child welfare agencies when registering students at its schools. The procedures below set out the documentation which will be required of a parent, guardian, or child welfare agency to register a student in an ISD school.

A. Legal Requirements

School boards must provide or make provision for education in Grades 1 to 12 inclusive and provide adequate school accommodation for all resident persons who have the right to attend school.

1. 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 Youth Criminal Justice Act (Canada), becomes a resident therein; or
- d) who is designated in writing by the minister as a resident therein.

2. 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.

School boards may choose to admit students who do not have the right to attend and may charge such students tuition. In certain limited circumstances, provincial funding may be provided.

3. 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. The school board 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.

4. 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.

B. Kindergarten Registration

The starting age for Kindergarten will be five years of age as of December 31st in the year of admission.

The following documents should be distributed to parents/guardians when registering for Kindergarten:

1. [Student Information Form](#)
2. [Early Experiences-Early Development Form](#)
3. Immunization Letter (IERHA)

See Section C for information required at registration.

Note: Kindergarten will be provided in schools where there are sufficient numbers, as determined by the Division. In the event that no Kindergarten is offered at a particular school, the Kindergarten student may attend the next closest catchment area school.

C. Registration Procedures (see Appendix A - Intake Procedures)

When registering students new to the Division and/or school, the following information must be gathered:

- Proof of parent’s residency status (permanent resident card, work permit or student visa) where applicable.
- Proof of the student’s legal guardianship (birth certificate, passport, landed immigrant papers or a medical card).
- Proof of the student’s age (copy of birth certificate, medical card or passport).
- Proof of address.
- Articulation of any special health concerns (URIS).
- Record of academic achievement where applicable.

(NOTE: medical cards cannot be photocopied; only record the nine-digit PHIN on file)

Prior to placement, a Principal may request a meeting with the parent(s)/legal guardian(s) to determine appropriate placement and to address student needs.

1. Registration by Parents/Guardians

When parents/guardians are registering their child in their designated catchment area based on their residency, the school will proceed with the registration, taking the information provided and signed by the parents/guardians as accurate.

The following documents should be distributed to parents/guardians when registering:

- a) [Student Registration Letter](#)
- b) [Student Information Form](#)
- c) [New Student History Form](#)

2. Custodial Issues

A custodial parent exclusively holds all legal decision making power over a child. Conversely, a legal guardian is defined in the [Public Schools Act](#) as “a person appointed or recognized as the guardian

of a child under [The Child and Family Services Act](#) (CFSA) or The Court of Queen's Bench Surrogate Practice Act." A legal guardian has the same powers as a custodial parent.

According to the CFSA, "guardian" means a person other than a parent of a child who has been appointed guardian of the person of the child by a court of competent jurisdiction or to whom guardianship has been surrendered under section 16 of CFSA.

The legal guardian of a child in the care of Child and Family Services is the Director of Child and Family Services (appointed under the CFSA) or a child and family services agency (as defined in the CFSA), and not the foster parent.

If the custodial parent or legal guardian is someone other than a biological parent, schools should have documents in the student's pupil file that identify who has guardianship/legal authority of a child. This documentation must be legal documentation from the courts that:

- grants them custodial and decision-making responsibility for the child; and/or
- set out if anyone is denied to the child.

a. Single Parent or Step-Parent Situations

The school will inquire about custodial arrangements. Where a custodial agreement exists, a copy of the legal agreement is to be requested for the pupil file. In the absence of same, joint custody is assumed, unless the parents have never been married or never have lived together at any time.

b. Joint Custody and Primary Care

The school will establish a clear understanding of the following points with the custodial parent having primary care:

- In cases of joint custody, one of the parents may be designated by the courts as having primary care. Ordinarily the child(ren) would be registered by that parent in the catchment area in which they reside.
- Where no primary care has been identified in a custodial agreement, or where there is no custodial agreement in place, then primary care for the purpose of all things school related will be assumed to fall to the parent who is registering the child(ren).
- Whenever possible in cases of joint custody, it is preferable to have both parents sign the registration forms.
- Unless stipulated otherwise, parents with joint custody both have the right to all school information, and access to the school and their child(ren). Any legal decisions or permissions regarding the child should, however, be made by the parent with primary care, or with his/her knowledge and agreement.

c. Registering a Student Living with a Temporary Guardian (not a legal guardian)

i. Temporary Arrangement

Due to compelling family issues, it occasionally becomes necessary for the parents to make temporary arrangements for a child to reside with an acting parent. Where the student is already enrolled in the school, the arrangement is for less than a month's duration, and in

consultation with the school Principal, the student may continue to attend the current school. Transportation will, however, not necessarily be provided, depending on the place of residence of the acting parent. This informal arrangement is possible only when the parent(s) continue(s) to reside in the Interlake School Division and are able to maintain their parental responsibilities with the school.

ii. **Longer Term Arrangement**

The Superintendent/CEO, in consultation with the Principal, may allow a student who is not residing with his/her parent(s)/legal guardian(s) to attend a school in the Interlake School Division if the following conditions are met:

- A Schools of Choice application must be completed if the parent(s)/legal guardian(s) of the student reside outside of the Interlake School Division or the school catchment area. All requirements of [Schools of Choice](#) will apply, including transportation.
- Parent(s)/legal guardian(s) must provide all documentation necessary for proper placement and programming, and grant permission to contact the student's last school.
- Parent(s)/legal guardian(s) must provide contact information to contact them in the event of an emergency.
- Any student approved for attendance must be at no additional cost to the school division.
- Applicants must complete the [Statutory Declaration](#) and, where applicable, submit with the Schools of Choice application. The Statutory Declaration provides:
 - written indication from the parent(s)/legal guardian(s) that they are the parent(s)/legal guardian(s) for the student and that they have given permission for the student to reside with someone other than themselves; and
 - written indication from the parent(s)/legal guardian(s) that they will remain involved with the education of their child; 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 offsite activities, etc.).
- 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.

iii. **Registration Procedure**

Schools will not register a student living with an individual(s) other than his/her parent(s)/legal guardian(s) until authorized to do so by the Superintendent/CEO or designate. A Statutory Declaration will only be given to parent(s)/guardians upon such approval, to avoid their possibly spending money to consult with a lawyer before they know whether or not the student is eligible. Upon approval by the Superintendent/CEO:

- The parents must provide a properly notarized Statutory Declaration to the Superintendent/CEO or designate. A Statutory Declaration is not the same thing as legal guardianship, which is granted by the courts. It does serve as permission from the parent(s)/guardian(s) for the Division to:
 - register the child in the school where the child will be residing; and

- provide all routine communication to the individual(s) named in the declaration; and
- allow the individual(s) to sign permission forms for offsite activities, attend student conferences, etc.
- **Note:** Parent(s)/legal guardian(s) will remain involved with the education of their child and are the primary contact for that child.
- When the document has been received and processed, the Superintendent/CEO will notify the school Principal to give authorization to register the child.
- A copy of the [Statutory Declaration](#) will be sent to the school to include in the pupil file.

3. Procedures for Students Placed by Child Welfare Agencies (see Appendix A - Intake Procedures)

When child welfare agencies register students, they must contact the school Principal to arrange for an intake interview. The agency shall provide the following information to the school prior to the interview process:

- a. the student's name and age;
- b. the name of foster parents;
- c. the address and contact information for the foster parents;
- d. the name and contact information for the caseworker and the caseworker's supervisor; and
- e. a description of the student's current or most recent education program.

The school and Division personnel, foster parents, and the agency workers will review the student's previous school progress to determine if special needs program supports, adaptations, or modifications would be beneficial for the student. If no supports are required, the enrolment would proceed as soon as possible.

If it is determined that the student will require additional special needs supports, the Placing Agency will:

- a. provide comprehensive information that identifies the student's special needs and the required programming supports and/or services, and share that information in an intake meeting;
- b. authorize access to previous school and clinical records by completing the necessary release forms; and
- c. abide by the two-week waiting period for student placement.

The school will plan and arrange appropriate support(s) to meet the programming needs of the student and establish an educational plan for the student in those exceptional circumstances where immediate school placement is not possible.

The Placing Agency and the school will share the following responsibilities:

- a. ensure that a school team, including the foster parent(s) and the student (when appropriate), collaborate to provide the supports and/or resources necessary for a smooth transition into school and for appropriate educational programming;
- b. participate in the development and implementation of a multi-system plan to meet the student's needs in the home, school, and community; and
- c. identify case manager(s) and establish a communication protocol.

Appendix A

Registration/Intake Procedure (includes transfers within ISD)

SOURCE: Education and Child and Family Services Protocol for Children and Youth in Care (2013)

Child-in-Care	Funded Student EBD 3 or URIS A	New & Internal ISD student registration
<ul style="list-style-type: none"> • Legal guardian contacts school • Student registration package provided to guardian (*) • Resource/guidance contacts previous school for information • School forwards contact info to School Social Worker (SSW) • SSW coordinates intake meeting with Admin, school counsellor, resource teacher, guardian, foster parent, CIC worker • Authorization for Release of Information completed • Full completion of the Registration – Children in Care form • Confirmation of a school starting date and communication to Student Services • The assignment of responsibilities among members of the child’s school team, including welcoming the child or youth to his or her new school and assisting the child or youth in developing a sense of belonging 	<ul style="list-style-type: none"> • Legal guardian contacts school • Student registration package provided to guardian (*) • Resource/guidance contacts previous school for information • Intake meeting occurs, coordinated by school SST with SSW in attendance for consult and any other personnel needed • Authorization for Release of Information completed • Confirmation of a school starting date and communication to Student Services • The assignment of responsibilities among members of the child’s school team, including welcoming the child or youth to his or her new school and assisting the child or youth in developing a sense of belonging 	<ul style="list-style-type: none"> • Legal guardian contacts school • Student registration package provided to guardian (*) • Package submitted to Administration • Administration to review package, consult with SST if there are any red flags* • Intake meeting at discretion of Administrator • Authorization for Release of Information completed when necessary. • Confirmation of a school starting date and communication to Student Services • The assignment of responsibilities among members of the child’s school team, including welcoming the child or youth to his or her new school and assisting the child or youth in developing a sense of belonging
	<p>Examples of Red Flags:</p> <ul style="list-style-type: none"> • frequent moves/unexplained gaps • absenteeism / excessive lates absences • absent Manitoba Health card • non-custodial parents registering • lacks information • concerns from previous school, etc. 	<p>(*) package includes: letter to guardians, Student History Form, and Student Information Form</p>