
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](#)

[Registration Addendum for Student Living with a Responsible Adult Form](#)

[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), the definition of a resident pupil refers to a student who:

- a) lives with a parent or legal guardian who resides in the school division and:
 - is a Canadian citizen or permanent resident as defined in the Immigration and Refugee Protection Act (Canada); or
 - is a member of a visiting force under the Visiting Forces Act (Canada); or
 - holds a work or study permit under the Immigration and Refugee Protection Act (Canada)
- b) is residing with a responsible adult who is not their parent or legal guardian, but whose parent or legal guardian is a citizen or permanent resident and resides in Canada; or
- c) is or whose parent/legal guardian is claiming refugee protection or is protected under the Immigration and Refugee Protection Act (Canada)
- d) has reached the age of 18 and is a Canadian citizen or permanent resident as defined in the Immigration and Refugee Protection Act (Canada); or
- e) becomes a resident by being dealt with under The Child and Family Services Act or The Youth Criminal Justice Act; or
- f) becomes a resident by being dealt with under Indigenous Law as per The Child and Family Services Act; or
- g) is deemed a resident by the Minister.

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)/legal guardian(s)/responsible adult(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). NOTE: Medical cards cannot be photocopied; only record the nine-digit PHIN on file.
- 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.

For students living with a responsible adult, a [Registration Addendum Form](#) must be completed and an in-person meeting must be arranged with the Principal and the parent(s)/legal guardian(s).

For all other registrations, 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 Responsible Adult

i. Responsible Adult

A designated responsible adult:

- is an adult who is not the student's parent/legal guardian but who has been designated by the student's parent/legal guardian to provide day-to-day care for the student;
- can also be an adult providing day-to-day care for a student when the student has no contact with their parent/legal guardian;
- must be at least 18 years of age and capable of providing care and control of the student and acting in the best interest of the student;
- does not have to be a Canadian citizen, permanent resident, or temporary resident, as long as the student's parent/legal guardian is a Canadian citizen or permanent residents;
- must live in Manitoba and within the catchment the student is registering in (proof of residence must be provided).

ii. Enrolment

Schools have a two-week window to enrol students once they register at a school. Schools will use this window to assess responsible adult arrangements, which may include activities such as:

- gathering information when a student does not have documentation from their former school;
- assessing concerns about the student's safety;
- gathering more information about the responsible adult situation;
- consulting with Child and Family Services (CFS) or the police, if needed.

Schools are responsible for registering students living with a designated responsible adult, unless the responsible adult is not a resident in the relevant school catchment or there are grounds to deny the arrangement.

When registering students living with a responsible adult within the school's catchment, the parent(s)/legal guardian(s) must complete a [Registration Addendum Form](#). This registration addendum form outlines who is the responsible adult, communication between the school and the responsible adult, communication with parent(s)/legal guardian(s), and authorities of the responsible adult.

Parent(s)/legal guardian(s) must meet in-person with the Principal and provide the appropriate completed paperwork, including confirming that the student will be living full-time at the home of the responsible adult.

The school will verify the parent/legal guardian's citizenship or permanent residency status, the contact information for parent(s)/legal guardian(s) and responsible adult(s), and the residency of the responsible adult(s) with two pieces of identification or documentation to ensure the student lives in the catchment area.

School Principals will consult with the Superintendents' Department prior to coming to a final decision regarding registration. Parents/legal guardians may appeal decisions through the school division. All decisions by school divisions are final.

iii. **Assessing Responsible Adult Arrangements**

It is the responsibility of schools and the school division to assess responsible adult living arrangements. As part of this assessment, schools and school divisions must consider whether the arrangement aligns with the intention of the legislation. This may include the following considerations:

- parent/legal guardian's citizenship/permanent residence status;
- age of the responsible adult;
- relationship between the responsible adult, student, and their family;
- ability of responsible adult to provide care and control of the student;
- parental support of the arrangement;
- presence of a care arrangement, such as a Kinship Agreement or Customary Care Agreement; and/or
- presence of a custody agreement or other relevant court order.

School divisions may ask questions about the arrangement and request documentation beyond what is in the registration addendum form to determine if the arrangement is safe and aligned with the intention of the legislation.

iv. **Consent**

A designated responsible adult can provide consent for student-specific planning, school-based clinical services, external services and supports, and other individualized needs. Without consent of a parent/legal guardian, the responsible adult cannot provide consent for clinical services, release forms, medical forms, and field trips that extend beyond the school day.

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. 	<div style="border: 1px solid black; padding: 5px;"> <p>(*) package includes: letter to guardians, Student History Form, and Student Information Form</p> </div>