



201.4AP Independent Students

ADOPTED: 2012.02.15
APPROVED: 2020.05.13 (2012.01.18) (2001.04.18)
AMENDED: 2020.05.04
REVIEWED: 2020.01.07

LEGAL REFERENCE:

- *Education Act Sections 1(1)(n)(ii), 6*
- *Child, Youth and Family Enhancement Act 57(2)*
- *Family Law Act Part 2*

DEFINITION:

The *Education Act* defines an independent student as a student who is:

1. 18 years of age or older, or
2. 16 years of age or older and
 - 2.1 living independently, as determined by a board in accordance with section 6, or
 - 2.2 a party to an agreement under section 57(2) of the *Child, Youth & Family Enhancement Act*

An independent student is entitled to exercise all the rights and powers and receive all the benefits and is subject to all the obligations under this Act that the student's parent is entitled to exercise or receive or is subject to those obligations. (Education Act Section 6(2)).

PROCEDURES:

1. The student (who is between 16 and 18 years of age) will notify the school principal in writing of the request to be considered an independent student.
2. To determine independent status, the principal will consider the following criteria:
 - 2.1 Parents and/or student provide a statement in writing or a statutory declaration that the student is independent.
 - 2.2 The student demonstrates that he/she makes decisions with respect to day-to-day living.

- 2.3 The student earns his/her own living or substantially contributes to his/her own maintenance.
- 2.4 The student handles major decisions such as medical treatment.
- 2.5 The student makes and maintains arrangements for living accommodation.
- 2.6 The student is married or co-habiting. None of these criteria alone is a sole indicator of independence, but the response to all of them should allow the principal to determine whether or not a student is in fact appropriately considered independent.
3. If the school principal determines that the criteria for independent student status are met, then the student is recognized as an independent student and this information is entered by the school on the Student Information System (SIS).
4. If the principal determines that the criteria are not met, then the parents and/or students are advised in writing accordingly.
5. In the event that circumstances change and the student no longer meets the criteria for independent status, the student and parent must inform the school principal in writing of the change. The school will then enter the information to reflect the change of status on the Student Information System.
6. The place of residence of the independent student determines the Board of which the student is a resident student.