

ORDINARILY RESIDENT

Background

Instruction in a publicly funded educational program in School District No. 57 will be provided to every student of school age ordinarily resident in British Columbia and enrolled in a school operated by the Board.

The intent of this administrative procedure is to assist schools in determining if a student is 'ordinarily resident' and eligible to enroll in a publicly funded educational program in School District No. 57.

Definitions

"Ordinarily resident" on the basis of objective evidence, a person has established a regular, habitual mode of life in the community with a sufficient degree of continuity which has persisted despite temporary absences.

Procedures

1. Ordinarily Resident Status

In accordance with the *School Act* and the Ministry of Education policy document, "Funding Policy – Eligibility of Students for Operating Grant Funding", a student is resident in the province of British Columbia and the parent/guardian(s) of the student are ordinarily residents in British Columbia.

1.1. Temporarily Absent

Students may be temporarily absent from British Columbia, yet still retain eligibility for funding if their parent/guardian remains ordinarily resident.

For Example:

1.1.1. Student only is Temporarily Absent

The parents/guardians remain ordinarily resident in British Columbia while the student is temporarily absent.

1.1.2. Student and Parents/Guardian(s) are Temporarily Absent

If the student is temporarily absent from the province with the parent/guardian(s), the parent/guardian(s) may still be considered ordinarily resident in British Columbia if there is objective evidence that the family will be returning to British Columbia.

1.2. Immigration Status

Immigration status is relevant but does not determine ordinarily residence. The determination of whether a person is ordinarily resident student should never be based solely on the person's immigration status. A person need not be a Canadian citizen or permanent resident to be an 'ordinarily resident' in BC for the purposes of *Section 82* of the *School Act*. For example, persons who have applied for convention refugee status but not received a determination, and persons who have applied for permanent resident status from within Canada, may be ordinarily resident in BC if there are other indicators of continuity with the community and residence for a settled purpose other than receiving publicly funded education. On the other hand, 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 they have no legitimate expectation of remaining in Canada.

Determination of immigration status as Ordinarily Resident should be done in conjunction with the Central Administration Office.

2. Proof of Residency

In accordance with the *School Act*, Section 82, Ministry of Education policy, and School District No. 57 Policy, Ordinarily Resident, a student is eligible for a provincially funded education if parent/guardian(s) meet ordinarily resident requirements. Students who are resident in BC, and whose parent/guardian(s) are ordinarily residents in BC, and who are enrolled in a program in School District No. 57 are eligible for Ministry of Education funding.

Any of the documents below can be copied to demonstrate residency:

- BC Care Card / BC Services Card / BC Identification Card
- BC Driver's License or Enhanced BC Driver's License
- Long-term tenancy agreement - showing name and address
- Property purchase agreement - showing name and address
- A current income tax return filed as a BC resident

If the primary identification above is unavailable, schools should request any 2 of the following:

- Property tax statement - showing name and address
- Proof of employment for a minimum of 20 hours per week (e.g. pay stub, letter from the employer)
- Utility bill – showing name and address
- BC vehicle registration
- Canadian bank account statement - showing name and address

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3. Proof of Guardianship

Any of the documents below can be copied to demonstrate guardianship:

- Student's Birth Certificate (long form preferred)
- Student Passport
- Income Tax Statement where children are declared
- Parent's Confirmation of Permanent Residency or Record of Landing or valid Immigration Canada documents where children are named
- If parents live separately, court order or written agreement granting care to accompanying parent

4. Requirements

In order to meet the 'ordinarily resident' requirements, the parent/guardian(s) of the student must produce sufficient evidence to meet the criteria of 'ordinarily resident.' If the parent/guardian(s) of the student are unable to produce sufficient evidence to satisfy the school principal/vice principal that the parent/guardian(s) and student are ordinarily residents, or if the principal/vice principal is unsure if the evidence provided is sufficient, the principal/vice principal should contact the Central Administration Office for clarification.

Parent/guardian(s) or student must be ordinarily resident in British Columbia with a sufficient degree of continuity to ensure that there is a settled purpose other than to obtain publicly funded education.

4.1. Temporarily Absent

4.1.1. Student only is Temporarily Absent

- Documentation that the student will be returning to the parent/guardian(s) home at the end of this temporary absence.

4.2. Immigration Status

Any of the documents below can be copied into the file:

Parent/guardian(s) to provide one of the following:

- Current Passport
- Canadian Citizenship Card
- Confirmation of Immigration Status
- Permanent Resident Card

Child to provide one of the following:

- Birth Certificate
- Current Passport
- Canadian Citizenship Card
- Confirmation of Immigration Status
- Permanent Resident Card

Parental Employment/Study Visas Parent/guardian(s) to provide the following (These must be verified by International Education):

- Work Permit (valid for one year or more);
- Proof of Employment; and,
- Current Passport. OR:
- Study Permit (valid for one year or more);
- Letter of Acceptance or transcript showing enrollment in degree or diploma granting program at a public post-secondary institution authorized by the BC Ministry of Advanced Education. (Permit cannot be for high school upgrading or ESL unless it is a requirement of acceptance into the aforementioned programs, for one year only, and the institution is BC EQA-Education Quality Assurance); and,
- Current Passport. OR:
- Diplomatic Status

4.3. Court Orders

Provide a court order.

4.4. Cross-enrolled Students

In unique circumstances, our distributed learning school may request proof of 'ordinarily resident' for out-of-district cross-enrolled students.