

## Administrative Procedure 300

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Last Revised February 2020

# STUDENT RESIDENCY AND ADMISSIONS

## Background

The Holy Spirit Catholic School Division exists to provide a Catholic education for all resident students of the division appropriate to their educational requirements. This stated, the division does expect applicants of other faiths to apply for admission to its schools and it is the practice of the school jurisdiction to accept non-resident pupils in the school requested by the parent if there are sufficient resources and facilities available to accommodate the student.

## Definition

A resident student of the Holy Spirit Roman Catholic Separate School Division, defined in Section 4 of the *Education Act* (2019), is one who:

### Criterion 1:

- a) is baptized Catholic, or
- b) has at least one parent who is baptized Catholic, or
- c) under the authority of the *Child Youth & Family Enhancement Act – Legal Authorities*, has been placed in a foster home where the foster parent is resident of the Holy Spirit Roman Catholic Separate School Division;

AND

### Criterion 2:

- a) resides within the division boundaries as indicated by Alberta Education;
- b) is six years of age on or before December 31 of the current school year;
- c) is nineteen years of age or younger as of September 1 of the current school year.

Note: Residency requirements do not apply to Early Learning or kindergarten students.

Students who do not comply with both conditions outlined above are considered non- resident students.

## Procedures

1. Principals, as agents of the Board, shall enroll all the division's resident students and provide a program that meets the standards of education prescribed by the Minister.
2. Principals shall enroll a resident student of the Alberta Government in one of their schools as requested by the Minister if the student is residing within the division.

3. The Board shall not charge tuition fees for resident students, resident students of any other Board or resident students of the Alberta Government. The Board may charge tuition fees to any other individual who attends their school. These fees will be allocated to the appropriate school-based account.
4. Residency of independent students (as defined by the *Education Act*, Section 1(n)) will be determined by where the student resides rather than where his/her parent(s) reside.
5. Where resident students reside in a designated attendance area for a school, they shall be enrolled in that school and attendance is compulsory if a program offered in that school is suitable for the student. A resident student of the division who resides in a designated attendance area for a school shall be given priority over any student who does not reside in the designated area for that school or is non-resident, if there is insufficient space to accommodate both students.
6. In the event that a resident student becomes a non-resident through relocation, the Board shall not assume responsibility to provide transportation for the student.
7. If both parents have care and custody of a student, and each parent is a resident of a different school jurisdiction, parents will be expected to choose, in writing, the school jurisdiction the child will be resident to by completing Alberta Education Form 3. Upon completion, Principals are expected to forward a copy of this form to the Secretary-Treasurer. Parents are entitled to change the declaration of a child's residency on an annual basis. Declarations are binding for at least one school year.
8. Requests by non-resident students to attend division schools will be made to the Principal through the divisional registration form.
9. The Principal, in consultation with the Director of Support Services, is responsible for determining if there is sufficient space to accommodate non-resident students, subject to the following criteria:
  - 9.1 Sufficient classroom space and learning resources must be available;
  - 9.2 Sufficient qualified staff must be available;
  - 9.3 A program that is suitable to the educational needs of the student must be available;
  - 9.4 The non-resident student/parent/guardian will be interviewed by the Principal/designate prior to enrollment;
  - 9.5 The Principal will determine whether the parents of non-resident students are desirous of a Catholic Christian education for their child, whether the parents agree to allow their child to become fully integrated into the spiritual life of the school, and whether the child concurs with the parents.

10. Once a non-resident student is accepted and enrolled into the school, he/she will be given the opportunity to complete the school year, regardless of the availability of resources for that year. A non-resident student, who is not living within the boundary of a school of choice, may be directed to another Catholic school the following school year.
11. Refusal of admission to the division of a non-resident student shall be communicated by the Principal to the parent, in writing, citing the specific criteria used for the decision as outlined in Clause 10 above.
12. Parents of non-resident students will complete a Student Registration form and if they are not of the Catholic faith, wishing to access a Catholic education for their child, they will complete the Declaration of Understanding. The forms will be received and reviewed by the school administration team.
13. The Director of Support Services and Principal(s) must ensure that sufficient space is available so that the needs of resident students within each designated attendance area for that school are being met prior to enrolling other students.
14. In the event that there is some question with regard to residency, the parent, guardian or independent student may be asked to provide proof of guardianship and residency.
15. If a parent disputes the basis of an enrollment because of a Principal's assessment of residency, that decision may be appealed to the Director of Support Services, and ultimately, the Superintendent of Schools.

**Legal References:**        *Education Act (2019)*  
                                  *Child Youth & Family Enhancement Act*