

Administrative Procedures Manual	Administrative Procedure 308
	Independent Students
Page 1 of 3	APPROVED: April 2018
	AMENDED/REVIEWED: November 2020, September 2019
LEGAL REFERENCE:	Section 4, 6 Education Act Child, Youth and Family Enhancement Act, R.S.A. 2000, c. C-12, R.S.A. 2012, c. E-0.3, sections 1(1)(n), 6(1), 6(2), 56(3)(b) and 57(2)

Background

Under the Education Act, students who are 18 years of age or older, or 16 years of age or older and living independently or who are a party to an agreement under the Child, Youth and Family Enhancement Act, are independent students.

Section 6(2) of the Education Act says that 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 would be entitled to exercise or receive or would be subject to, and the student's parent shall not exercise those rights, receive those benefits or be subject to those obligations.

The Freedom of Information and Protection of Privacy Act (FOIP Act) of Alberta requires GPPSD to disclose information to students who are the age of majority and then only to others with the written consent of the Independent Student.

This regulation sets out the process for establishing and adhering to independent student status at Grande Prairie Public School Division.

In this regulation "independent student" means a student who is

- (a) 18 years of age or older, or;
- (b) 16 years of age or older and
 - (i) Living independently as determined by a board in accordance with section 6 of the School Act, or
 - (ii) a party to an agreement under section 57.2 of the Child, Youth and Family Enhancement Act.

Procedures

1. Students who are 18 at the time of registration and students who turn 18 years old during the school year and intend to claim status as an Independent Student under the definition of the School Act are required to complete the Independent Student Request [form 308-1](#). Independent Students maintain all the responsibilities of an adult and cannot transfer these responsibilities to their parent/guardian(s). Schools must take instructions from the Independent Student for all matters, including but not limited to: consents and waivers, attendance, field trips, suspensions, damage to property, and emergency contacts.
 - 1.1. School handbooks will outline procedures regarding Independent Students.

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- 1.2. A notification letter [Form 308-2](#) will be sent to parents for students who claim status as an Independent Student.
2. In order to determine independent student status for students between 16 and 18 years of age the principal must consider the following criteria.
 - a. Have the student's parents or the student provided a statement in writing or a statutory declaration that the student is living independently?
 - b. Does the student demonstrate to the satisfaction of the principal that they make decisions with respect to day-to-day living?
 - c. Does the student earn their own living or substantially contribute to their own maintenance or receive government financial support?
 - d. Does the student handle major decisions such as health care?
 - e. Does the student make and maintain arrangements for living accommodation?
 - f. Are any other factors that the principal considers relevant?
 - 2.1. None of these criteria alone is a sole indicator of independence, but the response to all of them will assist the principal in determining whether a student is appropriately considered an independent student.
 - 2.2. For students 16 and 17 years of age, the principal will contact parents to advise them of the independent student request and discuss circumstances.
 - 2.3. If the principal determines that the criteria is or is not met, the principal must advise the parents and student in writing of the principal's decision.
 - 2.4. In the instance where a parent/guardian of a student aged 16 or 17 disagree with the decision made by the principal regarding independent status, the matter will be referred to Director of Student Supports for resolution.

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3. SIS and Change in Status

- 3.1. If the principal determines that the Independent Student criteria are met, then the student is recognized as an independent student and the principal must ensure that this information is entered into the Student Information System (SIS).
- 3.2. On the government tab in student demographics, an enrolment entry of Independent Student- 121, must be added.
- 3.3. If the student no longer meets the criteria for independent status, the student and/or parent must inform the school principal in writing of the change in status. The principal will then re-evaluate independent status.
- 3.4. When the principal receives the notice that the student no longer has independent student status the principal must ensure that this information is entered into the Student Information System (SIS).

4. Residency of Independent Student

- 4.1. An independent student is a resident student of the school board in which the student lives.

5. Independent Students may elect to provide written consent to share the right to access information with their parent/guardian(s).

- 5.1. This is done by having the Independent Student complete the Release of Independent Student Information section in Independent Student Request form 308-1. This form allows the school to continue to share student information with the parent/guardian on matters such as report cards, attendance records, field trip details, suspension matters, course selections, etc.
- 5.2. Parents /guardians can only attend Parent/Teacher conferences when accompanied by the Independent Student.
- 5.3. The only exception to the above is if a guardian or trustee has been appointed for the student under the Adult Guardianship and Trusteeship Act. In this situation, the adult student does not need to give written consent as the guardian or trustee would have the rights, powers and duties.