



# Administrative Procedure 4280 ADMISSION OF NON-RESIDENT STUDENTS

Responsibility:	<i>Superintendent, Business Services &amp; Treasurer of the Board</i>
Legal References:	<i>Education Act Part II</i> <a href="#"><i>Ministry of Education Memo 2018:SB08 - Clarification of Policies and Supporting Documentation to Confirm Pupil Residency and Eligibility Status</i></a> <a href="#"><i>Enrolment Register Instructions for Elementary and Secondary Schools</i></a>
Related References:	<a href="#"><i>Administrative Procedure 4270 - Admission and Registration of Students;</i></a> <a href="#"><i>Administrative Procedure 4260- Student Transportation</i></a>
Revisions:	<i>January 2024</i>
Reviewed:	<i>March 2016</i>

## 1. Preamble

- 1.1. The procedures that follow provide guidelines and expectations regarding the admission of out-of-district and non-resident students to elementary and secondary schools. As per the Education Act, funding for dependent students (under the age of 18) is based on the residence status of the student's lawful guardian.

## 2. Admission of Out-of-District Students (Elementary and Secondary)

- 2.1. An out-of-district student is considered to be a student who is a Canadian citizen who does not reside with their parent(s)/lawful guardian(s) within the boundaries of the Waterloo Region District School Board (Board) and/or does not meet the residence requirements as outlined in the Education Act. This includes students living with family or caregivers who do not have lawful custody for the student.
- 2.2. A person who is qualified to be a resident pupil in another district or zone may request admittance to a public school in Waterloo Region based on the terms outlined in the Education Act, Section 35 and Section 39. A decision to admit the student will be made at the discretion of the school principal, in consultation with the area Superintendent, Student Achievement & Well-Being.
- 2.3. Documentation should be included in the student's Ontario Student Record (OSR) which outlines the following:
  - 2.3.1 Name of the district or zone where they qualify as a resident pupil;
  - 2.3.2 The authority, under the Act, to which the pupil claims the right to attend the school. Students may be admitted under S.35 (Resident Pupil's Right to Attend more Accessible Elementary School) and S.39 (Resident Pupil's Right to Attend Secondary School in Another District or Zone) of the Education Act.
- 2.4. Students admitted under Section 35 or Section 39 of the Education Act should be recorded as "pupils of the board" on the Enrolment Register.
- 2.5. In some cases, students may be required to pay fees in order to attend a public school within the Board. Fees may be charged to:
  - 2.5.1 Visa or Internationally-born Students;
  - 2.5.2 Canadian students not living with their lawful custodian;

- 2.5.3 First Nation students living off-reserve (as per the Enrolment Register Instructions for Elementary and Secondary Schools).
- 2.6. All fee-paying students are to be entered as “other pupils” in the Enrolment Register. The register will identify who is responsible for payment of fees. The fee structure for all fee-paying students is determined yearly by the Superintendent, Business Services & Treasurer of the Board. Inquiries should be directed to the Manager of Business Services. Accurate recording of pupil status and funding source impacts funding; questions about funding should be directed to the Business Services Manager.
- 2.7. Inquiries from other boards or institutions regarding admission of pupils should be directed to the area Business Services Manager.

### 3. Admission of Non-Resident Students

#### 3.1. Non-Ontario Residents Under 18 Years of Age from Other Provinces

3.1.1 Students who are non-Ontario residents, under 18 years of age ~~from~~ whose parents or lawful guardians reside in another province may be admitted to a school as a pupil of the board Board if all of the following conditions are met:

- The student is a Canadian citizen or permanent resident of Canada
- The custodian caring for the student is an Ontario resident residing in the Board’s jurisdiction and is a member of the student’s immediate family. The Ministry of Education defines immediate family member as:
  - The pupil’s father, mother, grandfather or grandmother
  - The pupil’s adult brothers and sisters and their lawful descendants who are not minors
  - The pupil’s uncles and aunts by blood relation and their lawful descendants who are not minors
- The custodian caring for the student assumes full responsibility for the care and well-being of the student and the student resides with the custodian for the duration of the schooling period
- A written and signed agreement is in place between the parents/lawful guardian and the Ontario resident that outlines the above expectations. A copy of this letter should be placed in the student’s OSR.
- Note: A guardianship arrangement supported by an Ontario court order (signed by a judge) could be used in lieu of the above agreement. A copy of the court order must be retained in the student’s OSR for audit purposes.

Sports team billeting arrangements for out of province/country students do not meet Ministry guidelines (for fee exempt status) unless the student is a Canadian citizen or permanent resident residing with an immediate family member who is an Ontario resident.

- 3.1.2 If the student’s parents or lawful guardians do not reside in Ontario, applicable tuition fees may be required in accordance with Ministry direction.
- 3.2. Canadian Citizens not Residing in Canada (non-resident students)
- 3.2.1 Students who are Canadian citizens, but whose parents live in a foreign country, may wish to attend Canadian schools while residing with an aunt, uncle, cousin, or friend etc.
- 3.2.2 The requirements as outlined in 3.1.1 apply for these students.