

STUDENT REGISTRATION OF A STUDENT LIVING WITH A RESPONSIBLE ADULT

Background

The purpose of this administrative procedure is to provide guidance for the Swan Valley School Division in assessing and implementing enrollment for students living with a responsible adult. The Public Schools Act (PSA) has expanded the definition of "resident pupil" to ensure students can enroll in their local school regardless of their care arrangements, aiming to increase student enrollment and attachment to the school system, and to recognize Indigenous kinship care arrangements. This procedure serves as a tool to help the school division review proposed arrangements and determine if they meet the criteria of the legislation.

Definitions

Legal Guardian

An individual who has been granted the legal authority and responsibility to care for and make decisions on behalf of a child. This could be a birth parent, or another guardian as appointed under Section 48 of the Family Law Act. **Parent and Parental Consent** refers to consent of a legal guardian.

Resident Pupil

A "resident pupil" refers to a student who is residing with a responsible adult who is not their parent or legal guardian, but whose parent or legal guardian is a Canadian citizen or permanent resident and resides in Canada.

Responsible Adult

A responsible adult is defined as an adult who is not the student's parent or legal guardian but who has been designated by the student's parent or legal guardian to provide day-to-day care for the student. A responsible adult can also be an adult providing day-to-day care for a student when the student has no contact with their parent or legal guardian.

Key requirements for a responsible adult include:

- Being at least 18 years of age.
- Being capable of providing care and control of the student and acting in the best interest of the student.
- Residing in Manitoba and within the school division/district catchment area where the student is registering.
- Providing proof of residence.
- The responsible adult is not required to be a Canadian citizen, permanent resident, or temporary resident, as long as the student's parent/legal guardian is a Canadian citizen or permanent resident living in Canada.

To enroll in school while living with a responsible adult, the following conditions must be met:

- The student's legal guardian(s) must reside in Canada and be a Canadian citizen or permanent resident.
- The responsible adult must be living with the student in the Swan Valley School Division catchment area.
- The responsible adult must complete the standard registration package and the appropriate Registration Addendum for a Student Living with a Responsible Adult (**1. With parental consent or 2. Without parental consent**).
- Proof of address for the responsible adult(s) in the catchment area must be provided.
- The school will verify the legal guardian's citizenship or permanent residency status, contact information for both legal guardian(s) and responsible adult(s), and the residency of the responsible adult(s) with two pieces of identification or documentation.

Registration Addendums (*Two types of addendums are available, based on parental consent.*)**1. Registration Addendum for Student Living with a Responsible Adult with Parental Consent**

This form is used when a legal guardian designates a responsible adult to provide day-to-day care.

Communication and Decision-Making Authority:

- The responsible adult will be listed as the primary contact and decision-maker for day-to-day permissions.
- Parents can grant permission for the responsible adult to be the primary decision-maker for a wide range of items, including:
 - Access to the school's parent portal.
 - Signing school forms (e.g., photo releases, medication forms).
 - Approving school vaccinations.
 - Participating in and approving student-specific planning processes and educational plans.
 - Providing informed consent for school-based assessments, screenings, clinical services, and external services/supports.
 - Releasing medical information or information for outside agencies.
 - Receiving report cards.
 - Attending student-led/parent-teacher conferences.
 - Signing forms for off-site activities (e.g., field trips, sports trips).
 - Addressing code of conduct concerns and emergency situations.

Conditions and Limitations:

- Guardians can specify which communications they wish to continue receiving (e.g., day-to-day communications, parent portal access, report cards).
- Guardians can specify conditions or limitations on the responsible adult's authority.
- Guardians can identify the order of emergency contacts after the responsible adult.
- Guardians can withdraw consent at any time by notifying the school principal in writing.
- The registration form includes consent declarations from both the legal guardian(s) and the responsible adult(s), confirming the arrangement and understanding of responsibilities.

2. Registration Addendum for Student Living with a Responsible Adult with No Parental Consent

This form is used when the student has no contact with their legal guardian.

Communication and Decision-Making Authority:

- The responsible adult will be listed as the primary contact and decision maker for day-to-day permissions.
- They can access the school's parent portal.
- They will receive day-to-day communication from the school by phone and email.
- They can attend student-led/parent-teacher conferences.
- They can sign forms for local field trips no longer than the school day.

Conditions and Limitations:

- The responsible adult, without consent from the student's legal guardian(s), cannot provide consent for clinical services, release forms, medical forms, or field trips that extend beyond the school day.
- Responsible adults may be asked for informed consent for clinical assessments, education-related evaluations, or other educational services.
- The responsible adult will be the first emergency contact and responsible for picking up the student if sick or needing removal from school.
- The registration form includes a declaration from the responsible adult stating the student is living with them, and that to their knowledge, the legal guardian(s) are Canadian citizens or permanent residents living in Canada and cannot be contacted.

Assessment and Enrollment Procedures

- The Division is responsible for reviewing proposed arrangements and determining if they meet the criteria.
- Schools have a two-week window to enroll students once they register. This window can be used to assess responsible adult arrangements, including gathering information, assessing safety concerns, or obtaining more details about the situation.
- If the student is eligible for enrollment under the legislation, they should be enrolled immediately, even if there are concerns about the responsible adult arrangement, the student's safety, or the legal guardian situation. These concerns should be addressed after the student is enrolled to ensure access to education and to provide a location for investigation if Child and Family Services or the police need to be involved.
- The school will verify the legal guardian's citizenship or permanent residency status, the contact information for legal guardian(s) and responsible adult(s), and the residency of the responsible adult(s) using two pieces of identification or documentation.

When assessing responsible adult arrangements, the school and Division will consider whether the arrangement aligns with the intention of the legislation by reviewing:

- Legal guardian's citizenship/permanent residence status.
- Age of the responsible adult.
- Relationship between the responsible adult, student, and their family.
- Ability of responsible adult to provide care and control of the student.
- Parental support of the arrangement.
- Presence of a care arrangement (e.g., Kinship Agreement, Customary Care Agreement).
- Presence of a custody agreement or other relevant court order.

Additional Considerations:

- The Division can ask questions about the arrangement and request documentation beyond what is in the registration addendum to ensure the arrangement is safe and aligns with legislative intent.
- Orders made under The Child and Family Service Act (e.g., apprehension orders, guardianship orders, kinship care arrangements) and custody arrangements or court orders supersede responsible adult arrangements.
- If a student has a Child and Family Services agreement in place (e.g., Kinship Agreement, Customary Care Agreement), the adult designated by Child and Family Services is the student's legal guardian, and the student is a resident pupil based on that adult's address.
- For safety concerns regarding a student, their responsible adult situation, or their legal guardian(s), the school should enroll the student and then contact Child and Family Services.

- If a student enrolls with a responsible adult but has no contact with their legal guardian(s), the responsible adult can enroll the student without immediate Child and Family Services involvement. However, the school can discuss with the responsible adult whether they wish to contact Child and Family Services to explore putting a care agreement in place, which allows access to support and decision-making authority.
- The school or Division can contact Child and Family Services if there are concerns about consent or approvals, unsafe power dynamics (e.g., a 16-year-old student living with an 18-year-old intimate partner) or to assess a situation.
- If an adult known/suspected of gang activity or suspicion of sexual exploitation is involved, the school should enroll the student to ensure access to education and a safe space and then contact Child and Family Services and local police to discuss the situation.

Mature Minors

- In Manitoba, individuals 16 years of age or older are presumed capable of giving or refusing consent to medical care, as per The Health Care Directives Act.
- Children under 16 are presumed incapable, but if a practitioner determines a child under 16 is sufficiently mature to understand the nature, benefits, and risks of medical care, they may give or refuse consent under the mature minor doctrine, provided it is in their best health interest.
- Clinicians can ask for informed consent from a responsible adult for assessments to ensure appropriate educational services. Child and Family Services can provide guidance.
- Schools and the school division may consult legal counsel for advice on mature minor consent or a responsible adult's informed consent.

Funding Implications

- Students moving in with a responsible adult during the school year will be treated the same as any other transition between schools or school divisions.
- There is no financial obligation between sending or receiving schools, unlike school of choice arrangements.
- Standard policies/agreements for funding will apply when students move from on-reserve to off-reserve schools.

Documentation for Canada Revenue Agency (CRA)

If a responsible adult requests documentation for CRA to claim the Canada Child Benefit, the school can provide enrollment documentation or a letter with information such as who enrolled the student or where the bus drops them off.

Appeals Process

Parents may appeal decisions regarding responsible adult arrangements through the school division's appeal processes. All decisions by the Divisions are final.



Registration Addendum for Student Living with a Responsible Adult with Parental Consent

The Public Schools Act allows students living with a responsible adult to enroll in their local school. A responsible adult is an adult who is not the student's parent (legal guardian) but who has been designated by the student's parent (legal guardian) to provide day-to-day care for the student. To enroll in school while living with a responsible adult, the parent (legal guardian) of the student must reside in Canada and be a citizen or permanent resident.

The Division has the authority to review proposed arrangements to determine if they meet the intention of the legislation. Parents may appeal decisions through the Division's appeal processes. All decisions by the Division are final.

The following form is to be filled out by families whose parent (legal guardian) wants their child to live with a responsible adult within the Division's catchment area. Additional information and/or documentation may be required to satisfy the Division that the student is eligible for registration.

By filling out and signing this form as the parent (legal guardian), you are declaring that the student is living with the responsible adult in the Division's catchment, and you are granting permission to the student being registered in the Division while living with the responsible adult.

In addition to this form, the parent (legal guardian) must complete the registration package, and with the help of the responsible adult, provide proof of address of the responsible adult(s) in the catchment.

Please note: If the student is found not to be residing with the responsible adult and/or not in the school catchment, they may be removed from the school division.

For more information on the responsibilities of a Responsible Adult, please refer to AP 130: Student Registration of a Student Living with a Responsible Adult at svsd.ca.

CONTACT INFORMATION

Student Name (hereafter referred to as the student): _____

School: _____ Birthdate: _____

Parent (Legal Guardian) Name: _____

Address: _____

Home Phone: _____ Cell Phone: _____

Email Address: _____

Parent (Legal Guardian) Name: _____

Address: _____

Home Phone: _____ Cell Phone: _____

Email Address: _____

Responsible Adult Name: _____

Address: _____

Home Phone: _____ Cell Phone: _____



Registration Addendum for Student Living with a Responsible Adult with Parental Consent

Email Address: _____

Relationship of the responsible adult to student: _____

Responsible Adult Name (optional): _____

Address: _____

Home Phone: _____ Cell Phone: _____

Email Address: _____

Relationship of the responsible adult to student: _____

Responsibilities and Communication

The responsible adult(s) will be listed as the primary contact for the student and be the decision maker for day-to-day permissions. The responsible adult is authorized as the primary decision maker for the following: (select all that apply)

- ☐ Access the school's parent portal
- ☐ Sign school forms such as photo releases
- ☐ Sign medication forms
- ☐ Approve school vaccinations
- ☐ Participate in student-specific planning processes
- ☐ Approve student-specific educational plans
- ☐ Provide informed consent for school-based assessments and/or screenings
- ☐ Provide informed consent for school-based clinical services
- ☐ Provide informed consent for external services and supports
- ☐ Release of medical information
- ☐ Release of information for outside agencies
- ☐ Receive report cards
- ☐ Attend student-led/parent-teacher conferences
- ☐ Sign forms for off-site activities (e.g., field trips, sports trips, and other outings)
- ☐ Code of conduct concerns
- ☐ Emergencies
- ☐ Other: _____

The responsible adult will receive communications from the school. The parent (legal guardian) would also like to receive the following communication:

- ☐ Day-to-day communications from the school
- ☐ Access to the school's parent portal
- ☐ Report cards

Please reach out to the school if you require clarification on any of these areas.



Registration Addendum for Student Living with a Responsible Adult with Parental Consent

Conditions and Limitations

Please select one of the following:

☐ There are no conditions or limitations attached to the responsible adult's authority.

OR

☐ The following conditions and limitations apply to the responsible adult's authority.

List any conditions (e.g., communication the parent (guardian) want to receive, specific decisions that require consent of the parent (guardian)).

1. _____

2. _____

3. _____

4. _____

List any limitations (e.g., cannot consent to the student travelling out of province, cannot change the student's school)

1. _____

2. _____

3. _____

4. _____

Emergency Contact Verification

Please identify the order of whom should be contacted after the responsible adult in the case of emergency.

First contact
(responsible adult):

Second contact
(parent/guardian/emergency contact):

Third contact
(parent/guardian/emergency contact):

Parent(s)/Legal Guardian(s) Consent

By signing this form, I acknowledge I have given permission for my child, _____ (the student), to reside in the Swan Valley School Division Catchment with _____ (the responsible adult). I acknowledge that the responsible adult lives in the Division's catchment and will have care and control of my child.

I confirm that the student will be living full-time at the home of the responsible adult. I understand that registration documents will state that the student is residing full-time at the responsible adult's home in the school catchment area.

I understand that the responsible adult will be listed as my child's primary contact and decision maker for day-to-day permissions. I further acknowledge that I have filled out who is to be contacted for the situations listed above.



Registration Addendum for Student Living with a Responsible Adult with Parental Consent

Legal Guardian Name: _____

Date: _____

Signature

Legal Guardian Name: _____

Date: _____

Signature

I understand that I may withdraw this consent at any time by notifying the school principal in writing.

Responsible Adult Consent

As the responsible adult caring for _____ (the student), I acknowledge that I will act as their primary contact, decision maker for the situations filled out above, and that I will have care and control of them.

I understand that I will be the first emergency contact for the student and that I will be responsible for picking them up if they are sick or need to be removed from the school for any reason.

I confirm that the student will be living full-time at my home. I understand that registration documents will state that they are residing full time at my home in the school catchment area.

I confirm that I understand the responsibilities of my role as the responsible adult for the student.

Responsible Adult Name: _____

Date: _____

Signature

Responsible Adult Name: _____

Date: _____

Signature

School has verified: (check once verified)

- ☐ Legal guardianship to designate the responsible adult(s)
- ☐ Contact information for both parent(s)/legal guardian(s) and responsible adult(s)
- ☐ Residency of the responsible adult(s) via two pieces of identification



Registration Addendum for Student Living with a Responsible Adult with No Parental Consent

The Public Schools Act allows students living with a responsible adult to enroll in their local school. A responsible adult is an adult who is not the student's parent/legal guardian but who has been designated by the student's parent (legal guardian) to provide day-to-day care for the student (see Addendum 1. With Parental Consent). A responsible adult can also be an adult providing day-to-day care for a student when the student has no contact with their parent (legal guardian). To enroll in school while living with a responsible adult, the parent (legal guardian) of the student must reside in Canada and be a citizen or permanent resident.

The Division has the authority to review proposed arrangements to determine if they meet the intention of the legislation. Parents may appeal decisions through the Division's appeal processes. All decisions by the Division are final.

The following form is to be filled out by the responsible adult seeking to register a child living with them within the Division's catchment area. Additional information and/or documentation may be required to satisfy the Division that the student is eligible for registration.

By filling out and signing this form as a responsible adult, you are declaring that the student is living with you in the Division's catchment, and that, to the best of your knowledge, the student's parents (legal guardian) are Canadian citizens or permanent residents living in Canada.

In addition to this form, you must complete the registration package and provide proof of address of the responsible adult(s) in the catchment.

Please note:

- Without consent from the student's parent (legal guardian), you cannot provide consent for clinical services, release forms, medical forms, and field trips that extend beyond the school day.
- If the student is found not to be residing with you and/or not in the school catchment, they may be removed from the Division.

For more information on the responsibilities of a Responsible Adult please refer to AP 130: Student Registration of a Student Living with a Responsible Adult at svsd.ca.

CONTACT INFORMATION

Student Name (hereafter referred to as the student): _____

School: _____ Birthdate: _____

Responsible Adult Name: _____

Address: _____

Home Phone: _____ Cell Phone: _____

Email Address: _____

Relationship of the responsible adult to student: _____

Responsible Adult Name (optional): _____

Address: _____

Home Phone: _____ Cell Phone: _____

Email Address: _____

Relationship of the responsible adult to student: _____

****School to verify residency of responsible adult with two pieces of identification.***



Registration Addendum for Student Living with a Responsible Adult with No Parental Consent

Responsibilities and Communication

The responsible adult will be listed as the primary contact for this student. The responsible adult will serve as the primary contact and decision maker for the following:

- Access the school's parent portal.
- Day-to-day communication from the school by phone and email.
- Attendance at student-led/parent-teacher conferences.
- Sign forms for local field trips no longer than the school day.

Responsible adults cannot give consent for clinical services or medical decisions. Responsible adults may be asked for informed consent for clinical assessments, education-relation evaluations, or other educational services. The school or school division/district may contact Child and Family Services for guidance in these situations.

Responsible Adult Consent

As the responsible adult caring for _____ (the student), I acknowledge that I will act as their primary contact, decision maker for day-to-day permissions, and that I will have care and control of the student.

I understand that I will be the first emergency contact for the student and that I will be responsible for picking up the student if they are sick or need to be removed from the school for any reason.

I confirm that the student will be living full-time at my home. I understand that registration documents will state that the student is residing full-time at my home in the school catchment area.

I confirm that I understand the responsibilities of my role as the responsible adult for the student.

I confirm that the parent(s)/legal guardian(s) of the student cannot be contacted, and that to the best of my knowledge, they are a Canadian citizen or permanent resident living in Canada.

Responsible Adult Name: _____

Date: _____

Signature

Responsible Adult Name: _____

Date: _____

Signature

School has verified: (check once verified)

- ☐ Legal guardianship to designate the responsible adult(s)
- ☐ Contact information for both parent(s)/legal guardian(s) and responsible adult(s)
- ☐ Residency of the responsible adult(s) via two pieces of identification