

INDEPENDENT STUDENTS

Background:

The Division recognizes the rights of a student determined to be an independent student as defined by the *Education Act*.

Definitions:

Access:

is a person's ability to view or copy records.

Independent Student:

means a student who is:

- 18 years of age or older, or
- 16 years of age or older, and
 - living independently as determined by the Board, or
 - a party to an agreement under the *Child, Youth and Family Enhancement Act*.

An Independent Student is entitled to exercise all the rights and powers, receive all the benefits and is subject to all the obligations the student's parent/guardian is entitled to exercise, receive or is subject to, and the student's parent/guardian shall not exercise those rights, receive those benefits or be subject to those obligations.

Procedures:

1. A student who is 18 years of age or older is, by statute, an independent student, however only the student themselves may give consent to be treated as such.
2. Any student who is between 16 and 18 years of age may request to be considered an independent student.
3. To determine independent status, the Principal shall consider the following criteria:
 - 3.1. whether the student or the student's parent—by completing the [Independent Student: Parent Acknowledgement](#) (Form 303-2)—has made a statement indicating the student is living independently;
 - 3.2. the student's living arrangements;
 - 3.3. whether the student is financially independent or contributes financially to their maintenance;
 - 3.4. whether the student is responsible for the making of significant decisions regarding matters such as health care; and
 - 3.5. any other factor the board considers relevant.
4. The student shall complete the [Independent Student Declaration](#) (Form 303-1).
5. If the Principal determines the criteria for independent student status are met, the student shall be recognized as an independent student and this status shall be entered on the student information system.

- 5.1. All correspondence shall be directly with the independent student unless the student provides written consent, on the completed [Independent Student Declaration](#) (Form 303-1), allowing the Principal or designate to provide information to parents or guardians.
6. If the Principal determines the criteria are not met, the student and the parents or guardians shall be advised in writing.
7. In the event circumstances change and the student no longer meets the criteria for independent status, the student and parent or guardian must inform the Principal of the change in writing. The Principal shall then enter the information to reflect the change of status on the student information system.

Reference:

Section 3, 4, 6, 7, 8, 9, 11, 16, 21, 52, 53, 197, 222 *Education Act*
Child, Youth and Family Enhancement Act