

Statutory Compliance 3 – 4

Ordinarily Resident

For the purposes of delivering Distributed Learning services, a student is resident in the province of British Columbia if the student is ordinarily resident in the province and the guardian of the student is ordinarily resident in British Columbia. The status of the parent or legal guardian must be evaluated prior to applying this resident review. Parents or legal guardians who have a status of Canadian Citizen, landed immigrant status, admitted under a K-12 teacher exchange, diplomat, Minister’s permit, work permit or study permit are considered eligible for provincial funding.

Statutory Reference:

- a) “School Age” is defined in the *School Act* as a person who has or will have attained the age of five (5) years on or before December 31 of that school year and who has not attained the age of nineteen (19) years before July 1 in the year of application.
- b) Ministry of Education policies “Eligibility of Students for Operating Grants” and “Distributed Learning – BC Residency” govern the application of this policy.

Residency Determination:

1. The Board will determine a student is ordinarily resident if both student and parent (or legal guardian) have a permanent place of residency and an ongoing physical presence in British Columbia.
2. The place of residence for the student shall be determined by the place where the parent/guardian is ordinarily resident unless there is satisfactory evidence that the student’s ordinary residence is different.
3. A legal guardian is the parent(s) or a person appointed by a Canadian court order. A letter from the parent is not sufficient to designate a person as a legal guardian.
4. For the purposes of delivering distributed learning services, a student is ordinarily resident in the province of British Columbia if the student and the parent (or legal

guardian) are ordinarily resident in the province (see Residency Determination point 1. above)

5. Notwithstanding the definition offered above, students may be temporarily absent from British Columbia, yet still retain status as ordinarily resident, as follows:
 - a) The parent or guardian remains resident in British Columbia while the student is temporarily absent. This temporary absence, normally not greater than two (2) school years, is marked by clear documentation that the student will be returning to the parental home at the end of this temporary absence. Some exchange students, athletes competing at elite levels, and students involved in extended travel or self-funded studies overseas could be considered ordinarily resident in British Columbia.
 - b) If the student is temporarily absent from the province with the parent or guardian they may be considered ordinarily resident in British Columbia if there is clear evidence that the family will be returning to British Columbia. This evidence might be a letter from an employer indicating the commencement or termination of a contract for work, or any other documentation deemed sufficient by the Superintendent or designate.
6. An International Student who is regarded as “ordinarily resident” for funding purposes as defined by the Ministry of Education’s Policy Document *International Students* is considered ordinarily resident for the purposes of receiving distributed learning services.

Administrative Proof of Residency:

1. Proof of residency of the student new to the district and/or his/her legal guardian(s) will be required by the district staff or principal/vice-principal at time of registration.
2. Proof of residency for a home owner will be one of the following documents:
 - a. BC Driver’s License
 - b. BC Care Card (if separate from BC Driver’s License)
 - c. BC ID Card
 - d. Recent property tax statement
 - e. Purchase agreement for the purchase of a new home
 - f. A utility statement outlining the owner’s name and address
3. Proof of residency for a renter will be one of the following documents:
 - a. Document listed in 2. above
 - b. Formal rental or lease agreement
 - c. A utility statement outlining the renter name and address

4. For Canadian immigrants, confirmation of landed immigrant status is required for both the parent and student. Citizenship shall be confirmed by proof of birth certificate, passport, or permanent resident card. The International Student Program Principal shall be involved in all immigrant student status determinations.
5. For guardianship, a court order is required
6. For parents(s)/guardian(s) on an employment or study visa or a student on a student visa, a copy of the visa will be required as well as proof of residency.