



CALGARY BOARD OF EDUCATION

Administrative Regulation 3017 A - Admission of Students

A. DEFINITIONS

1. For the purpose of this regulation, the following definitions will apply:
 - a. A "**parent**" is defined in accordance with s. 1(2) of the School Act.
 - b. A "**guardian**" is defined in accordance with s. 1(2)(d) of the School Act.
 - c. An "**independent student**" is defined in accordance with s. 1(1)(h) of the School Act as follows:
 - i. 18 years of age or older, or
 - ii. 16 years of age or older and
 - (a) who is living independently,
 - (b) who is a party to an agreement under s. 7(2) of the Child Welfare Act, or
 - (c) on behalf of whom a social allowance is issued under s. 9(1) of the Social Development Act.
 - d. A "**board-operated program**" is a program either provided by the Board, or, in the case of home education, supervised in accordance with s. 23 of the School Act.
 - e. A "**landed immigrant**" is a person admitted to Canada as a "Permanent Resident" in accordance with the Immigration Act of Canada.
 - f. A "**foreign student**" is a person who is neither a citizen of Canada, nor a landed immigrant, nor a child of a person admitted to Canada for permanent or temporary residence.
 - g. Residency and place of residence are to be determined in accordance with ss. 27 and 236 of the School Act.
 - h. A "**resident student**" is one of the following:
 - i. A student who is living with a parent or guardian who resides within the jurisdiction of the Calgary Board of Education. If the

student is living with one parent who is a resident, the student is a resident regardless of the place of residence of the other parent.

- ii. An "**independent student**" who resides within the jurisdiction of the Calgary Board of Education.
 - iii. A student who is in the care of a foster parent under the Child Welfare Act as provided for in ss. 27(2) and 27(5) of the School Act.
- i. A "**non-resident**" student is defined as a person who is one of the following:
- i. An "**independent student**" whose place of residence is located beyond the jurisdiction of the Calgary Board of Education.
 - ii. A student who
 - (a) is less than 18 years of age as of September 1 of the school year; and who
 - (b) is not living with a parent or legal guardian who is resident within the jurisdiction of the Calgary Board of Education.
 - iii. A "**resident student of the Government**" as defined as per s. 27(6) of the School Act.
 - iv. A "**foreign student**".
 - v. A native student sponsored by the Government of Canada.

B. ADMISSION OF RESIDENT CANADIAN CITIZENS AND RESIDENT LANDED IMMIGRANTS

1. General Eligibility

- a. Pursuant to the provisions of the School Act and this regulation, admission to a school program under the jurisdiction of the Calgary Board of Education will be provided to every student who meets the requirements of subsections i. and ii. below.
 - i. The student is either
 - (a) a Canadian citizen or landed immigrant, or

- (b) a child of a Canadian citizen or of an individual who has been admitted lawfully to Canada for permanent or temporary residence.
- ii. The student lives within the jurisdiction of the Calgary Board of Education either
 - (a) with a parent or legal guardian; or
 - (b) as an "independent student."

2. **Eligibility in Terms of Age, Impairment, and Program Availability**

- a. Pursuant to and in accordance with the provisions of ss. 3(1), 8(1) and 29 of the School Act:

Impairment, Age and Program Availability

- i. A child who attains the age of two years on or before the last day of February, and who is hearing impaired or severely disabled, may be enrolled in a Board-operated program at the commencement of the fall term of that calendar year provided that an appropriate program is operating and that sufficient space is available.
- ii. A child who attains the age of three years on or before the last day of February, and who is mildly or moderately disabled, may be enrolled in a Board-operated program at the commencement of the fall term of that calendar year provided that an appropriate program is operating and that sufficient space is available.

Age and Program Availability

- iii. Provided that an appropriate program is available within the designated school, or that the parent is prepared to exercise the provisions of Policy 3,001 - School Boundaries and Optional Attendance:
 - (a) A child who attains the age of four years on or before the last day of February may be enrolled in a Board-operated Early Childhood Services program at the commencement of the fall term of that calendar year.
 - (b) A child who attains the age of five years on or before the last day of February may be enrolled in a Board-operated program at the commencement of the fall term of that calendar year.

- iv. A child who is six years of age on or before September 1 of a school year and who has not attained the age of sixteen as of that date must be enrolled in a Board-operated program in that school year.
- v. Subject to the provisions for High School Admission below, a student who has attained the age of sixteen years and who has not attained the age of nineteen years on or before September 1 in a school year will be admitted to a Board-operated program in that school year.
- vi. The admission of students who have attained the age of nineteen years (or more) as of September 1 of a school year is subject to the following provisions for High School Admission.

C. ADMISSION OF NON-RESIDENT STUDENTS

1. Eligibility for Admission

- a. Subject to the provisions of this regulation concerning eligibility for admission and fees, non-resident students may be admitted to a school program on a year-to-year basis provided:
 - i. That the student satisfies the admission requirements of this regulation (except for those who are entering a Continuing Education program).
 - ii. That space, staff and an appropriate program, as determined by the principal of the school to be attended, are available.
 - iii. That the following requirements have been met:
 - (a) In the case of a foreign student, an admission authorization issued by the Admissions Coordinator is submitted to the principal.
 - (b) In the case of other non-resident students, one of the following requirements is met:
 - (i) An admission authorization issued by the Admissions Coordinator is submitted to the principal; or
 - (ii) The appropriate CBE non-resident form is completed and forwarded to the Division of Finance-Business Administration.

- (iii) In the case of shared care and custody where each parent is a resident of a different school district or division, a written declaration is made by the parent choosing the Calgary Board of Education as the resident board.
 - iv. That fee accounts for attendance in a previous school year have been paid in full.
 - b. In addition to the requirements established above, the admission to a school of foreign students by whom tuition fees are payable is subject to the following:
 - i. Submission of the following to the Admissions Coordinator:
 - (a) Application form.
 - (b) Payment of the appropriate non-resident foreign student tuition fee.
 - (c) Academic transcript.
 - (d) Evidence of competence in English consistent with successful participation in the program of study to which admission is requested.
 - (e) Valid student authorization issued by Immigration Canada.
 - ii. Approval of the student's application by the principal of a school.
 - iii. Restriction of the total number of foreign students registered at any given school to a maximum of 15% of its projected enrolment for the next school year unless a higher enrolment is approved by the principal and by the Associate Superintendent.
 - iv. Submission to the principal of the school to be attended of an admission authorization issued by the Admissions Coordinator.
 - c. Admission will not be granted to a foreign student who has entered Canada on a Visitor's Permit.

2. Fees

- a. A schedule of non-resident tuition fees will be established annually by the Board in which provision is made for fees payable by non-resident students as follows:

- i. Establishment of a "non-resident tuition fee" payable when the student's parent or guardian (or the student, if eligible for "independent" status) resides within Alberta.
 - ii. Establishment of "non-resident out-of-province and foreign student tuition fees" payable when the student's parent or guardian (or the student, if eligible for "independent" status) does not reside within Alberta.
- b. Treaty Indians will be accepted in accordance with agreements established between the Calgary Board of Education and the Government of Canada as follows:
 - i. Native students eighteen years of age or less whose parents reside on a reserve
 - ii. Native students who are placed in a Calgary home by the Department of Indian Affairs for the purpose of attending a school under the jurisdiction of the Calgary Board of Education.
 - iii. Native students who are nineteen years of age or more and who reside on a reserve.
- c. Except as otherwise provided in the exemption provisions below, the admission of non-resident students to a program of study is contingent upon their payment of the applicable non-resident tuition fee.
 - i. Non-resident fees are payable by foreign students at the time of application for admission.
 - ii. Non-resident fees payable by Canadian citizens or landed immigrants are payable at registration or in accordance with payment arrangements established in a written agreement signed by the parent, legal guardian, or sponsoring agency (e.g., school district) to make payment of the prescribed non-resident tuition fee.
 - iii. If non-resident fees are not paid in accordance with the foregoing requirements:
 - (a) neither a letter of admission nor admission to a school will be provided in the case of foreign students; and
 - (b) collection procedures will be undertaken by the Division of Finance-Business Administration in the case of other non-resident students.
 - iv. Credit for taxes on property owned within the City of Calgary will not be granted towards payment of non-resident fees.

- d. The following categories of non-resident students are exempted from paying non-resident fees:
 - i. Students whose residency status changes during the course of the school year, provided that the parent designates the Calgary Board of Education to be the resident board for the balance of the school year.
 - ii. Foreign students who fall within one of the following categories:
 - (a) Foreign students who reside with a parent who is a Canadian citizen, a landed immigrant, or the holder of a valid Student Visa, Work Visa, or Minister's Permit.
 - (b) Foreign students who reside within the jurisdiction of the Calgary Board of Education with a legal guardian who is the holder of a valid Student Visa, Work Permit, or Minister's Permit, provided, however:
 - (i) that guardianship was established by order of a Canadian court (or an order of a foreign court which has been registered with a Canadian court); and
 - (ii) that guardianship was established prior to issuance of the guardian's visa or permit.
 - iii. Foreign students for whom admission to a regular program has been authorized on the basis of an approved student exchange program.
- e. Tuition fees payable by foreign students will include a non-refundable processing fee established by the Superintendent of the Division of Finance-Business Administration.
- f. The following fees are payable by all non-resident students when applicable:
 - i. Board mandated fees
 - ii. School fees
 - iii. Continuing Education fees
- g. Claims for exemption from non-resident fees on the basis of "independent student" status must be supported by evidence of the following:
 - i. Earnings or grants consistent with self-support.

- ii. Maintenance of a place of residence consistent with self-support.

3. Admission Inquiries and Procedures

- a. Responsibility is assigned to the Admissions Coordinator for the following functions:
 - i. Responding to inquiries regarding the admission of non-resident students and non-resident fees.
 - ii. Receiving and processing applications for the admission of foreign students.
 - iii. Referring applications to principals and other staff as appropriate for approval and placement.
 - iv. Providing eligible foreign students with a letter of admission and with a school admission authorization.

D. APPEALS AND SPECIAL CASES

- 1. Requests for exemption from the terms of this regulation with respect to the admission of non-resident students are subject to the following provisions:
 - a. Exemption from payment of non-resident fees will reflect dire need pertaining primarily to the physical well-being of the student in question.
 - b. Requests will be resolved as follows:
 - i. Requests which are received by school staff are to be referred to the Admissions Coordinator for review and a decision.
 - ii. Requests for an appeal of decisions made by the Admissions Coordinator and requests for exemption on the basis of special circumstances are to be referred to the Director of Corporate and Legal Affairs.
 - iii. Requests for an appeal of decisions made by the Director of Corporate and Legal Affairs are to be directed to the Superintendent of Finance-Business Administration whose decision will be final.
- 2. Parents, guardians, and students are to be advised of the appeal opportunities which are available to them.

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References

- Legal References:**
- School Act, S.A. 1988 cS-3.1; s1 [am. S.A. 1990 c36 s2]; s2; s3 [am. S.A. 1990 c36 s3]; s8 [am. S.A. 1990 c36 s4]; s23; s27 [am. S.A. 1990 c36 s12]; s29; s236;