

SCHOOL DISTRICT NO. 67 (OKANAGAN SKAHA)

POLICY

POLICY #305 Choice and Flexibility

RATIONALE

The *School Act* requires the Board to establish catchment areas for each school. School age children resident in the school district may be registered in any school in the district, where space and facilities are available in their educational program, subject to the priorities set out in the Act and defined by the board in compliance with the Act.

POLICY

Students will be enrolled in schools and assigned to programs pursuant to Section 74, 74.1 and Section 75 of the *School Act* with respect to age, school catchment area, residence location, statutory entitlement, program suitability, the availability of space, facilities, and instructional resources. Parents or guardians may request a transfer for their child or students may be required to transfer to another school.

To support family involvement in the schools, where a family has one child in a school, their other children will be given priority of enrolment at that school.

Admission into district programs such as Late French Immersion, in which seats are limited, will be decided by random selection.

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Reviewed/Revised: February 14, 2005
September 10, 2007
October 3, 2011
January 13, 2014

Statutory Reference: *School Act*

REGULATIONS AND PROCEDURES

POLICY #305 Choice and Flexibility

1. GENERAL REGULATIONS

1.1 School Catchment Areas

Pursuant to Section 75.1 of the *School Act*, the Board has established school catchment areas (Appendix A). The Board may amend the catchment area of a school. A school may have program-specific catchment areas.

1.2 Eligibility

1.2.1. Definitions

Pursuant to Section 74.1 of the *School Act* and this policy:

"catchment area child" means a person

- (a) of school age, and
- (b) resident in the catchment area of the school;

"non-catchment area child" means a person

- (a) of school age,
- (b) resident in the school district, and
- (c) not resident in the catchment area of the school;

"non-school district child" means a person

- (a) of school age,
- (b) resident in British Columbia, and
- (c) not resident in the school district;

"previous school year" means the school year previous to the school year for which the person is applying to enroll in an educational program;

"school district child" means a catchment area child or a non-catchment area child.

"residence" means the student's normal place of residence as of the date of the submission of the application to enroll the student.

"resident" means a person who is living in the school district. While the district may have an obligation to educate any resident of school age, the education does not need to be free of charge unless s/he is "ordinarily resident".

"ordinarily resident" – to be "ordinarily resident" requires that both student and parent (or legal guardian) have a permanent "place of residence" and an ongoing physical presence in the district. Determination of "ordinarily resident" status will align with the requirements set out in the Ministry of Education Policy Document titled "Eligibility of students for operating grant funding".

“place of residence” – for the purpose of this policy, a student’s place of residence is deemed to be that of the student’s parent or legal guardian, unless satisfactory evidence is produced that the student’s ordinary residence during the school year is elsewhere. The place of residence at the time of application determines the status of the applicant as a catchment area, non-catchment area, or non-school district child.

"parent" and/or guardian” – for the purposes of this policy, parents must also be the child’s guardian in the eyes of the *Family Law Act* and *Infants Act*. Therefore, as set out in Section 1 of the *School Act* and the Ministry of Education Policy entitled “Eligibility of students for operating grant funding”, a guardian is/are:

- Parents who are living together with the child unless the parents make an agreement or the court orders that a parent is not the child’s guardian; or
- Parents who are separated or divorced unless the parents make an agreement or the court orders that a parent is not the child’s guardian; or
- A parent who has never resided with his/her child but has been given guardianship through any agreement made with the parents who has guardianship and/or the parent regularly cares for the child (Sections 30 and 39(3) of the *Family Law Act*); or
- a guardian as appointed by court order; or
- a guardian in the will of a deceased parent; or by a guardian who is facing terminal illness or permanent mental incapacity presuming the appointment is made in the prescribed form.

"district program" means a program (e.g. French Immersion) established by the Board that has regulations within this policy.

"continuing student" means a student in attendance at the school or a designated feeder school during the previous school year.

"feeder schools" and their associated "receiving schools" are described by the Board's established catchment areas (see Appendix A), where the class from the highest grade offered by the feeder school would be enrolled the next year in a designated receiving school, unless an application for enrolment elsewhere is accepted.

1.2.2. Enrolment

Persons who exercise their entitlement to enroll in any school or educational program will be enrolled in the priority order contained in regulation 1.2.7.d and/or 3.2 of this policy.

1.2.3. Denial of Enrolment in a School or Program

Students suspended from attendance in another school or district, and/or students denied an instructional program pursuant to Section 85 (2) of the *School Act* may be denied enrolment by the Board.

Such applications will be referred to the superintendent or designate for a decision on admission. Admissions may be made subject to terms and conditions. A student admitted under this section is not entitled to the status of a continuing student in the following year unless approved by the school principal or superintendent's designate.

1.2.4. Continuing Students

Students enrolled in a school or a program in the current school year will be deemed to be continuing students and will be enrolled in that program for the following school year subject to approval by the principal.

Continuing students are not required to apply. They will be automatically enrolled in the applicable educational program or school, subject to space availability and to meeting program requirements, unless transferred or withdrawn.

1.2.5. International Fee-Paying Students

The admission procedures contained within this policy do not apply to International offshore fee-paying students. All other students (fee-paying or otherwise) must abide by the regulations within this policy.

1.2.6. Admission of Non-Canadian Students

The admission of non-Canadian students to Canada, and the specification of privileges associated with such admission, is a Federal responsibility. Admission into a district school of non-Canadian students who are resident in the school district shall, therefore, be governed by the following provisions:

- a. Landed immigrants shall be granted the same educational privileges as Canadians.
- b. The superintendent of schools may grant permission to attend school for a limited period of time to students who are non-Canadian school age children of persons holding employment visas. Permission shall be granted only if the superintendent determines that the attendance of such a student will not unduly strain the resources of the school. There shall be no fee charged.
- c. Admission shall not be granted to other categories of students except in exceptional circumstances. As an example of exceptional circumstances, superintendents of schools may grant permission to non-Canadian students participating in a recognized international student exchange program to attend for a specified period of time. The superintendent may also provide for temporary admission to non-Canadian students pending a legal determination of the guardianship of a student.
- d. No written permission shall be provided which would enable a student to obtain a student authorization visa except as required for the exceptional circumstances determined by the superintendent or for fee-paying international students described in Section 1.2.5.

1.2.7. Determination of Available Space and Facilities

- a. For purposes of Section 74.1(6) and (7) of the *School Act*, space and facilities are available in a school to enroll an applicant if there is capacity to provide the applicant with an educational program appropriate to the applicant's needs, taking into account both physical and educational resources, after reasonable enrollment projections have been made to allow for accommodation of continuing students, district programs located in the school, and (if applicable) a kindergarten program adequate to accommodate the projected enrolment of catchment area children.
- b. The Board of Education delegates to the superintendent of schools or his or her designate, the decisions whether space and facilities are available in individual schools and educational programs for purposes of Section 74.1(6) and (7) of the *School Act*, in accordance with paragraphs G.1 and G.3.
- c. Decisions will be made in consultation with the principal of the affected school and will be based on program capacity, including consideration of the following:
 - the operating capacity of the school as defined by the Ministry of Education
 - staff assigned to a school by the district
 - the physical space in which instructional programs operate in the school
 - the ability of the school to provide appropriate educational programs for the applicant and other students
 - the needs of other programs located in the school.
- d. If space and facilities are inadequate to accommodate all continuing students, continuing students will be re-enrolled in the following descending order of priority:
 - a) Continuing catchment area student;
 - b) Continuing non-catchment area student;
 - c) Continuing non-school district student.

1.3 Enrolment Application Process and Students' Calendar

For each school year, the Board will establish a date by which an application to enroll a person in an educational program must be received by the Board for the purposes of this policy. Except for Late French Immersion, applications will not be received prior to February 1 of the school year (Appendix B). Any application submitted prior to February 1 will be date and time stamped February 1, 8:00 a.m.

Applicants may apply for more than one educational program but may only be enrolled in one. When the applicant is offered and accepts enrolment in an educational program (in or out of the school district), applications for all other programs will become invalid. The French Immersion Program is considered to be one program offered at various sites.

1.4 Transportation

Parents/guardians are to assume full responsibility for the transportation of the student to and from school and any related extra supervision requirements.

1.5 Notice of Enrolment

Parents or adult students will be informed of the result of a request to enroll if the application is received by the applicable application deadline (Section 1. 3 and Appendix B of this regulation).

1.6 Transfer During the School Year

The sending and receiving principals may transfer a student to another school, at any time in the school year, in consideration of the following:

- a. Medical reasons.
- b. Compassionate grounds.
- c. Disciplinary reasons.
- d. The best interests of the student or other students in the school.
- e. There is not space for the new registrants at the school.

Before transferring a student, the principal shall discuss the situation with the parents/guardians of the student.

Where necessary, the superintendent or designate may become involved in school-initiated transfers and make the final decision on the transfer.

1.7 Appeal

Appeal of decision made under this policy will be directed to the superintendent or designate for adjudication.

Further appeal may be initiated pursuant to Bylaw 3 of School District No. 67 (Okanagan Skaha).

2. REGULAR PROGRAM

2.1 Program Requirements

Applicants for enrolment must meet all program requirements for the requested educational program and will be subject to any selection process established for that program.

2.2 Priority of Enrolment

Students will be enrolled in the following order of priority:

- 2.2.1. If the Board determines that space, facilities and instructional resources are available at the school in which the educational program is made available and after continuing students are enrolled, a person whose application was received by the Board by the date established under

Section 1.3 and Appendix B is entitled to enroll in that educational program in the following descending order or priority:

- a. A catchment area child who, in the previous school year, attended the school at which the educational program is made available but has not been enrolled as a continuing student;
- b. A catchment area child whose sibling is a continuing student at the school;
- c. A catchment area child;
- d. A non-catchment area child, whose sibling is a continuing student at the school;
- e. A non-catchment area child;
- f. A non-school district child.

2.2.2 If the Board determines that space, facilities and educational resources are available at the school in which the educational program is made available, a non-school district child referred to in subsection 2.2.1.a. is entitled to enroll in an educational program in priority to a school district child whose application was received by the board after the date established under Section 1.3 and Appendix B of this regulation.

2.2.3 If two or more persons have the same priority under this policy, the persons have, as between themselves, priority according to the date and time their respective applications to enroll were received by the Board. For applications received at the exact same date and time, priority will be determined by random selection.

2.3 Enrolment Application Process and Students' Calendar

For each school year, the Board will establish a date by which an application to enroll a person in an educational program must be received by the Board for the purposes of this policy.

2.4 Wait List

Those not accommodated through the initial application process will be placed on a wait list in the category and date/time order received, for consideration in September when actual enrolments are known. Parents/guardians of students placed on a wait list for September will be contacted no later than the Monday following the start of school in September if space exists for their child's transfer. Any applications received after the application deadline will also be placed on the wait list.

3. LATE FRENCH IMMERSION PROGRAM:

3.1 Program Requirements

3.1.1 Applicants for enrolment must meet all program requirements for the requested educational program and will be subject to any selection process established for that program,

- 3.1.2 Students MUST be registered at their catchment area schools, where the catchment areas are as defined in Appendix A, then apply to the Late French Immersion program. If successful, applicants will automatically receive school of choice.

3.2 Application Process

- 3.2.1 Application for Late French Immersion must be received at the Board office by noon on February 1 of each year (should February 1 fall on a weekend the deadline will be at noon on the first school day after February 1). As part of the application process, applicants must select their school of choice to attend.
- 3.2.2 The number of Late French Immersion classrooms and in which schools these classrooms will reside will be decided by the Superintendent or designate based on the number of applications received as per 3.2.1. This information will be reported to the Board of Education at its next regular meeting.
- 3.2.3 The classrooms will be filled by random selection of all applications received by the deadline established in 3.2.1, until they are at capacity, in the following order:
- a. In-school district students;
 - b. Non-school district students.
- 3.2.4 The number of Late French Immersion classrooms and in which schools these classrooms will reside will be confirmed by the Board of Education when it passes the budget during its regular budget process.

3.3 Wait List

For applications for Late French Immersion made before the application deadline, wait list position is determined in accordance with the random selection process under 3.2 above. Applications received after the application deadline are added to any wait list according to date/time order received.

ADOPTED:	February 10, 2003	Reviewed/Revised:	February 14, 2005 September 10, 2007 October 3, 2011 January 13, 2014
		Statutory Reference:	<i>School Act</i>

APPENDIX A SCHOOL CATCHMENT AREAS

A. Elementary Schools

<i>School</i>	<i>Catchment Area</i>	<i>Map Zone</i>
Carmi Elementary		3
Columbia Elementary		4
Giant's Head Elementary		11
Kaleden Elementary		1
Naramata Elementary		10
Parkway Elementary		6
Queen's Park Elementary		7
Trout Creek Elementary		12
Uplands Elementary		8
West Bench Elementary		9
Wiltse Elementary		2

B. Middle Schools

<i>School</i>	<i>Catchment Area</i>	<i>Map Zone</i>
KVR Middle School	CAR, NAR, QP, UPL	3, 7, 8, 10
Skaha Lake Middle School	COL, KAL, WIL, WB, PKWY	1, 2, 4, 6, 9
Summerland Middle School	GH and TC	11,12

C. Secondary Schools

<i>School</i>	<i>Catchment Area</i>	<i>Map Zone</i>
Penticton Secondary	KVR	3, 7, 8, 10
Princess Margaret Secondary	SLMS	1, 2, 4, 6, 9
Summerland Secondary	SMS	11, 12

NOTE: *Catchment area maps are available for reference at the School Board Office and school offices.*

APPENDIX B

ENROLMENT APPLICATION PROCESS AND STUDENTS' CALENDAR

<i>Student Classification</i>	<i>Applying For Grade</i>	<i>Application Deadline</i>	<i>Apply To</i>	<i>Late Application</i>	<i>Form</i>
Catchment	K	April 15	School office	Kindergarten space may not be available at neighbourhood school.	School Registration (District)
	1 – 5 6 – 8 9 – 12	April 15	School office	Requests will be considered subject to available seats/spaces.	School Registration Form
	Late French Immersion (Initial application) <u>NOTE:</u> As per Ministry of Education Policy, the major goal of French Immersion is to provide the opportunity for non-francophone students to become bilingual in English and French. This program is not suitable for students with substantial prior experience in speaking French.	By noon, February 1 (should February 1 fall on a weekend, refer to 3.2.1) <u>NOTE:</u> Application forms will be distributed at all grade 5 schools on the same day annually.	School Board Office – French Immersion Application Enrolment is based on the availability of room and on: (1) application prior to deadline, and (2) random selection of catchment area applicants.	Late applications will be subject to availability after applications made within time are dealt with. Applications may be wait-listed.	District Immersion Application Form
	Late French Immersion (Confirmation)	April 15	Return confirmation form to School Board Office	Failure to confirm enrolment by April 15 will likely lead to the loss of program placement.	District Confirmation Form
	Special Education Cat. 1 – 3	April 15	Director of Instruction	Transfer may not be possible.	Letter
Non – Catchment or Non-School District	K	April 15	School Office	Enrolment in non-catchment school (transfer) is subject to availability and may not be possible.	School Registration and Transfer Request Form
	1 – 5 6 – 8 9 - 12	April 15	Current practice using transfer form from School Board Office	Transfer requests will be considered subject to available seats/spaces.	Transfer Form (District)

Student Classification	Applying For Grade	Application Deadline	Apply To	Late Application	Form
	<p>Late French Immersion (Initial application)</p> <p>NOTE: As per Ministry of Education Policy, the major goal of French Immersion is to provide the opportunity for non-francophone students to become bilingual in English and French. This program is not suitable for students with substantial prior experience in speaking French.</p>	<p>By noon on February 1 (should February 1 fall on a weekend, refer to 3.2.1)</p> <p>NOTE: Application forms will be distributed at all grade 5 schools on the same day annually.</p>	<p>School Board Office – French Immersion Application</p> <p>Enrolment is based on the availability of room and on:</p> <p>(1) application prior to deadline, (2) random selection of remaining non-school district applicants.</p>	<p>Late applications will be subject to availability after applications made within time are dealt with. Applications may be wait-listed.</p>	<p>District Immersion Application Form</p>
	<p>Late French Immersion (Confirmation)</p>	<p>April 15</p>	<p>Return confirmation form to School Board Office</p>	<p>Failure to confirm enrolment by April 15 will likely lead to the loss of program placement.</p>	<p>District Confirmation Form</p>
	<p>Special Education Cat. 1 – 3</p>	<p>April 15</p>	<p>Director of Instruction</p>	<p>Transfer may not be possible.</p>	<p>Letter</p>