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I. **Definitions and Statute References**

1. **Independent Students:**

- 1.1. Under the *School Act*, students who are 18 years of age or older, or 16 years of age or older and living independently or who are a party to an agreement under the *Child, Youth and Family Enhancement Act*, are **independent students**.
- 1.2. Section 1 (3) of the *School Act* says that an independent student is entitled to exercise all the rights and powers and receive all the benefits and is subject to all the obligations under the *School Act* that the student's parent is entitled to exercise or receive or is subject to those obligations, and the student's parent shall not exercise those rights, receive those benefits or be subject to those obligations.
- 1.3. Definitions: In accordance with School Act Section 1(l)(m), "**independent student**" means a student who is
  - 1.3.1. 18 years of age or older, or;
  - 1.3.2. 16 years of age or older and who
    - 1.3.2.1. is living independently, or
    - 1.3.2.2. is party to an agreement under section 57.2 of the *Child, Youth and Family Enhancement Act*

2. **Foreign, Exchange or other Billed Students:**

- 2.1. Foreign students are those whose citizenship and primary residence is in a country other than Canada and who are not part of a student exchange program.
- 2.2. Exchange students are those whose citizenship and primary residence is in a country other than Canada and who are enrolled in a recognized student exchange program. Alberta Education and the Alberta Teachers' Association manage recognized programs.
- 2.3. Other Billed students are Canadian students who have taken up short term residence within the Division.

3. **Adult Students:**

- 3.1. The Guide to Education is specific in its descriptions of how public boards may and may not be involved in programming for adults. It states that Boards are required to concentrate educational programming on students who are six years of age or older and younger than 19 years of age, as of September 1.
- 3.2. Providing appropriate programming to adult students with exceptional education needs may require the offering of appropriate special education programs.

## **II. Independent Students**

1. Requests: A student who is between 16 and 18 years of age and wishes to establish independent student status must notify the School Principal in writing of the request to be considered an independent student.
2. Criteria: In order to determine independent student status the School Principal must consider the following criteria.
  - 2.1. Have the student's parents or the student provided a statement in writing or a statutory declaration that the student is independent?
  - 2.2. Does the student demonstrate to the satisfaction of the School Principal that they make decisions with respect to day-to-day living?
  - 2.3. Does the student earn their own living or substantially contribute to their own maintenance or receive government financial support?
  - 2.4. Does the student handle major decisions such as medical treatment?
  - 2.5. Does the student make and maintain arrangements for living accommodation?
  - 2.6. Is the student married or co-habiting?
  - 2.7. Are there any other factors that the School Principal considers relevant?
3. None of these criteria alone is a sole indicator of independence, but the response to all of them will assist the School Principal in determining whether or not a student is appropriately considered an independent student.
4. If the School Principal determines that the criteria are not met, the School Principal must advise the parents and student in writing of the School Principal's decision.
5. PowerSchool™ and change in status: If the School Principal determines that the criteria are met, then the student is recognized as an independent student and the School Principal must ensure that this information is entered into PowerSchool™.
  - 5.1. If the student no longer meets the criteria for independent status, the student and parent must inform the School Principal in writing of the change in status.
  - 5.2. When the School Principal receives the notice that the student no longer has independent student status, the School Principal must ensure that this information is entered into PowerSchool™.
6. Residency: An independent student is a resident student of the school board in which the student lives.

## **III. Foreign, Exchange and other Billeted Students**

1. The same degree of care will be provided to billeted students as with any other student in our Division.
2. No tuition fees will be levied against approved reciprocal exchange students.
3. All other foreign students will be required to pay a tuition fee set by the Division.

## **IV. Adult Students**

1. Outreach schools may offer services to adults with the following conditions:
  - 1.1. Adult learners must pay for each course before starting the course (tuition set by the Division).
  - 1.2. Adult learners may call for appointments to meet with teachers.
  - 1.3. School age learners take precedent over adult learners when it comes to teacher time and attention.
2. Outreach schools will partner with community agencies and where possible, direct adult learners to various colleges that offer upgrading for adults.

3. The Alberta Distance Learning Centre (ADLC) will continue to provide adult programming to learners in the province of Alberta.
  - 3.1. Adult learners must pay tuition for each course. The tuition is set by ADLC to recover the full cost of offering the course to an adult.
  - 3.2. Adult programming information (including records, results and measures) is kept separate and distinct from school age student program information.

#### **V. Education of Adults with Special Needs**

1. Schools may provide programs to adult students with special needs who are 18 years of age or older by September 1st of the school year, provided such a program is feasible and is considered to be in the best interest of the student.
2. Exceptions to the termination of special education programs for adult students with special needs who are 19 years of age or older as of September 1st will be reviewed by the Superintendent or designate. The following factors will be considered:
  - 2.1. Sufficient enrolments to warrant;
  - 2.2. Program suitability; and
  - 2.3. Availability of resources.
3. Where possible, the Division will provide a minimum of one year's notice of its intent to terminate special education programming for an adult by advising the student(s), the parents or guardians, and the appropriate regional support agencies for adults with disabilities.

#### **Reference**

[Rates Annex: RA I - Student Fees](#)

[Child, Youth and Family Enhancement Act](#), R.S.A. 2000, C-12, Section 57.2

[School Act](#), Sections 1(1)(m), 1 (3), 23(2)(b), 60

[Alberta Education Guide to Education](#)

[Alberta Education Document: Standards for Special Education Handbook](#)