

INDEPENDENT STUDENTS

Background

Under the Alberta *Education Act*, 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 Education Act that the student's parent/guardian would be entitled to exercise or receive or would be subject to. The student's parent/guardian shall not exercise those rights, receive those benefits, or be subject to those obligations.

As defined in the *Education Act*, the following criteria is to be considered to determine independent student status:

- (a) whether the student or the student's parent has made a statement in writing indicating that the student is living independently;*
- (b) the student's living arrangements;*
- (c) whether the student is financially independent or contributes financially to his or her maintenance;*
- (d) whether the student is responsible for the making of significant decisions regarding matters such as health care;*
- (e) any other factor the board considers relevant.*

Procedures

1. A student who is 18 years of age or older is, by statute, an independent student, can request that all communication no longer be provided to their parent/guardian.
2. Any student who is between 16 and 18 years of age may request to be considered an independent student.
3. The student shall complete the Independent Student Declaration Form (AP 323 Form 1).
4. The principal must consider the following criteria when determining if a student is qualified for independent student status:
 - 4.1. The circumstances of the request (residence, relationship to parent/guardian).
 - 4.2. Parent / guardian confirmation if the student is between 16 and 18 years of age.
 - 4.3. The written statement or declaration.
5. Once the Principal determines the criteria for independent student status has been met, the student will be recognized as an independent student; this status shall then be entered on the student information system.
6. Should the Principal determine the criteria are not met, the student and the parent/guardians shall be advised in written form.
7. In the event that circumstances change and the student no longer meets the criteria for independent status, the student and parent/guardian must inform the Principal of the change in written form. The Principal shall then enter the information to reflect the change of status on the student information system.
8. All correspondence shall be directly with the independent student unless the student provides written consent allowing the Principal (or designate) to provide information to parents/guardians.

Reference: Form 323-1 Independent Student Declaration
Education Act, s. 4, 5, 6, 7, 11, 22, 33
Child, Youth and Family Enhancement Act