

Access to Services for Residents With Uncertain or No Immigration Status

Burnaby Board of Education Practice and Procedures

The District endeavours to do everything it can to allow all students to receive a publicly funded education while recognizing constraints established within Ministry of Education funding policies and other regulatory frameworks.

Q. How do students who are new to Canada register within the Burnaby School District?

A. Students who are eligible for publicly funded education register at their attendance area school. For complete details, please see the district website, <https://burnabyschools.ca/registration/>

Q. How is a child's eligibility for a publicly funded education determined?

A. Eligibility for a publicly funded education is based on the parent/ legal guardian and school-aged child maintaining ordinary residence in BC, even when the child is born in Canada (see MOE policy: <https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/legislation-policy/public-schools/eligibility-of-students-for-operating-grant-funding>). Immigration status is relevant but does not determine ordinary residence.

Q. What about children whose parents/ legal guardians are Temporary Foreign Workers, Study Permit Holders or Refugee Claimants (asylum seekers)? Are they eligible for a funded education in BC?

A. Students whose parents/ legal guardians are temporary residents in Burnaby and have a work permit or study permit that is longer than one year may be eligible during that time for funded education. Children of Refugee Claimants can be provided with a publicly funded education while their claim is being processed. Refugee Claimants who have been denied permission to stay in Canada and people on expired work/study permits would need to be considered on a case-by-case basis. These parents/ legal guardians will be referred to district staff to confirm eligibility.

Q. What about families who require assistance? Is any support available to them?

A. The Burnaby School District has a Cultural Transitions Coordinator and Settlement Workers in Schools (SWIS) who assist permanent residents not proficient in English/ French and who may require access to settlement support.

Q. What if a parent does not have the necessary documents to demonstrate ordinarily resident status?

A. Parents/ legal guardians will be asked to provide evidence to substantiate that they have maintained ordinarily resident status in BC. For a list of documents see the district website, <https://burnabyschools.ca/registration/>. Parents/ legal guardians who do not have the necessary documents to demonstrate that they are ordinarily resident are referred to district staff. For parent/ legal guardians who do not have the proper immigration documents, determination of eligibility for a publicly funded education will be reviewed on a case-by-case basis, with care and sensitivity.

Q. What if a parent/ legal guardian is concerned about their immigration status being referred to the federal immigration authorities for some reason?

A. Confidentiality of personal information is important and parents/ legal guardians need not be afraid to come to the Burnaby School District. While the school district recognizes the federal government's legal jurisdiction over immigration matters, it is not the role of the school district to share immigration status information with external federal agencies unless legally ordered to do so.

Q. What if a student does not qualify for a publicly funded education?

A. Students who do not qualify for a publicly funded education through either residency, or work or study permit eligibility, are referred to the fee paying International Education Program. District staff and Settlement Workers in Schools may also inform parents/ legal guardians about other community, religious or independent training opportunities for their children until the parent/ legal guardian can provide proof of eligibility for funding purposes.

Q. What if a student is already enrolled in a school and his or her parent/ legal guardian's immigration status changes? Does the student have to leave school?

A. The children of parents/ legal guardians who are already enrolled in schools will not be withdrawn from school while their parents/ legal guardians are dealing with immigration matters, provided they submit supporting documentation that they are in a transitional period (e.g. extending a work/ study permit). Other cases will be considered on a case-by-case basis.

Q. What if a child is enrolled in a Burnaby School but cannot afford financially to participate in activities that require additional funding such as some field trips?

A. Once students are enrolled in schools they are eligible for all programs. The school district makes every effort to ensure that a family's financial constraints do not prevent their children from participating in any program activity.