



Independent Students: Students 18 years and older or students turning 18 during the school year

The **School Act** defines an Independent Student as a student who is

- i) **18 years of age or older**, or
- ii) 16 years of age or older and
 - a. Who is living independently, or
 - b. Who is a party to an agreement under section 57.2 of the *Child, Youth and Family Enhancement Act*

The **School Act** goes on to say an Independent Student is entitled to exercise all the rights and powers and receive all the benefits and is subject to all the obligations that the student's parent/guardian is entitled to exercise or receive or is subject to, and the Independent Student's parents SHALL NOT exercise those rights, receive those benefits or be subject to those obligations.

The **Freedom of Information and Protection of Privacy Act (FOIP Act) of Alberta** requires the CBE to disclose information to students who are the age of majority and then only to others with the written consent of the Independent Student.

Students who turn 18 years old during the school year must be recognized and treated as an Independent Student from the date of their 18th birthday. Independent Students maintain all the responsibilities of an adult and cannot transfer these responsibilities to their parent/guardian(s). Schools must take instructions from the Independent Student for all matters, including but not limited to: consents and waivers, attendance, field trips, suspensions, damage to property, and emergency contacts.

A Notification letter of the changes in rights and responsibilities of Independent Students will be sent to the parent/guardian(s) of the student the month prior to the student turning 18 years old.

Independent Students may elect to provide written consent to share the right to access information with their parent/guardian(s). This will be done by having the Independent Student complete the Release of Independent Student Information form on or after their 18th birthday. This form allows the school to continue to share student information with the parent/guardian on matters such as report cards, attendance records, field trip details, suspension matters, course options, etc. Schools who release student information to anyone other than the Independent Student, without prior written consent, will be in breach of privacy laws and may be held accountable. Parents/guardians can only attend Parent/Teacher conferences when accompanied by the Independent Student.

The only exception to the above is if a guardian or trustee has been appointed for the student under the *Adult Guardianship and Trusteeship Act*. In this situation, the adult student does not need to give written consent as the guardian or trustee would have the rights, powers and duties.

More information regarding this matter is posted on the WCHS website.

