

AP 104 – Parental Responsibilities

Background

The purpose of this procedure is to outline the rights and responsibilities of the parents or guardians of students in the Abbotsford School District.

Procedures

1. The District recognizes that the involvement of parents or guardians in the educational development of students is crucial to their success. Generally, parents have a responsibility to work collaboratively with school personnel, and within the boundaries of provincial laws and district policies to ensure the success of their children.
2. Parents or guardians of students have the right and responsibility to:
 - 2.1 be informed of all matters relating to the educational programming of their child;
 - 2.2 request and receive written reports of their child’s progress at each regular reporting period;
 - 2.3 have access to written documents, assessments and reports regarding their child’s educational progress;
 - 2.4 participate in meetings involving their child’s placement or review of placement in any program;
 - 2.5 appeal any staff decision that impacts the educational programming for their child. (see Policy 14 : Appeals Process)
3. With respect to specialized services (such as special education), parents also have a right and responsibility to:
 - 3.1 be informed of their child’s referral to the Learning Support Services Department through the School Based Team;
 - 3.2 meet with Learning Support Services personnel involved with the assessment of their child;
 - 3.3 withhold written consent for special education individual assessment. (If, in the informed opinion of the Director for Learning Support Services, a student poses a sufficient threat to his/her own or other students’ educational well-being, the Director may require appropriate testing);
 - 3.4 participate in collaborative meetings to develop their child’s Individual Educational Plan (IEP);
 - 3.5 have the results of any private, accredited assessments for their child considered in education program decisions in the district.

Appendix [AP 104-1 Who Has Parental Rights?](#)

Reference [School Act](#) (section 1)
[Family Law Act](#)

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AP 104-1 Who Has Parental Rights?

The [School Act](#) provides that “parents” have certain substantive and procedural rights in relation to the education of their school age children.

“Parent” means

1. a parent or other person who has guardianship or custody of the student or child, other than a parent or person who, under an agreement or order made under the [Family Law Act](#) that allocates parental responsibilities, does not have parental responsibilities in relation to the student’s or child’s education, or
2. a person who usually has the care and control of the student or child.

“Parent” is, therefore, not synonymous with the natural parents of a child. In order for a person to be entitled to exercise the rights of a parent under the [School Act](#), the person must have one of the above legal relationships with a student. There may be more than one person who qualifies as a “parent”.

How do you determine who has guardianship, custody or usual care and control of the student?

While a child’s parents are living together and after the child’s parents separate, each parent of the child is the child’s guardian, unless an agreement or order made after separation or when the parents are about to separate may provide that a parent is not a child’s guardian.

If a child’s guardian and a person who is not the child’s guardian marry or enter into a marriage-like relationship, the person does not become a guardian of that child by reason only of the marriage or marriage-like relationship.

Parental Responsibilities

Only a guardian may have parental responsibilities with respect to the child.

Unless an agreement or order allocates parental responsibilities differently, each child’s guardian may exercise all parental responsibilities with respect to the child in consultation with the child’s other guardians, unless consultation would be unreasonable or inappropriate in the circumstances.

When children are apprehended by the Ministry for Children and Families, that Ministry, i.e. the Social Worker (not the foster parent) becomes the legal guardian.

Parental responsibilities may be allocated under an agreement or order such that they may be exercised by

- a) one or more guardian only, or
- b) each guardian acting separately or all guardians acting together.

For more information regarding the rights of access to student records for parent(s)/guardian(s) who are separated or divorced, refer to the [Family Law Act](#).