



International Public School Education Association

IPSEA

BRITISH COLUMBIA CANADA

May 27, 2019

Ministry of Education
Compliance Program

Re: Policy and Compliance meeting
June 4, 2019
9:00am-12:30 pm
515 West Hastings (SFU Harbour Centre)
Cominco Policy Room

Scenarios and Questions

1. Scenario: There is lack of clarity with definition of “ordinary resident”
 - a. Can the Ministry clearly define “ordinary resident”?
2. Scenario: Parents with open work permits and are self-employed or hired as a self-contractor. Receives cheques and not pay slips, must declare taxes on T4A end of year.
 - a. How do we verify hours of work of a non-hourly employee or non-consistent work?
 - b. Can we accept copies of cheques and documentation showing the money has been deposited into their account? Following with their T4A next year.
 - c. Are children of these parents still eligible for funding?
3. Scenario: Parents have applied for a permit extension and are refused. They then apply for restoration.
 - a. How long do we allow for this process to continue?
 - b. What documentation is required to sustain funding?
 - c. Is it a requirement of the School District to refresh annually (1701)?
4. Scenario: Expired documents (i.e. Refugee Claimant)
 - a. Do we register them?
 - b. Even though registered can they attend school on an expired document with no subsequent documentation indicating their file is under appeal? In this scenario are they funded?



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- c. If they are currently enrolled but their documents expire while in school, do they continue to remain in school and register for following years?
5. Scenario: Expired PR cards
 - a. Do we register them?
 - b. Is the child enrolled on an expired parent's PR card eligible for funding?
 - c. Should somebody be following up for renewed PR cards? We are finding that mother and father on PR cards go back to home country and leave children in Canada with family / friends
6. Scenario: Parents with visitor status but are volunteering in church as pastors etc.
 - a. Are these individuals eligible for funding?
7. Scenario: Parents that have applied for a post graduate work permit. Parents that have graduated from their study program and are no longer students. They have applied for a work permit and are waiting to hear if work permit is granted.
 - a. Can we apply for funding for children whose parents have finished studies and are waiting for their work permit applications to be approved?
 - b. Parents can work full time while they are waiting for their work permit. If parents are working, do we collect pay slips for them now even though they are still here on a study permit status (graduated and not studying)?
8. Scenario: Parents on study permit who are enrolled in a program that is not qualify for funding, but they work 20 hours per week as they are allowed to work with study permit.
 - a. Are their children eligible for funding?
 - b. Can Districts set their own qualification for hours of work required (more than 20 hours) for work permit holder?
9. Scenario: Like in scenario 8 we are now seeing study permits that allow individuals to work, even if their study permits do not meet eligibility requirements, per the policy. Federal Study permit allows maximum work of 20 hours, but Provincial ministry funding only requires employment of at least 20 hours of work. Individuals can obtain Ministry funding if they can show proof of working a minimum of 20 hours even if the primary intent in BC is to study.
 - a. If their primary intent is to study, not work (IRCC allow max 20 hours work as part of study permit) can we determine our decision based solely on the study permit criteria?



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10. Scenario: Students apply for registration under their parents having a study permit for university.
 - a. How do districts verify the 'study permit' holder's student status? Is the parent attending school or just enrolled? Has the parent remained enrolled for each term?
 - b. Can districts require international parents on study permit to show proof of attendance each term at the post-secondary institute to verify student status?
 - c. What documentation will the ministry accept to show proof the parent is enrolled?
11. Scenario: Enrolling students with required documentation
 - a. Is there a responsibility on the Districts to ensure that documentation provided is current? Examples: Expired Work Permit with no documentation to show extension in process; Old Landed Immigrant papers from pre-1997 and no PR card.
12. Scenario: The parent or guardian is enrolled in an English as a Second Language (ESL) program of up to a year in duration at an institution that has an Education Quality Assurance Designation (EQA). The ESL adult student will be deemed resident for up to one year only.
 - a. Beyond one year, children of an ESL student will be considered international students and districts may charge international student fees?
 - b. Can the wording eliminate the 1-year ELL provision in the section, it was written to support Saudi Arabian scholarships of which has been cancelled?
13. Scenario: Private ESL schools are now developing pathway programs bringing an increase in ESL students. These individuals are applying to enrol their children K-12 as funded international.
 - a. What is the intention behind funding students in an ESL bridging program?
 - b. We have thousands of international students in our post-secondaries so why do we need to fund ESL bridging students?
14. Scenario: If a student enrolls after September 30th school districts are currently obligated to provide a funded education BUT the ministry does not pay out a block fund to the school



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15. district. The school district bottom line is negatively affected. It seems wrong that there is this obligation with no funding.
 - a. Should a school district receive funds no matter when the child enrolls (ie. Can extra funds be given mid-year)
 - b. Will the ministry be revisiting this?

16. Scenario: Is the student funded in the following cases
 - a. Canadians living overseas and sending their Canadian children back to Canada for schooling (without parent)? The children are Canadian Citizens and living with immediate relatives who are Canadian Citizen, ordinary resident to BC (grandparents/aunt/uncle)
 - b. If the Canadian parents are not here in BC with the children do the children qualify for funding? (parents live elsewhere in Canada)
 - c. Canadians marrying a foreigner and bringing their children to Canada

Recommendations / Suggestions:

1. Request a review of the Funding Policy wording
2. Clearly define Ordinary Resident
3. Change the determination for funding to be dependent on the PRIMARY APPLICANT. For example, we are seeing many spousal OE Work Permits. The Primary Applicant's Study Permit does not qualify for funding because it does not meet the degree/diploma criteria. The spouse could be working 20 hours a week cash-in-hand. The Ministry Funding policy allows for the children to attend school fully funded. (There is also no way to verify the work hours.) Funding should be dependent on the family's primary purpose for coming to Canada.
 - a. Further to this, we are seeing Primary Applicants in provincial/federal expedited programs (ie. Quebec or the Atlantic Immigration pilot programs) and the spouse and children are in BC. The OE Work permit of the spouse has no stipulation that the family reside together, although it usually says, "accompanying parent" or "accompanying spouse". For school purposes, relying solely on the Primary Applicant status would provide direction and clarity and avoid loopholes.



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4. Scenario: The parent or guardian is enrolled in an English as a Second Language (ESL) program of up to a year in duration at an institution that has an Education Quality Assurance Designation (EQA). The ESL adult student will be deemed resident for up to one year only. Beyond one year, children of an ESL student will be considered international students and districts may charge international student fees
 - a. Can the wording eliminate the 1-year ELL provision in the section, it was written to support Saudi Arabian scholarships of which has been cancelled?
5. Add that parents/guardians on Study Permit must, in addition to the current stipulations, also be in attendance FULL-TIME at the DLI or maintain FULL-TIME status (as defined by the Ministry of Advanced Ed, or whomever). We are seeing parents/guardians enrolled in 1 class at a DLI who therefore qualify for child funding. They may not even be in attendance; they are simply “enrolled”. Parents/Guardians who are on leave from their studies or who have deferred their studies should not qualify as they are not in attendance.
6. Increase the required Work hours to be IN EXCESS of 20 hours a week (ie. 25 hours minimum, not on average). Federally, a Study Permit holder can work up to 20 hours but not more than. The provincial funding policy allows for at least 20 or more hours. Therefore, a parent/guardian working precisely 20 hours as a student is eligible for child funding if they do not work more than 20 hours a week. The Funding Policy should look at the primary purpose for the funding request – which would be parent study, not parent work.
7. Can we change the following phrase from, “and **is or will be employed** for at least 20 hours per week” to “and **is employed** for at least 20 hours per week”? The “will be” is vague and subject to abuse.
8. Eliminate the ESL one-year program funding.
9. Add the word “annually” to the last point (5) on the Policy that says “Boards of Education must ensure... are met” annually.
10. Adjust the policy to have some time frames included to indicate that the parent/guardian must be currently engaged in work or study. Two examples come to mind:



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- a. With an authorization to work, the wording reads, “is or will be employed”. Theoretically, any one may fall under “will be employed”.
 - i. Suggested wording changes could be, “Parent/Guardian must be authorized to work... and is currently, or will be within 30 days, employed at least 21 hours each week. Weekly hours are a minimum, not an average.”
- b. With the authorization to study, the wording is simply “enrolled”. Theoretically, parents can arrive 6 months in advance of their program start and apply to K-12 schools for their children.
 - i. Suggested wording could be, “A Student may not commence studies prior to the parent/guardian commencing their work or study, unless a School Board authorizes an earlier start for pedagogical, educational or logistical reasons”

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