

APPENDIX C: SCHOOL ADMINISTRATION: RIGHTS AND RESPONSIBILITIES OF PARENTS

(School Administration: Rights and Responsibilities of Parents. Legislative Reference: The Public Schools Act, Sections 58.6–58.8)

LEGISLATIVE REFERENCE

- *The Public Schools Act*, Sections 58.6–58.8
- *The Parental Responsibility Act* (possible application only where damage is to non-school property)

GENERAL RESPONSIBILITIES

A person who is a resident in Manitoba is entitled to enrol his or her child in a program in any public school in Manitoba (subject to Schools of Choice and program not offered locally provisions) and to:

- a) be informed regularly of the attendance, behaviour, and academic achievement of his or her child in school
- b) consult with his or her child's teacher or other employee of the school division or school district about the child's program and academic achievement
- c) have access to his or her child's student file, subject to conditions
- d) receive information about programs available to his or her child
- e) be informed of the discipline and behaviour management policies of the school or school division or school district and to be consulted before the policies are established or revised
- f) be a member of an advisory council, local school committee or school committee at his or her child's school
- g) accompany his or her child and assist him or her to make representations to the school board before a decision is made to expel the child

A parent of a child of compulsory school age or who is attending school shall

- a) cooperate fully with the child's teachers and other employees of the school division or school district to ensure the child complies with school and school division or school district student discipline and behaviour management policies
- b) take all reasonable measures to ensure the child attends school regularly
- c) assume responsibility jointly and severally with their child where school division property is damaged by the intentional or negligent act of that child in accordance with Section 58.8 of *The Public Schools Act*
- d) have the right to form an ACSL (or at least have an establishment meeting) where a petition has been signed by 10 or more parents

Note: Legislation defines 'parent' as including the legal guardian.

The Parental Responsibility Act

This legislation, unique in Canada, allows the owner of property which has been deliberately taken, damaged or destroyed by a child (up to 18 years of age) to bring an action to recover that property loss, up to a maximum of \$7,500.00, from the parent of that child. Such property loss may be pursued through an action against the parents, filed in small claims court. Although there is an expanded definition of 'parent', the Act does not impose liability on Child and Family Service agencies with respect to damage caused by children who are their wards.

This legislation may be available in a school context where the property taken or destroyed by a child does not belong to the school division (e.g., property of teachers, students, etc.).

FOR FURTHER INFORMATION:

- Education Administration Services: 945-6899
- Manitoba Justice: 945-3594 or 1-800-282-8069, extension 3594
- Your Local School Division Office

See also: Pupil File

Right to Attend School

Rights and Responsibilities of Students

Schools of Choice

Transportation Eligibility