

# *The Education Funding Regulations, 2018*

*being*

[Chapter E-0.2 Reg 28](#) (effective September 1, 2018).

**NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## CHAPTER E-0.2 REG 28

### *The Education Act, 1995*

#### PART 1

#### Preliminary Matters

##### Title

- 1 These regulations may be cited as *The Education Funding Regulations, 2018*.

##### Definitions

- 2 In these regulations:

“**Act**” means *The Education Act, 1995*; (« *Loi* »)

“**approved**” means approved by the minister; (« *approuvé* »)

“**enrolled**” means the summation of the number of pupils and kindergarten children enrolled in a school for a school year, determined pursuant to the annual enrolment reports submitted to the minister by each board of education and the conseil scolaire; (« *inscrit* »)

“**historical high school**” means a historical high school as defined in *The Registered Independent Schools Regulations*; (« *école secondaire historique* »)

“**qualified independent school**” means a qualified independent school as defined in *The Registered Independent Schools Regulations*; (« *école indépendante qualifiée* »)

“**recognized**” means recognized by the minister; (« *reconnu* »)

“**Saskatchewan resident**” means a person who resides permanently in Saskatchewan, but does not include a person who, in the minister’s opinion, has no significant tie to Saskatchewan other than the fact that he or she attends school in Saskatchewan. (« *résident de la Saskatchewan* »)

1 Jne 2018 cE-0.2 Reg 28 s2.

##### Application

- 3(1) These regulations apply to certain grants payable to:

- (a) boards of education and the conseil scolaire pursuant to the Act;
- (b) historical high schools pursuant to section 17 of *The Executive Government Administration Act*; and
- (c) qualified independent schools pursuant to section 17 of *The Executive Government Administration Act*.

- (2) The minister shall distribute operating grants pursuant to these regulations on a monthly basis or at any other intervals that the minister may determine.

1 Jne 2018 cE-0.2 Reg 28 s3.

PART 2  
**Boards of Education and the Conseil Scolaire**

**Operating grants**

4(1) In this section:

“**fiscal year**” means:

- (a) in clause (2)(a), the fiscal year of the board of education or the conseil scolaire, being the period commencing on September 1 in one year and ending on August 31 of the following year; and
- (b) except in clause (2)(a), the fiscal year of the Government of Saskatchewan, being the period commencing on April 1 in one year and ending on March 31 of the following year; (« *exercice* »)

“**separate school board**” means the board of education of a separate school division. (« *commission scolaire séparée* »)

(2) In calculating the operating grants payable to a board of education or the conseil scolaire for any fiscal year, the minister may take into account:

- (a) the final approved budget of the board of education or conseil scolaire, as the case may be, for the relevant fiscal year of the board of education or conseil scolaire;
- (b) the minister’s estimates of revenues available to the board of education or conseil scolaire, as the case may be, for the relevant fiscal year of the Government of Saskatchewan, including:
  - (i) education property taxes;
  - (ii) grants in lieu of taxes;
  - (iii) in the case of a board of education, the board of education’s percentage of licence fees charged by the municipality respecting trailers and mobile homes located within the school division;
  - (iv) tuition revenue and other fees;
  - (v) federal grants;
  - (vi) interest on investments and assets; and
  - (vii) such other revenue as the minister may determine;
- (c) the minister’s estimates of expenses incurred by the board of education or conseil scolaire, as the case may be, for the relevant fiscal year of the Government of Saskatchewan, including:
  - (i) the effects of inflation on expenses outlined in the final approved budget of the board of education or conseil scolaire for the government’s previous fiscal year; and
  - (ii) teacher salary increases;

- (d) financial and operating information provided by the board of education or conseil scolaire, as the case may be, in consultations with the minister or at the request of the minister; and
  - (e) such other matters as the minister determines may be relevant to the funding of educational programs for pupils, kindergarten children and children who are not yet eligible to be enrolled in kindergarten.
- (3) Without restricting the generality of clause (2)(b), if a separate school board, pursuant to subsection 6(5) of *The Education Property Tax Act*, determines mill rates for a particular taxation year that are higher than those determined by the Lieutenant Governor in Council for that taxation year, the minister, given the final approved budget of the separate school board, shall reduce the operating grant payable to the separate school board by the amount by which the tax revenue allocated to the separate school board based on the mill rates set by the separate school board for that taxation year exceeds the tax revenue that would otherwise have been allocated to the separate school board based on the mill rates set by the Lieutenant Governor in Council for that taxation year.
- (4) Without restricting the generality of clause (2)(b), if a separate school board, pursuant to subsection 6(5) of *The Education Property Tax Act*, determines mill rates for a particular taxation year that are lower than those determined by the Lieutenant Governor in Council for that taxation year, the funding requirements of the separate school board shall be deemed to have decreased and the minister shall refrain from increasing the operating grant payable to the separate school board.

1 Jne 2018 cE-0.2 Reg 28 s4.

#### **Additional grant payment**

- 5 In addition to any other recognized expenditure pursuant to these regulations, the minister may make a grant payment to a board of education or the conseil scolaire:
- (a) for any recognized expenditure included in a provincial agreement negotiated by the parties mentioned in section 234 of the Act; and
  - (b) for any other recognized expenditure for which the minister determines that the board of education or conseil scolaire is to be eligible for funding.

1 Jne 2018 cE-0.2 Reg 28 s5.

### PART 3 **Historical High Schools**

#### **Operating grants**

- 6(1) Subject to subsections (2) and (3), a historical high school is eligible for an operating grant for each pupil enrolled in Grades 9 to 12 in the school who is a Saskatchewan resident, but who is not sponsored by a board of education.
- (2) Operating grants are payable to a historical high school pursuant to subsection (1) only if the historical high school:
- (a) meets the requirements of the minister, the Act and the regulations with respect to courses of study, qualifications of teachers, operating schedules and supervision; and

- (b) provides the minister with any information that the minister may require with respect to finances, structure and administration of the school.
- (3) A historical high school that has an associate school agreement with a board of education is not eligible for funding pursuant to this section.

1 Jne 2018 cE-0.2 Reg 28 s6.

**Capital grants**

- 7(1) Subject to subsections (2) and (3), the minister may make a grant to a historical high school for an approved major capital project in an amount equal to 20% of the recognized costs of the recognized facilities, including architect's fees.
- (2) A historical high school is eligible for capital grants pursuant to this section only if the historical high school:
  - (a) meets the criteria set out in subsection 6(2); and
  - (b) submits preliminary drawings and cost estimates of proposed capital projects to the minister.
- (3) A historical high school that has an associate school agreement with a board of education is not eligible for funding pursuant to this section.

1 Jne 2018 cE-0.2 Reg 28 s7.

PART 4

**Qualified Independent Schools**

**Operating grants**

- 8(1) Subject to subsection (2), a qualified independent school is eligible for an operating grant for each pupil enrolled in kindergarten to Grade 12 in the school who is a Saskatchewan resident, but who is not sponsored by a board of education.
- (2) Operating grants are payable to a qualified independent school pursuant to subsection (1) only if the qualified independent school provides the minister with any information that the minister may require with respect to the finances, structure and administration of the qualified independent school.

1 Jne 2018 cE-0.2 Reg 28 s8.

**Capital grants**

- 9 Capital grants are not payable to qualified independent schools pursuant to these regulations.

1 Jne 2018 cE-0.2 Reg 28 s9.

PART 5  
**Repeal and Coming into force**

**RRS c E-0.2 Reg 20 repealed**

**10** *The Education Funding Regulations* are repealed.

1 Jne 2018 cE-0.2 Reg 28 s10.

**Coming into force**

**11(1)** Subject to subsection (2), these regulations come into force on September 1, 2018.

(2) If these regulations are filed with the Registrar of Regulations after September 1, 2018, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

1 Jne 2018 cE-0.2 Reg 28 s11.

