

The Education Regulations, 2015

being

Chapter E-0.2 Reg 24 (effective October 19, 2015) as amended
by Saskatchewan Regulations [86/2017](#).

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 24

The Education Act, 1995

PART I Preliminary Matters

Title

1 These regulations may be cited as *The Education Regulations, 2015*.

Interpretation

2(1) In these regulations:

“**Act**” means *The Education Act, 1995*;

“**approved**” means approved by the minister;

“**course**” means a course of study;

“**Form**” means a Form as set out in Part 2 of the Appendix;

“**learning resource**” means a resource used for educational purposes in any format, real or virtual, that:

(a) illustrates or supports one or more elements of a school program or course; and

(b) may enrich the learning experience of the pupil or the teacher;

“**ministry**” means the ministry over which the minister presides;

“**recognized**” means recognized by the minister;

“**Table**” means a Table as set out in Part 1 of the Appendix.

(2) For the purposes of the Act, “**learning resource**” has the same meaning as in these regulations.

(3) For the purposes of clause 4(3)(a) of the Act, “**supplementary materials**” includes licences or other rights or authorizations respecting the use of textbooks, library books, reference books or other learning resources.

PART II
Establishment of Separate School Divisions

Forms

- 3(1) Form A is the form to be used for a petition to establish a separate school division pursuant to subsection 49(5) of the Act.
- (2) Form B is the form to be used for a notice of a meeting of electors pursuant to subsection 49(7) of the Act.
- (3) Form C is the form to be used for a declaration of an elector pursuant to subsection 49(9) of the Act.
- (4) Form D is the form to be used for a notice of poll pursuant to clause 50(5)(d) of the Act.
- (5) Form E is the form to be used for a declaration of an elector pursuant to subsection 50(7) of the Act.
- (6) Form F is the form to be used for a ballot for the purposes of a poll pursuant to section 50 of the Act.
- (7) Form G is the form to be used for the record of the results of a poll pursuant to subsection 50(12) of the Act.
- (8) Form H is the form to be used for the appointment of representatives pursuant to subsection 50(13) of the Act.

23 Oct 2015 cE-0.2 Reg 24 s3.

PART III
Establishment of Francophone Education Area and Fransaskois School

Transfer of property

4 When a francophone education area and a fransaskois school are established, textbooks, library books, reference books, other learning resources, apparatus and equipment, and similar property, that have been acquired for minority language instruction, excluding French immersion programming, by a board of education with funding pursuant to a *Canada-Saskatchewan agreement for minority-language education and second-language instruction* are to be transferred by the board of education to the conseil scolaire, at no cost.

23 Oct 2015 cE-0.2 Reg 24 s4.

PART IV
Boards of Education and the Conseil Scolaire

5 Repealed. 1 Sep 2017 SR 86/2017 s3.

6 Repealed. 1 Sep 2017 SR 86/2017 s3.

PART V
School Community Councils

Membership

7(1) In this Part, “**community member**”:

- (a) means an elector who resides within the attendance area for that school community council’s school or the geographic area for a school community council as determined by that school’s board of education if an attendance area has not been defined; and
 - (b) does not include parents or guardians of pupils who attend that school.
- (2) Each school community council shall consist of:
- (a) the elected members mentioned in clause 140.2(a) of the Act; and
 - (b) the members appointed pursuant to subsections (3) and (4).
- (3) A board of education shall appoint as members:
- (a) subject to clause (b), for each school community council in its division:
 - (i) if practicable, one or two pupils who attend that school who are enrolled in the secondary level;
 - (ii) the principal of that school;
 - (iii) one teacher from that school; and
 - (iv) in consultation with the other members, any other individuals;
 - (b) if two or more school community councils are amalgamated pursuant to the Act, for each amalgamated school community council:
 - (i) if practicable, one or two pupils who attend each school who are enrolled in the secondary level;
 - (ii) the principal of each school;
 - (iii) one teacher from each school; and
 - (iv) in consultation with the other members, any other individuals.

- (4) If a pupil at a school resides on reserve, the board of education shall, for the school community council for that school:
- (a) request that the Indian band, for whose use and benefit the reserve where the student resides has been set aside, identify individuals willing to represent that Indian band on the school community council; and
 - (b) if practicable, appoint at least one of those individuals to the school community council.
- (5) Subject to the Act and these regulations, a board of education shall, for each school community council in its division:
- (a) determine the geographic area for the purposes of clause (1)(a);
 - (b) determine the maximum number of members;
 - (c) for the purposes of clause 140.2(a) of the Act determine the number of elected members; and
 - (d) develop policies and procedures for the:
 - (i) appointment of members; and
 - (ii) nomination and election of elected members.
- (6) Subject to subsection (7), a majority of the elected members of a school community council must be parents or guardians of pupils who attend the school.
- (7) Subsection (6) does not apply if the majority of the pupils who attend the school:
- (a) are 18 years of age or older; or
 - (b) do not reside with a parent or guardian.

23 Oct 2015 cE-0.2 Reg 24 s7.

Elections

- 8(1) An annual election shall be held to elect members of a school community council.
- (2) A board of education shall, for each school community council in its division, appoint an employee of the board of education, other than any member of that school community council, to be the returning officer for the election of members of the school community council.
- (3) A returning officer shall provide at least four weeks' notice to the public before a public meeting is held to elect members of a school community council.
- (4) The notice shall state:
- (a) the purpose of the meeting;
 - (b) the attendance area or the geographic area for the school community council;
 - (c) where any policies or procedures developed by the board of education respecting the election of the school community council can be reviewed; and
 - (d) the date, time and location of the meeting.

- (5) The notice shall be advertised or posted in such a way that it would be reasonably expected to reach the parents or guardians of pupils of that school and community members.
- (6) The following may stand for election to a school community council:
- (a) a parent or guardian of a pupil who attends the school of that school community council;
 - (b) subject to subsection (7), a community member.
- (7) A community member may not be a member of more than one school community council for a school in which he or she is not a parent or guardian of a pupil in that school.
- (8) The following may cast a vote in a school community council election:
- (a) a community member;
 - (b) a parent or guardian of a pupil who attends that school.
- (9) The members to be elected shall be elected at the public meeting by secret ballot.

23 Oct 2015 cE-0.2 Reg 24 s8.

Terms of appointed members

- 9(1) Subject to subsection (2), each appointed member of a school community council holds office for two years and is eligible for reappointment.
- (2) Any pupil who is appointed as a member of a school community council holds office for one year and is eligible for reappointment.

23 Oct 2015 cE-0.2 Reg 24 s9.

Officers

- 10 Each school community council shall select a chairperson, a vice-chairperson and a secretary from among the following members:
- (a) pupils;
 - (b) representatives of Indian bands;
 - (c) elected members.

23 Oct 2015 cE-0.2 Reg 24 s10.

Meetings

- 11 A school community council shall meet at least five times each year, have an annual general meeting and meet at any other time at the call of the chairperson.

23 Oct 2015 cE-0.2 Reg 24 s11.

Reimbursement

12 Members of a school community council may be reimbursed for expenses by the board of education for the school pursuant to the board's policies but will not receive compensation.

23 Oct 2015 cE-0.2 Reg 24 s12.

Support

- 13** A board of education shall, for each school community council in its division:
- (a) designate a senior administrative employee to be responsible for that school community council; and
 - (b) provide orientation, training, development and networking opportunities for members.

23 Oct 2015 cE-0.2 Reg 24 s13.

Duties

- 14** A school community council shall:
- (a) undertake activities to enhance its understanding of the community's economic, social and health needs, aspirations for pupils' learning and well-being, and resources and supports for the school, parents, guardians and community;
 - (b) in cooperation with the school staff, develop and recommend to its board of education for approval a school level plan that is in accordance with the board of education's strategic plan;
 - (c) perform any activities assigned to it in a school level plan approved by the board of education;
 - (d) communicate annually to the parents, guardians and community members about its plans, initiatives and accomplishments;
 - (e) account publicly for the expenditure of funds related to the operation of the school community council;
 - (f) participate in orientation, training, development and networking opportunities in order to enhance its capacity to fulfil its responsibilities; and
 - (g) not discuss or be given access to personal confidential information about or complaints about any pupil, family member or guardian of any pupil, teacher, administrator or other employee of or member of the board of education.

23 Oct 2015 cE-0.2 Reg 24 s14.

Powers

15 A school community council may:

- (a) provide advice and recommendations to the board of education respecting policies, programs and educational service delivery, including fundraising, school fees, pupil code of conduct, grade discontinuance, school closure, religious instruction, and language of instruction but not including educational service delivery by a specific teacher;
- (b) provide advice to the school staff respecting school programs; and
- (c) provide advice to other organizations, agencies and governments on the learning needs and well-being of pupils.

23 Oct 2015 cE-0.2 Reg 24 s15.

Constitution

16(1) A school community council shall develop and submit for approval to its board of education a constitution that includes its:

- (a) subcommittees and officers;
- (b) schedule of meetings;
- (c) means of public communication and consultation;
- (d) code of conduct;
- (e) decision-making processes; and
- (f) complaint and dispute resolution processes.

(2) A school community council's constitution or any amendment to it is not in effect until it is approved by that school community council's board of education.

(3) A board of education, by resolution, may delegate its power to approve the school community council's constitution, or any amendment to it, to the director or the superintendent of the board of education.

(4) The approval of the school community council's constitution, or any amendment to it, by the director or the superintendent of the board of education, as the case may be, in accordance with a resolution made pursuant to subsection (3) and any policies and procedures established by the board of education, is deemed to be the approval of the board of education.

(5) If a board of education has delegated its power to the director or the superintendent of the board of education pursuant to subsection (3) and the school community council disagrees with the decision of the director or superintendent, the school community council may appeal the decision, in writing, to the board of education.

23 Oct 2015 cE-0.2 Reg 24 s16.

PART VI
Employment of Certain School Officials

17 Repealed. 1 Sep 2017 SR 86/2017 s4.

18 Repealed. 1 Sep 2017 SR 86/2017 s4.

19 Repealed. 1 Sep 2017 SR 86/2017 s4.

20 Repealed. 1 Sep 2017 SR 86/2017 s4.

PART VII
Tuition

Interpretation

21(1) In this Part:

“**chart of accounts**” means the chart of accounts manual designated by the minister that provides an accounting framework for boards of education and the conseil scolaire;

“**enrolment**” means the number of full-time equivalent pupils and kindergarten children in a school division or in the division scolaire francophone as at September 30 of the school year;

“**fiscal year**” means the period commencing on September 1 in one year and ending on August 31 of the following year;

“**tuition fee amount**” means the tuition fee amount of a board of education or the conseil scolaire for a particular fiscal year, calculated in accordance with section 22.

(2) For the purposes of clause 173(3)(b) of the Act, “**temporary resident**”, with respect to a pupil, means a pupil:

- (a) who is lawfully admitted to Canada as a temporary resident; and
- (b) whose parent with whom the pupil resides in Saskatchewan is lawfully admitted to Canada as a temporary resident and is:
 - (i) the holder of a valid work permit issued by the Government of Canada; or
 - (ii) the holder of a valid study permit issued by the Government of Canada and is registered in a recognized full-time degree or diploma program in Saskatchewan, other than an English as an additional language program.

Tuition fee amount

22(1) In accordance with this section, a board of education may establish a tuition fee amount to be charged pursuant to sections 171 and 173 of the Act.

(2) In accordance with this section, the conseil scolaire may establish a tuition fee amount to be charged pursuant to section 172 of the Act.

(3) For the purposes of subsections (1) and (2), a board of education or the conseil scolaire, as the case may be, shall calculate the tuition fee amount payable with respect to a pupil in accordance with the following formula, using budgeted expenditures of the board of education or conseil scolaire for the particular fiscal year:

$$\text{Tuition fee amount} = (\text{Expenditures} - \text{Recovered Costs}) \div \text{Enrolment.}$$

(4) For the purposes of subsection (3), expenditures are outlined in the chart of accounts and are to be determined by adding the following expenses of the board of education or conseil scolaire:

- (a) governance expenses;
- (b) administration expenses;
- (c) instruction expenses;
- (d) plant operation and maintenance expenses;
- (e) complementary services expenses;
- (f) other expenses.

(5) For the purposes of subsection (3), the following expenses as outlined in the chart of accounts are to be excluded from the calculation of the tuition fee amount:

- (a) costs of pupil transportation;
- (b) payments of tuition fees to other boards of education or to the conseil scolaire;
- (c) external service expenses;
- (d) allowances for:
 - (i) uncollectable taxes;
 - (ii) losses on disposal of tangible capital assets; and
 - (iii) write-downs of tangible capital assets;
- (e) prekindergarten program expenses.

(6) For the purposes of subsection (3), the recovered costs to be deducted from the expenditures in the calculation of the tuition fee amount are the reimbursements received by the board of education or conseil scolaire related to the expenses mentioned in subsections (4) and (5), not including grant revenue received from the Government of Saskatchewan.

(7) A board of education or the conseil scolaire may charge fees for the transportation of pupils described in sections 171, 172 and 173 of the Act, but, in accordance with clause (5)(a), the calculation of those fees must be separate from the calculation of the tuition fee amount.

(8) Notwithstanding subsection (3), if a board of education or the conseil scolaire has a tuition fee arrangement with another party, the board of education or conseil scolaire:

- (a) may make adjustments to the calculation of the tuition fee amount with the consent of the parties to the arrangement; or
- (b) shall make adjustments to the calculation of the tuition fee amount if the agreement among the parties requires that adjustments be made.

(9) A board of education or the conseil scolaire shall inform the minister of any adjustments made pursuant to subsection (8) to the tuition fee amount.

(10) The parties to arrangements with respect to the payment of the tuition fee amount shall, by agreement, set the dates by which the tuition fee amount is to be paid.

23 Oct 2015 cE-0.2 Reg 24 s22.

PART VIII School Year

School holidays

23(1) The following days are school holidays:

- (a) Saturdays and Sundays;
- (b) Family Day, Good Friday, Victoria Day, Labour Day, Thanksgiving Day and Remembrance Day;
- (c) any day proclaimed as a holiday by the Governor General or the Lieutenant Governor.

(2) When Remembrance Day falls on a Saturday or Sunday, the Monday following that day is to be observed as the school holiday.

(3) A holiday declared by the mayor of a city, town or village or the reeve of a rural municipality in which a school is situated is not a school holiday unless the board of education or conseil scolaire declares it to be.

(4) Notwithstanding subsection (1), one or more Saturdays may be declared to be school days by resolution of the board of education or conseil scolaire.

23 Oct 2015 cE-0.2 Reg 24 s23.

Vacation periods

24 The following vacation periods are to be observed in each year:

- (a) a Christmas vacation, which is to commence not later than December 23 and end not earlier than January 2;
- (b) a spring vacation consisting of not more than five consecutive school days;
- (c) a summer vacation that is at least six consecutive weeks from the last school day in one school year to the first school day in the following school year.

23 Oct 2015 cE-0.2 Reg 24 s24.

Instructional time

25 Instructional time is any time in which pupils of a school are in attendance and under teacher supervision for the purpose of receiving instruction in an educational program, including work experience programs, parent-teacher-pupil conferences, examinations, and other learning activities provided by the board of education or conseil scolaire.

23 Oct 2015 cE-0.2 Reg 24 s25.

Non-instructional time

26 Non-instructional time is any time:

- (a) when pupils of a school are not in attendance but teachers are present at the school or at another site agreed to by the board of education or conseil scolaire; or
- (b) when teachers are present at the school and pupils of the school are in attendance at school but are not receiving instruction in an educational program.

23 Oct 2015 cE-0.2 Reg 24 s26.

School day

27(1) A school day shall consist of not less than five hours of:

- (a) instructional time;
- (b) non-instructional time; or
- (c) a combination of instructional time and non-instructional time.

(2) Each school day on which instruction is given to pupils must include:

- (a) a recess period of 15 minutes, or break periods amounting to 15 minutes, in each of the morning and the afternoon; or
- (b) a recess period or break periods amounting to 30 minutes.

23 Oct 2015 cE-0.2 Reg 24 s27.

School year

28(1) In each school year, every board of education and the conseil scolaire shall provide at least:

- (a) 950 hours of instructional time for Grades 1 to 12; and
- (b) 475 hours of instructional time for kindergarten.

(2) Subject to subsection (1), a board of education or the conseil scolaire may allow for fewer than five school days in a week.

23 Oct 2015 cE-0.2 Reg 24 s28.

Notice of school calendar

29 On or before May 1 in each year, every board of education and the conseil scolaire shall notify the minister of, and publish information for employees, trustees, parents and pupils respecting, the school calendar for the next school year, including holidays, vacation periods, school hours of operation, kindergarten hours of operation, instructional days and non-instructional days.

23 Oct 2015 cE-0.2 Reg 24 s29.

PART IX
Educational Program

Courses

30 The courses that may be used in schools are those authorized by the minister and issued in curriculum guides, bulletins or directives.

23 Oct 2015 cE-0.2 Reg 24 s30.

Instructional time per course

31 The principal, in consultation with the teachers and the director, or a person designated in writing by the director, shall determine the instructional time to be allocated to each course, within the guidelines issued by the minister.

23 Oct 2015 cE-0.2 Reg 24 s31.

Classification of courses

32 The ministry shall determine the prerequisites and number of credits associated with each course.

23 Oct 2015 cE-0.2 Reg 24 s32.

Registered independent schools

33 A pupil enrolled in a registered independent school is eligible for secondary level credits if:

- (a) the school is under the supervision of the ministry; and
- (b) the ministry has approved:
 - (i) the educational program and courses for pupils receiving instruction at the secondary level;
 - (ii) the qualifications of the teachers instructing those pupils; and
 - (iii) the arrangements for evaluating the work of those pupils.

23 Oct 2015 cE-0.2 Reg 24 s33.

PART X
Examinations

Interpretation of Part

34 In this Part:

“accredited teacher” means a teacher who meets the requirements for accreditation established by the ministry and set out in the ministry’s policy statement on accreditation;

“composite mark” means the sum of:

- (a) the mark assigned by the teacher on the basis of work and examinations out of a maximum total of 60; and
- (b) the mark earned by the student on a provincial examination, in accordance with this Part, out of a maximum total of 40.

23 Oct 2015 cE-0.2 Reg 24 s34.

Examinations

35(1) The ministry may provide examinations for any subject at any level and may prescribe the manner in which those examinations are to be used.

(2) Grade 12 provincial examinations are to be held in any subjects and format and at any times and places that the ministry may determine.

(3) The ministry shall prescribe procedures for the conduct of provincial examinations.

(4) If a candidate violates any examination procedures prescribed pursuant to subsection (3), the ministry may cancel the candidate’s examination paper and may prohibit the candidate from writing any provincial examination for a period of not more than two years.

(5) Pursuant to clause 175(2)(k) of the Act, the principal, as the presiding officer, shall arrange for the accommodation and supervision of candidates writing provincial examinations.

23 Oct 2015 cE-0.2 Reg 24 s35.

Final standings

36(1) In this section, **“adult”** means a person who is at least 18 years of age and who has been out of school for at least one year.

(2) Subject to clause 175(2)(k) of the Act, the final standings of pupils are to be determined by the teacher:

- (a) in kindergarten to Grade 11; and
- (b) in Grade 12 subjects in which provincial examinations are not prepared.

- (3) Immediately after final standings have been determined or changed, the principal shall submit to the ministry, in a form approved by the ministry, the marks of all pupils taking subjects in Grades 10, 11 and 12.
- (4) The principal of the school shall sign and issue a statement of standing for Grade 10 or 11 to pupils who have successfully completed the requirements for that grade.
- (5) In Grade 12 subjects in which provincial examinations are prepared, the final standing of a pupil is:
- (a) in the case of a pupil of an accredited teacher, determined by the teacher, subject to clause 175(2)(k) of the Act;
 - (b) in the case of a pupil of a teacher who is not an accredited teacher, the pupil's composite mark;
 - (c) in the case of an adult who prepares for a provincial examination by home-study, determined by the mark obtained in the provincial examination.
- (6) The final standing of a pupil writing a supplemental examination is determined by the mark obtained on that examination.

23 Oct 2015 cE-0.2 Reg 24 s36.

Appeal

- 37(1)** A pupil who has written a provincial examination, other than a machine-scored examination, and has a composite mark of over 42% may appeal to have his or her provincial examination paper reread.
- (2) No pupil may appeal with respect to more than two subjects at any examination sitting.
- (3) A pupil shall lodge an appeal within two weeks of the mailing of examination results.

23 Oct 2015 cE-0.2 Reg 24 s37.

Supplemental examination

- 38(1)** A pupil may write a provincial supplemental examination to raise his or her mark in a Grade 12 subject in which a provincial examination is prepared.
- (2) Pupils taught a Grade 12 subject by an accredited teacher may elect to write either a teacher-prepared comprehensive supplemental examination or a provincial supplemental examination.
- (3) A pupil who elects to write a teacher-prepared supplemental examination shall give the teacher any notice of his or her intention that may be required by the principal of the school pursuant to clause 175(2)(k) of the Act.
- (4) Pupils may write provincial examinations as supplemental examinations in any number of subjects during a regular examination sitting.

23 Oct 2015 cE-0.2 Reg 24 s38.

Examination procedures

39 In accordance with the procedures prescribed by the ministry pursuant to subsection 35(3), teachers, presiding officers and examiners shall:

- (a) be responsible for the security of all examination booklets;
- (b) not retain any booklets following the examination;
- (c) not keep any record of any items appearing in any booklets; and
- (d) immediately after the examination:
 - (i) account for and forward to the ministry all envelopes containing answer papers, together with the tally sheets; and
 - (ii) forward all unused examination booklets to the director or the superintendent of the board of education or conseil scolaire.

23 Oct 2015 cE-0.2 Reg 24 s39.

PART XI
Designated Schools

Interpretation of Part

40(1) In this Part:

“designated” means designated in accordance with subsection 180(3) of the Act;

“designated program” means a Type A French Language Program or a Type B Immersion/Bilingual Program;

“designated school” means a school that has been designated as a school in which a designated program is offered;

“full-time equivalent pupil” means one pupil from that number of pupils obtained by multiplying the number of pupils enrolled in a program by the percentage of instructional time devoted to instruction in a language other than English, to a maximum of:

- (a) 75% of the instructional time available in a school week in the case of pupils enrolled in kindergarten to Grade 6; and
- (b) 60% of the instructional time available in a school week, in the case of pupils enrolled in Grades 7 to 12;

“parents’ council” mean a parents’ council formed in accordance with section 41;

“Type A French Language Program” means a program of instruction:

- (a) in which:
 - (i) French is the language of instruction for all courses except English and, subject to section 46, may be the sole language of instruction from kindergarten to Grade 2; and
 - (ii) provision is made for activities that emphasize French-Canadian culture; and
- (b) provided in the whole or a portion of a facility that assures its self-contained operation and administration;

“Type B Immersion/Bilingual Program” means a program of instruction in which:

- (a) French is the language of instruction for at least 50% of the instructional time or, subject to section 46, may be the sole language of instruction for all courses; and
 - (b) provision may be made for complementary francophone cultural activities.
- (2) If a Type A French Language Program has been designated, the administration and operation of the program shall be conducted in French but, if requested by parents, guardians, members of the teaching staff or administrative officials, the intent of administrative and operational procedures and directives shall be communicated in English.
- (3) If a Type B Immersion/Bilingual Program has been designated, the administration and operation of the program may be conducted in French but, if requested by parents, guardians, members of the teaching staff or administrative officials, the intent of administrative and operational procedures and directives shall be communicated in English.

23 Oct 2015 cE-0.2 Reg 24 s40.

Parents’ council

- 41(1) In a school division, the parents and guardians of the pupils enrolled or to be enrolled in a designated program on the written application to the board of education form the parents’ council.
- (2) The parents’ council shall act in an advisory capacity to:
- (a) the board of education; and
 - (b) the school community council.

23 Oct 2015 cE-0.2 Reg 24 s41.

Designation of schools and programs

- 42(1) A board of education may of its own initiative, or shall in the circumstances mentioned in subsection (2), request that the minister recommend to the Lieutenant Governor in Council that a school be designated and that a specific designated program be established, continued or expanded in that designated school.

(2) A board of education shall act in accordance with subsection (1) if, before the December 15 preceding the school year in which the designated program is proposed to begin, continue or be expanded, the board of education receives a written request, from or by means of one of the following, asking that the school be designated and that a specific type of designated program be established, continued or expanded in that designated school:

- (a) from a school community council;
- (b) from the parents or guardians of 15 or more pupils eligible for enrolment in the program in the proposed school year;
- (c) by means of a petition from a parents' council representing the parents or guardians of 15 or more pupils.

(3) A board of education that is empowered or required pursuant to this section to make a request to the minister shall submit the request to the minister before the February 15 preceding the school year in which the designated program is to begin, continue or be expanded, together with a plan that outlines:

- (a) the implementation, continuance or expansion of the designated program;
- (b) the resources to be provided; and
- (c) the administrative structure to be employed.

(4) The minister shall recommend to the Lieutenant Governor in Council that a school be designated if:

- (a) the minister receives a request for the designation of the school before the February 15 preceding the school year in which the designated program is to begin, continue or be expanded by a board of education acting in accordance with subsection (3) or by the governing body of a registered independent school;
- (b) the school:
 - (i) will have at least 15 pupils enrolled in each instructional grouping; or
 - (ii) will offer only a designated program; and
- (c) the minister is satisfied that:
 - (i) a designated program of the specific type proposed can be operated for at least three consecutive years; and
 - (ii) if the school will offer only a designated program, adequate provision has been made for the education of pupils who do not wish to enrol in the designated program.

(5) If the minister makes a recommendation to the Lieutenant Governor in Council, the Lieutenant Governor in Council shall designate the school and shall specify:

- (a) the type of designated program;
- (b) the grade level; and
- (c) the school year or years during which the order is to be effective.

(6) The board of education shall provide for the additional needs of the designated program in its allocation of staff and resources.

Consultation required

43 A board of education shall develop the plan mentioned in subsection 42(3) in consultation with the parents' council or, if applicable, with the school community council.

23 Oct 2015 cE-0.2 Reg 24 s43.

Enrolment in designated school

44(1) In this section, "**non-resident pupil**" means a person whose declared place of residence in Saskatchewan is outside the boundaries of the school division in which that person is provided with educational services by a designated school.

(2) Subject to subsections (3) and (4), the parents or guardian of a pupil may enrol the pupil in a designated program in a designated school outside the pupil's attendance area, by applying to the board of education in the pupil's attendance area, if:

(a) there is no designated program appropriate to a pupil's grade level available in the pupil's attendance area; or

(b) the ministry confirms that the specific type of designated program established in a pupil's attendance area is of a different type than the designated program in which the parents or guardian of the pupil wish the pupil to be enrolled.

(3) If the entitlement described in subsection (2) is to be exercised with respect to the attendance of a pupil at a designated school located:

(a) in the same school division in which the parents or guardian resides, the board of education shall make the necessary arrangements for the enrolment of the pupil;

(b) outside the school division in which the parents or guardian resides, the board of education shall, on its own initiative or with the assistance of the ministry, arrange for the enrolment of the pupil; or

(c) outside the attendance area in which the parents or guardian resides, the board of education in whose local attendance area the parents or guardian resides shall assume full organizational and financial responsibility for the transportation of the pupil if the pupil:

(i) is in kindergarten to Grade 8; and

(ii) travels a distance greater than the maximum distance travelled by pupils in non-designated schools in established attendance areas in the school division.

(4) Notwithstanding subsection (3), if the ministry confirms that the requested type of designated program is available within the school division or attendance area in which the parents or guardian resides, the board of education may choose not to arrange for attendance of a pupil at a designated school outside the division.

(5) A board of education shall not charge a non-resident pupil a tuition fee to enrol in a designated program in a designated school under its jurisdiction.

23 Oct 2015 cE-0.2 Reg 24 s44.

Language other than English

45 Notwithstanding sections 42 to 44, a board of education or the governing body of a registered independent school may, by resolution, approve the use of a language other than English as a language of instruction in any specified school in its jurisdiction to a maximum of 100% of the instructional time at the kindergarten level and to a maximum of 50% of the instructional time at other division levels.

23 Oct 2015 cE-0.2 Reg 24 s45.

Provision of English courses

46 If a language other than English has been authorized as a language of instruction pursuant to section 42 or 45, approved English language courses are to be provided at all grade levels beginning not later than Grade 3.

23 Oct 2015 cE-0.2 Reg 24 s46.

PART XII School Operations

Flag

47(1) Every board of education and the conseil scolaire shall provide:

- (a) a flagstaff for each school;
- (b) a flag of Canada for display on the flagstaff; and
- (c) one or more flags for display within each school.

(2) The relative size of the flagstaff provided for each school and the flag of Canada to be displayed on that flagstaff are required to conform to the sizes set out in Table 1.

(3) Every board of education and the conseil scolaire shall make provision for the raising and lowering of the flag on each school day.

23 Oct 2015 cE-0.2 Reg 24 s47.

Learning resources and library services

48(1) A board of education and the conseil scolaire shall establish policies concerning:

- (a) subject to subsection (2), the selection of textbooks, library books, reference books and other learning resources;
- (b) the procedure by which a person may challenge the inclusion or exclusion of specific textbooks, library books, reference books and other learning resources; and
- (c) the procedures to be used to ensure that pupils have access to the textbooks, library books, reference books and other learning resources that they need to complete their course requirements.

(2) Subject to subsection (3), if the minister has prescribed textbooks, library books, reference books or other learning resources, a board of education and the conseil scolaire shall ensure their use in schools.

(3) If a board of education or the conseil scolaire requests an exception to the prescribed textbooks, library books, reference books or other learning resources, the minister may approve its use of alternative textbooks, library books, reference books or other learning resources.

(4) A board of education or the conseil scolaire may, in accordance with policies established pursuant to clause (1)(a), approve other textbooks, library books, reference books or other learning resources to be provided at the expense of the board of education or the conseil scolaire, as the case may be.

(5) A board of education and the conseil scolaire shall:

- (a) provide school library services; and
- (b) establish policies and standards governing school libraries.

23 Oct 2015 cE-0.2 Reg 24 s48.

Driver education

49(1) For the purposes of section 189 of the Act, a board of education and the conseil scolaire shall only offer a driver education and training program that is approved by the person designated as administrator pursuant to *The Traffic Safety Act*.

(2) Every board of education and the conseil scolaire shall retain an official record of pupil participation in the driver education and training program offered in its schools.

(3) Every board of education and the conseil scolaire shall submit to the minister at least once each year, in the form required by the minister, a record of every pupil who participates in the driver education and training program offered in its schools.

23 Oct 2015 cE-0.2 Reg 24 s49.

Report re irregular attendance

50 Form K is the form to be used for reports and referrals pursuant to section 161 of the Act.

23 Oct 2015 cE-0.2 Reg 24 s50.

Annual reports re attendance problems

51 Form L is the form to be used for the report to be submitted to the ministry by the local attendance counsellor pursuant to clause 160(2)(e) of the Act.

23 Oct 2015 cE-0.2 Reg 24 s51.

Student record of secondary level standing

52 An applicant shall pay the fees set out in Table 2:

- (a) for the search of a student record of secondary level standing; and
- (b) for the provision of a duplicate student record of secondary level standing.

23 Oct 2015 cE-0.2 Reg 24 s52.

PART XIII
Special Education

Interpretation of Part

53 In this Part:

“**assessment**” means assessment as defined in subsection 178(1) of the Act;

“**guideline**” means the guideline respecting assessments that is established by the minister pursuant to subsection 178(2) of the Act, as that guideline is amended from time to time;

“**parent or guardian**”, with respect to a child, means a parent or guardian who has lawful custody of the child;

“**pupil with intensive needs**” means pupil with intensive needs as defined in subsection 178(1) of the Act.

23 Oct 2015 cE-0.2 Reg 24 s53.

Identification of pupil with intensive needs

54(1) Subject to subsection (2), if the teacher or the principal of a pupil is of the opinion that the pupil is unable, without special accommodation, to benefit from the regular program of instruction provided in the school, the principal may refer the matter to the director of the board of education or the conseil scolaire, as the case may be, or to the director’s designate, for an assessment of the pupil.

(2) Before making a referral pursuant to subsection (1), the teacher or principal shall confer with the pupil’s parent or guardian.

(3) The parent or guardian of a child may, on his or her own initiative, contact the principal to request that an assessment be conducted if the parent or guardian is of the opinion that the child is unable, without special accommodation, to benefit from the regular program of instruction provided in the school or that, for similar reasons, the child has not been registered to attend school.

(4) On receipt of a request pursuant to subsection (3), the principal shall refer the matter to the director of the board of education or the conseil scolaire, as the case may be, or to the director’s designate, for an assessment of the child.

(5) On receipt of a referral pursuant to subsection (1) or (4), the director, or the director’s designate, shall direct that an assessment be conducted to determine, as the case requires:

(a) whether the pupil who is the subject of the referral is a pupil with intensive needs; or

(b) whether the child who is the subject of the referral, if registered in the school division or the division scolaire francophone, as the case may be, would be a pupil with intensive needs.

(6) Assessments must be conducted in accordance with the guideline.

(7) The director, or the director’s designate, shall confer with the parent or guardian of the pupil or child, and may confer with the principal, teacher, pupil or child, with respect to the results of the assessment and any recommendations for changes to the regular program of instruction provided in the school to benefit the pupil or child concerned.

(8) The director, or the director's designate, shall review at least annually the educational services and program of instruction being provided to a pupil with intensive needs who is registered with the school division or the division scolaire francophone, as the case may be.

(9) A board of education or the conseil scolaire shall submit to the minister, in the form and at the times requested by the minister, the information requested by the minister respecting pupils with intensive needs.

(10) On the request of a parent or guardian of a child who is three years of age or older but less than compulsory school age, the minister may identify that child on the basis of an assessment as a pupil with intensive needs and place that pupil in an appropriate program of instruction in or outside Saskatchewan.

23 Oct 2015 cE-0.2 Reg 24 s54.

Reviews

55 For the purposes of section 178.1 of the Act, the right to a review does not apply if the disagreement with respect to the placement of the child is based on:

- (a) parental preference as to the location of the delivery of the program;
- (b) parental convenience;
- (c) other factors unrelated to the impact of the location of the educational instruction on the child's education and development;
- (d) location within an educational institution;
- (e) any other reason that relates to or is similar in nature to those listed in clauses (a) to (d); or
- (f) an allegation of discrimination pursuant to *The Saskatchewan Human Rights Code* or the *Canadian Charter of Rights and Freedoms*.

23 Oct 2015 cE-0.2 Reg 24 s55.

Service delivery

56(1) A board of education or the conseil scolaire shall:

- (a) make available programs and supports for pupils with intensive needs, at no cost to parents or guardians, and may provide those services for preschool aged children identified as pupils with intensive needs pursuant to subsection 54(10);
- (b) ensure that the services described in clause (a) are provided by individuals with the qualifications required pursuant to the guideline; and
- (c) in accordance with the guideline, provide instruction, a curriculum and an inclusive learning environment that, in the opinion of the board of education or the conseil scolaire, are appropriate in relation to the pupils with intensive needs.

- (2) Subject to subsections (3) and (4), if a board of education or the conseil scolaire enters into an agreement pursuant to clause 178(13)(b) of the Act, the board of education or the conseil scolaire shall pay, on behalf of the pupil with intensive needs:
- (a) the actual tuition fees; and
 - (b) the approved rates for room and board and for transportation.
- (3) If a board of education provides educational services to a pupil with intensive needs outside the attendance area for the school district in which the pupil resides but within the school division, the board of education shall pay the approved rates for room and board and for transportation, as the case requires, on behalf of the pupil with intensive needs.
- (4) If the conseil scolaire provides educational services to a pupil with intensive needs outside the attendance area for the francophone school in which the pupil resides but within the same francophone education area, the conseil scolaire shall pay the approved rates for room and board and for transportation, as the case requires, on behalf of the pupil with intensive needs.
- (5) A board of education or the conseil scolaire is not responsible for the cost of educational services provided to a pupil with intensive needs who is placed in a public institution by an authority other than an educational authority.
- (6) No pupil is to be identified as a pupil with intensive needs on any electronic data system maintained by the ministry over which the minister presides unless the board of education employs teachers, support staff and other professionals with qualifications acceptable to the minister to provide educational services and programming to meet the learning needs of the pupil.

23 Oct 2015 cE-0.2 Reg 24 s56.

PART XIV

Teachers and Certain Support Staff

Forms – contract offer, acceptance, confirmation, termination

- 57(1) Form M is the form for use by a board of education or the conseil scolaire as a notice of termination of a contract with a teacher pursuant to:
- (a) clause 210(1)(a) and subsection 210(2) of the Act; or
 - (b) clause 210(1)(c) or (d) of the Act.
- (2) Form N is the form for use by a board of education or the conseil scolaire as a notice of termination of a contract with a teacher pursuant to clause 210(1)(b) of the Act.
- (3) For the purposes of section 200 of the Act, with respect to temporary teaching contracts:
- (a) Form O is the form for use by the director as an offer;
 - (b) Form P is the form for use by a teacher to accept an offer; and
 - (c) Form Q is the form for use by the director as a notice of confirmation of a teaching contract.

- (4) For the purposes of section 200 of the Act, with respect to replacement teaching contracts:
- (a) Form R is the form for use by the director as an offer;
 - (b) Form S is the form for use by a teacher to accept an offer; and
 - (c) Form T is the form for use by the director as a notice of confirmation of a teaching contract.
- (5) For the purposes of section 200 of the Act, with respect to any other teaching contract:
- (a) Form U is the form for use by the director as an offer;
 - (b) Form V is the form for use by a teacher to accept an offer; and
 - (c) Form W is the form for use by the director as a notice of confirmation of a teaching contract.
- (6) Forms M to W apply, with any necessary modification, to the conseil scolaire.

23 Oct 2015 cE-0.2 Reg 24 s57.

Educational assistants

58 Subject to the prior approval of the board of education or conseil scolaire, as the case may be, the principal or a teacher designated by the principal shall determine the duties of an educational assistant and shall specify those duties in writing.

23 Oct 2015 cE-0.2 Reg 24 s58.

Noon-hour supervision

59 Every board of education and the conseil scolaire shall take any steps that it considers necessary with respect to designating a responsible person to remain at schools during the noon hour.

23 Oct 2015 cE-0.2 Reg 24 s59.

PART XV Teacher Classification Board

Board members

60(1) The Teacher Classification Board continued pursuant to section 271 of the Act consists of:

- (a) one person who is employed in the Ministry of Education and who is appointed by the minister;
- (b) two persons who are appointed by the federation; and
- (c) two persons who are appointed by the association.

(2) In addition to the member appointed pursuant to clause (1)(a), if the minister considers it advisable, the minister may appoint not more than two additional persons to be members of the board.

(3) Each member of the board:

(a) holds office for a period not exceeding three years and, notwithstanding the expiry of his or her term, continues to hold office until his or her successor is appointed; and

(b) is eligible for reappointment.

23 Oct 2015 cE-0.2 Reg 24 s60.

Vacancy

61(1) If a vacancy occurs among the members of the board appointed pursuant to section 60, the relevant person or organization shall fill the vacancy by appointing another representative for:

(a) the remainder of the term of the person who vacated the office; or

(b) for the term mentioned in subsection 60(3).

(2) A vacancy in the membership of the board does not impair the power of the remaining members of the board to act.

23 Oct 2015 cE-0.2 Reg 24 s61.

Quorum

62(1) A majority of the members of the board constitutes a quorum of the board for the transaction of business.

(2) An act or thing done by a majority of members of the board present at a meeting of the board, if the members present are a quorum, is deemed to have been done by the board.

23 Oct 2015 cE-0.2 Reg 24 s62.

Meetings

63(1) Subject to subsection 64(1), the board shall meet at least once each year at the time and place specified by the chairperson of the board.

(2) The member of the board appointed pursuant to clause 60(1)(a) shall be the chairperson of the board.

23 Oct 2015 cE-0.2 Reg 24 s63.

Appeals

64(1) If a regularly scheduled meeting of the board is not to occur within 60 days after the board receives a written notice of appeal respecting a teacher's salary classification pursuant to *The Teacher Salary Classification Regulations*, the board shall schedule a meeting to hear the appeal within 30 days after receiving the written notice of appeal.

(2) Within 30 days after hearing an appeal, the board shall provide a copy of its determination respecting the teacher's salary classification, together with written reasons, to:

- (a) the appellant; and
- (b) the employing board of education or conseil scolaire.

23 Oct 2015 cE-0.2 Reg 24 s64.

Remuneration and reimbursement

65(1) Subject to subsection (2), members of the board are entitled to:

- (a) remuneration for their services at the rates approved by the Lieutenant Governor in Council; and
- (b) reimbursement for their expenses incurred in the performance of their responsibilities at the rates paid to members of the public service of Saskatchewan.

(2) A member of the board who is also a member of the public service of Saskatchewan is not eligible to receive remuneration, but may be reimbursed for expenses in accordance with the rates paid to members of the public service of Saskatchewan.

(3) Sections 84 and 85 and Table 4 do not apply to members of the board.

23 Oct 2015 cE-0.2 Reg 24 s65.

PART XVI Finance

School tax forms

66(1) Form X is the form to be used for a declaration respecting the designation of school taxes for the purposes of subsections 53(2) and 296.1(1) of the Act.

(2) Form Y is the form to be used for a notice of school tax designation pursuant to subsection 296.1(2) of the Act.

23 Oct 2015 cE-0.2 Reg 24 s66.

Assessed value of certain properties

67 For the purposes of subsection 300(1) of the Act, the formula described in that subsection is to be applied to the assessed value of the properties described in that subsection as those properties existed on the assessment roll, as amended following the sitting of the last court of revision excluding any court of revision dealing with supplemental assessments, for the year preceding the year with respect to which the formula is applied.

23 Oct 2015 cE-0.2 Reg 24 s67.

Investments through trust companies

68 With the minister's approval, a board of education may invest 20% or less of its guaranteed short-term investments through approved trust companies to a maximum of the lesser of:

- (a) 2% of the value of the board's assets; and
- (b) \$60,000.

23 Oct 2015 cE-0.2 Reg 24 s68.

69 Repealed. 1 Sep 2017 SR 86/2017 s5.

70 Repealed. 1 Sep 2017 SR 86/2017 s5..

71 Repealed. 1 Sep 2017 SR 86/2017 s5.

72 Repealed. 1 Sep 2017 SR 86/2017 s5.

PART XVII School Division Buildings

Selection of school site

73 When selecting a school site, a board of education or the conseil scolaire shall consider with respect to the proposed school site:

- (a) present and future enrolment requirements;
- (b) the location with respect to school population, traffic and other hazards, distracting noises and other sensory or environmental nuisances;
- (c) the adequacy of level play areas;
- (d) the site drainage, soil conditions and land contours as they affect construction and landscaping;
- (e) the shape of the school site; and
- (f) the health and safety of the pupils.

23 Oct 2015 cE-0.2 Reg 24 s73.

Water and sewage

74 If there is no municipal waterworks or sewage system, a board of education or the conseil scolaire shall ensure that the proposed school site is to be provided with an adequate water supply and sewage disposal.

23 Oct 2015 cE-0.2 Reg 24 s74.

Area of site

75(1) Subject to subsection (2), a school site acquired for a new school or for an existing school that is being enlarged is required to have an area that is not less than the area shown in Table 3 for the maximum enrolment of pupils projected by the board of education or conseil scolaire for that school.

(2) The minister may, in writing, authorize a board of education or the conseil scolaire to acquire a smaller area than the area prescribed in subsection (1) for a school.

- (3) If a board of education or the conseil scolaire has acquired a school site adjoining other property that can be used for physical education purposes and has written assurance from the owner of that other property with respect to the permanent use of that other property, the board of education or conseil scolaire may include that other property to make up the area requirements as outlined in subsection (1).
- (4) If a play area is located next to a busy street or natural hazard such as a steep ravine, a creek or a lake, a suitable fence is to be provided to separate the play area from the hazard.

23 Oct 2015 cE-0.2 Reg 24 s75

Advertising

76 Advertising for construction tenders for new school division buildings, or for renovations, major repairs or additions to school division buildings, is not to be commenced until written approval of the drawings and specifications has been received from the minister.

23 Oct 2015 cE-0.2 Reg 24 s76.

Construction

- 77(1)** Construction of school division buildings is not to be commenced until:
- (a) title to the building site or a long-term lease acceptable to the minister has been secured; and
 - (b) written approval of final costs, financing, final drawings and specifications, including any addenda that may have been issued in the meantime, has been received from the minister.
- (2) The minister's approval must be obtained before any existing building is purchased for use by a board of education or the conseil scolaire.

23 Oct 2015 cE-0.2 Reg 24 s77.

Plans and specifications

- 78(1)** A board of education or the conseil scolaire shall submit preliminary plans and specifications for new school division buildings to the minister for approval before the preparation of final drawings and specifications.
- (2) Before submitting final drawings and specifications to the minister for new school division buildings, or for renovations, major repairs or additions to school division buildings, a board of education or the conseil scolaire shall secure the approval of any other provincial regulatory body whose approval is required.
- (3) Changes from the approved final drawings and specifications and costs for school division buildings are subject to approval by the minister and by any other provincial regulatory body whose approval is required.

23 Oct 2015 cE-0.2 Reg 24 s78.

Design

79(1) The design and construction of a new school division building, or renovations, major repairs or additions to school division buildings, must comply with the edition of the National Building Code of Canada, including revisions, variations and modifications to it, declared to be in force pursuant to *The Uniform Building and Accessibility Standards Act* and the regulations made pursuant to that Act.

(2) Standards with respect to dimensions, heating, lighting, ventilation, sanitation, acoustics, fire protection, safety and adequacy of accommodation for the pupils and the users of the building are required to conform to ministry guidelines.

(3) The design and planned arrangement:

(a) of additions to school buildings and new school buildings must incorporate features and fixtures for the accommodation of physically disabled pupils;

(b) of school renovations must, if possible, take into account the requirements of physically disabled pupils.

23 Oct 2015 cE-0.2 Reg 24 s79.

Acquisition of property

80(1) The amount prescribed is:

(a) \$75,000 for the purposes of clause 344(4)(a) of the Act; and

(b) \$200,000 for the purposes of clause 344(4)(b) of the Act.

(2) The amount prescribed is:

(a) \$75,000 for the purposes of clause 344(5)(a) of the Act;

(b) \$200,000 for the purposes of clause 344(5)(b) of the Act;

(c) \$75,000 for the purposes of clause 344(5)(c) of the Act; and

(d) \$200,000 for the purposes of clause 344(5)(d) of the Act.

23 Oct 2015 cE-0.2 Reg 24 s80.

Disposal of property

81(1) For the purposes of subsection 347(2) of the Act, the amount prescribed is:

(a) \$50,000 for personal property; and

(b) \$100,000 for real property.

(2) For the purposes of subsection 347(3) of the Act, the amount prescribed is:

(a) \$50,000 for personal property; and

(b) \$100,000 for real property.

23 Oct 2015 cE-0.2 Reg 24 s81.

Tenders re transportation services

82 For the purposes of subsection 355(1) of the Act, the amount prescribed is \$75,000.

23 Oct 2015 cE-0.2 Reg 24 s82.

Policy re acquisitions and dispositions

83(1) Every board of education and the conseil scolaire shall establish a policy respecting acquisitions and dispositions by the board of education or conseil scolaire pursuant to sections 344, 347 and 355 of the Act.

(2) In its policy, a board of education or the conseil scolaire may set lesser amounts for the purposes of sections 344, 347 and 355 of the Act than those prescribed in sections 80 to 82 of these regulations, in which case the board of education or conseil scolaire shall call for tenders or arrange for a public auction based on the lesser amounts.

23 Oct 2015 cE-0.2 Reg 24 s83.

PART XVIII
Remuneration and Expenses of Members of Boards,
Commissions, Committees and Councils

Remuneration

84 Honoraria are payable to members of boards, commissions, committees and councils and to persons for services rendered in accordance with Table 4.

23 Oct 2015 cE-0.2 Reg 24 s84.

Expenses

85 Expenses payable to persons mentioned in section 84 are payable in accordance with the types of expenses and in the amounts payable to employees of the public service.

23 Oct 2015 cE-0.2 Reg 24 s85.

PART XIX
Education Scholarship Fund

86 Repealed. 1 Sep 2017 SR 86/2017 s6.

87 Repealed. 1 Sep 2017 SR 86/2017 s6.

88 Repealed. 1 Sep 2017 SR 86/2017 s6.

89 Repealed. 1 Sep 2017 SR 86/2017 s6.

90 Repealed. 1 Sep 2017 SR 86/2017 s6.

91 Repealed. 1 Sep 2017 SR 86/2017 s6.

PART XX
School Closure or Discontinuance of Grades or Years

92 Repealed. 1 Sep 2017 SR 86/2017 s6.

93 Repealed. 1 Sep 2017 SR 86/2017 s6.

94 Repealed. 1 Sep 2017 SR 86/2017 s6.

95 Repealed. 1 Sep 2017 SR 86/2017 s6.

96 Repealed. 1 Sep 2017 SR 86/2017 s6.

PART XXI
Schools of Opportunity

97 Repealed. 1 Sep 2017 SR 86/2017 s6.

98 Repealed. 1 Sep 2017 SR 86/2017 s6.

99 Repealed. 1 Sep 2017 SR 86/2017 s6.

PART XXII
Repeal and Coming into Force

R.R.S. c.E-0.1 Reg 1 repealed

100 *The Education Regulations, 1986* are repealed.

23 Oct 2015 cE-0.2 Reg 24 s100.

Coming into force

101(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Registered Teachers Act* comes into force.

(2) If these regulations are filed with the Register of Regulations after the day on which section 1 of *The Registered Teachers Act* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

23 Oct 2015 cE-0.2 Reg 24 s101.

Appendix**PART 1
Tables****TABLE 1**
[Section 47]**Flags**

Length of Flag Pole (metres)	Size of Flag (metres)
5.50 to 6.50	1.0 X 2
9.75 to 11.50	1.5 X 3
13.00 to 14.75	2.0 X 4
16.23	2.5 x 5

TABLE 2
[Section 52]**Student Records - Fees**

Service	Fee
Student record of secondary level standing:	
(a) for search and provision of duplicate record:	
(i) up to three copies to pupil and one or more copies to not more than four institutions; or	\$20.00
(ii) one or more copies to not more than five institutions	\$20.00
(b) for each additional copy ordered at the time that the search mentioned in clause (a) is requested	\$2.00
(c) for search and written notification that no record exists	\$20.00

TABLE 3
[Section 75]**Area of Site**

Maximum Enrolment	Area of Site (hectares)
less than 300	1.2 to 2.4
300	2.4 to 2.8
400	2.8 to 3.2
500	2.8 to 3.6
700	3.2 to 4.4
1 000	4.0 to 5.7

Plus 0.4 hectare for each additional 100 pupils

TABLE 4
[Section 84]

Honoraria

Type	Rate
1. Members of curriculum committees: Attending writing workshops or conducting in-service workshops for the ministry.....	\$30 per day
Serving as consultants, not more than.....	\$75 per day
2. Members of special advisory committees, boards, commission and councils designated as:	
(a) High responsibility	
chairperson.....	\$235 per day
member	\$155 per day
(b) Medium responsibility	
chairperson.....	\$155 per day
member	\$110 per day
(c) Moderate responsibility	
chairperson.....	\$95 per day
member	\$70 per day
3. Teachers serving on special committees appointed to prepare or validate Grade 12 examinations.....	\$150 per day
Sub-examiners and appeal readers	\$7.50 per exam to a maximum of \$150 per day
Special consultant for examination adaptation and/or revision	\$150 per day to a maximum of \$300 per paper
4. Educational Relations Board:	
chairperson.....	\$75 per hour
member	\$155 per day
Chief Executive Officer	\$750 per annum
Mediators, conciliators and arbitrators appointed by the board as approved by the board, not more than	\$500 per day
5. Boards of Reference:	
Chairperson	Not more than \$500 per day

PART 2
Forms

FORM A
[Subsection 49(5) of the Act]
[Subsection 3(1) of the Regulations]

Petition for Establishment of Separate School Division

To the Minister of Education:

The undersigned electors petition, pursuant to subsection 49(3) of *The Education Act, 1995*, for the establishment of the _____
(Protestant/Roman Catholic) Separate School Division and declare as follows:

1. The undersigned are (Protestant/Roman Catholic) and are electors of the _____ School District established pursuant to section 120 of the Act within the _____ School Division No. _____ of Saskatchewan.*
2. The undersigned constitute a committee for the purpose of securing the establishment of the proposed separate school division.
3. A plan is attached showing the boundaries of the proposed separate school division.
4. A list is attached containing the names and locations of electors of the school district who are of the same religious faith as the petitioners.
5. The (following/attached) information reasonably demonstrates that the electors named in the attached list represent a minority of electors of the school district.

Dated at _____, Saskatchewan this _____ day of _____, 20 __ .

	Name and Address of Secretary:

(Signatures)

* To qualify as an elector of the school district, you must: be a Canadian citizen, be at least 18 years of age, have lived in Saskatchewan for at least the past six months, and have lived in the school district for at least the past three months.

FORM B
 [Subsection 49(7) of the Act]
 [Subsection 3(2) of the Regulations]

Notice of Meeting of Electors

Petition to establish the _____

(Protestant/Roman Catholic) Separate School Division.

Take notice that a meeting of the (Protestant/Roman Catholic) electors of the _____ School District* will be held as follows for the purpose of enabling the electors to consider the petition:

Date: _____

Time: _____

Location: _____

Dated this _____ day of _____, 20 ____ .

 (Secretary of Petitioners)

* To qualify as an elector of the school district, you must: be a Canadian citizen, be at least 18 years of age, have lived in Saskatchewan for at least the past six months, and have lived in the school district for at least the past three months.

FORM C
 [Subsection 49(9) of the Act]
 [Subsection 3(3) of the Regulations]

Declaration of Elector

Meeting to consider petition to establish the _____

(Protestant/Roman Catholic) Separate School Division.

I declare as follows:

1. I am an elector of the _____ School District.*
2. I am of the same religious faith as the petitioners for the establishment of the separate school division named above.

Dated at _____, Saskatchewan this _____ day of _____, 20 ____ .

 (Signature of Elector)

* To qualify as an elector of the school district, you must: be a Canadian citizen, be at least 18 years of age, have lived in Saskatchewan for at least the past six months, and have lived in the school district for at least the past three months.

FORM D
[Clause 50(5)(d) of the Act]
[Subsection 3(4) of the Regulations]

Notice of Poll

Petition to establish the _____

(Protestant/Roman Catholic) Separate School Division.

Take notice that a poll with respect to the above-noted petition will be held on the _____ day of _____, 20 _____

, from 10:00 a.m. to 8:00 p.m., at the

following location: _____

I will attend to receive representations and appoint electors to represent supporters and opponents of the petition on the _____ day of _____, 20 _____

,

from _____ to _____, at _____ the following location: _____

Dated this _____ day of _____, 20 _____ .

(Returning Officer)

FORM E
 [Clause 50(7)(a) of the Act]
 [Subsection 3(5) of the Regulations]

Elector's Declaration Form

Poll with respect to petition to establish the _____
 (Protestant/Roman Catholic) Separate School Division.

Name: _____

Street address or location of residence: _____

Complete the following by marking an 'X' beside the statements that are correct:

1. I am a Canadian citizen.
2. I am of the full age of 18 years.
3. I have not previously voted in this poll.
4. I have resided in Saskatchewan for at least six months.
5. I have resided for at least three months on land within the boundaries of the proposed separate school division.
6. I am of the same religious faith as the petitioners for the establishment of the separate school division.

I declare that the information given by me with respect to the foregoing statements is true in all respects.

Dated this _____ day of _____, 20 ____ .

Witness:

Elector:

 (Returning Officer or Poll Clerk)

Remarks: _____ Consecutive Number: _____

FORM F
 [Subsection 50(9) of the Act]
 [Subsection 3(6) of the Regulations]

Ballot

Poll with respect to petition to establish the _____
 (Protestant/Roman Catholic) Separate School Division.

Note: Mark your ballot by placing an 'X' in the circle to the right of the words that express your intention. Do not write any word or other figure on this ballot.

For the establishment of the proposed separate school division:



Against the establishment of the proposed separate school division:



FORM G
[Subsection 50(12) of the Act]
[Subsection 3(7) of the Regulations]

Record of Poll

Poll with respect to petition to establish the _____

(Protestant/Roman Catholic) Separate School Division.

For establishment of the separate school division: _____

Against establishment of the separate school division: _____

BALLOT ACCOUNT

Category of Ballot	Number of Ballots
Counted (no objection)	_____
Counted (objected to)	_____
Rejected (no vote marked)	_____
Rejected (other)	_____
Spoiled and Declined	_____

SUBTOTAL

Unused Ballots _____

Total ballots supplied _____

The number of electors who have voted as indicated in the poll book: _____

I certify that the above statements are correct.

Dated this _____ day of _____, 20 ____ .

(Returning Officer)

FORM H
 [Subsection 50(13) of the Act]
 [Subsection 3(8) of the Regulations]
Appointment of Representative

I appoint:

Name: _____

Address: _____

as a representative to attend at the polling place and at the counting of the votes for the poll to be held on the _____ day of _____, 20 ____, on behalf of electors interested in:

- supporting
- opposing

the petition for the establishment of the proposed _____
 (Protestant/Roman Catholic) Separate School Division.

Dated at _____, Saskatchewan this _____ day of _____, 20 __ .

 (Returning Officer)

FORM I
 [Subsection 71(1) of the Act]
 [Subsection 6(1) of the Regulations]

Declaration of Office

Repealed. 1 Sep 2017 SR 86/2017 s7.

FORM J
 [Subsection 71(2) of the Act]
 [Subsection 6(2) of the Regulations]

Endorsement Certificate by Commissioner for Oaths

Repealed. 1 Sep 2017 SR 86/2017 s7.

FORM K
[Subsection 161(3) of the Act]
[Section 50 of the Regulations]

Principal's Report of Irregular Attendance

To: _____
(Local Attendance Counsellor)

Re: _____
(School) (School Division)

The pupil named below has been absent for more than four days during the month of _____, 2 ____ . In my opinion, this absence was not justified.

Name of pupil _____

Birth date _____ Age _____ Grade (Year) _____

Name of Parent or Guardian _____

Address of Parent or Guardian _____

Distance from School or Bus Route _____

Dates Absent _____

Principal's Comments _____

Dated at _____, Saskatchewan, this _____ day of _____, 20 ____ .

FORM L
[Clause 160(2)(e) of the Act]
[Section 51 of the Regulations]

Report of Local Attendance Counsellor to the Ministry of Education

For the period July 1, 2 ____ , to June 30, 2 ____ in the _____
School Division No. _____, legal proceedings were instituted in the
following cases (give name of pupil, parents' names and address, and judgment and comments):

Local Attendance Counsellor

FORM M

[Clause 210(1)(a) and Subsection 210(2) of the Act]

[Clause 210(1)(c) or (d) of the Act]

[Subsection 57(1) of the Regulations]

Notice of Termination of Contract

I have been instructed to inform you that the Board of Education of the _____
 School Division No. _____, at a regular (*or* special) meeting held on
 the _____ day of _____, 20 ____, adopted a resolution terminating
 your contract as a teacher with the Board of Education effective on the _____ day
 of _____, 20_____.

Pursuant to subsection 210(3) of *The Education Act, 1995*, the Board of Education
 informs you that your contract is being terminated for the following reason(s):

1

2

3

and that, in the opinion of the Board of Education, you are unsuitable for continued
 teaching service in your present position for the reason(s) stated.

This is to notify you further, in accordance with section 213 of *The Education
 Act, 1995*, that you may apply within 10 days after the day of receipt of this notice
 to the Board of Education for an opportunity to attend at a meeting of the Board of
 Education to show cause why your contract should not be terminated.

Signed on behalf of the Board of Education of the _____

School Division No. _____ this _____ day of _____, 20 _____.

Signature of proper officer of the board of education

FORM N

[Clause 210(1)(b) of the Act]
 [Subsection 57(2) of the Regulations]

Notice of Termination of Contract by Reason of Redundancy

I have been instructed to inform you that the Board of Education of the _____
 School Division No. _____, at a regular (*or* special) meeting held on
 the _____ day of _____, 20____, adopted a resolution terminating
 your contract as a teacher with the Board of Education effective on the _____ day
 of _____, 20_____.

Your teaching position is no longer considered by the Board of Education to be
 necessary for the teaching requirements or educational programs of the school
 division for the following reason(s):

- 1
- 2
- 3

This is to notify you further, in accordance with section 213 of *The Education Act, 1995*, that you may apply within 10 days after the day of receipt of this notice to the Board of Education for an opportunity to attend at a meeting of the Board of Education to show cause why your contract should not be terminated.

Signed on behalf of the Board of Education of the _____
 School Division No. _____ this _____ day of _____, 20_____.

Signature of proper officer of the board of education

FORM R
 [Section 200 of the Act]
 [Subsection 57(4) of the Regulations]

Offer of Replacement Contract

This letter constitutes an offer of a replacement contract of employment to you by the Board of Education of the _____ School Division No. _____ for a:

full-time teaching position; or

part-time teaching position.

This offer is conditional on you holding a valid Saskatchewan teacher's certificate.

The contract is for the purposes of replacing _____
(name)

who is on a leave of absence for the academic year set out below.

Your duties, as set out in *The Education Act, 1995*,

commence on _____ , _____ ; and
(month) (day) (year)

expire on _____ .
(month) (day) (year)

The Board of Education of the _____ School Division No. _____.

 (address of Board of Education)

 Per: Director

 (date)

FORM T
[Section 200 of the Act]
[Subsection 57(4) of the Regulations]

Board of Education Confirmation of Replacement Contract

The Board of Education of the _____ School Division No. _____
confirms your acceptance of the offer of the Board of Education of a replacement
contract of employment for a:

full-time teaching position; or

part-time teaching position.

The contract is for the purposes of replacing _____
(name)

who is on a leave of absence for the academic year set out below.

Your duties, as set out in *The Education Act, 1995*,

commence on _____ , _____ ; and
(month) (day) (year)

expire on _____ .
(month) (day) (year)

The Board of Education of the _____ School Division No. _____.

(address of Board of Education)

Per: Director

(date)

FORM U
[Section 200 of the Act]
[Subsection 57(5) of the Regulations]

Offer of Contract

This letter constitutes an offer of a contract of employment to you by the Board of Education of the _____ School Division No. _____ for a:

full-time teaching position; or

part-time teaching position.

This offer is conditional on you holding a valid Saskatchewan teacher's certificate.

Your duties, as set out in *The Education Act, 1995*, commence on

_____, _____, _____.
(month) (day) (year)

The Board of Education of the _____ School Division No. _____.

(address of Board of Education)

Per: Director

(date)

FORM W
[Section 200 of the Act]
[Subsection 57(5) of the Regulations]

Board of Education Confirmation of Contract

The Board of Education of the _____ School Division No. _____ .
confirms your acceptance of the offer of the Board of Education of a contract of
employment for a:

full-time teaching position; or

part-time teaching position.

Your duties, as set out in *The Education Act, 1995*, commence on

_____, _____, _____ .
(month) (day) (year)

The Board of Education of the _____ School Division No. _____.

(address of Board of Education)

Per: Director

(date)

FORM X

[Subsections 53(2) and 296.1(1) of the Act]

[Subsection 66(1) of the Regulations]

School Tax Declaration For Property Owned by Individuals

I, _____,

having read the information set out in the Notes, declare as follows:

1. I am a member of the religious faith that established the _____
 (Municipality to fill in name)

Roman Catholic/Protestant Separate School Division.

Yes No

2. My ownership share in the properties of which I am an owner in the municipality is as follows:

(a) my ownership share in each property is _____ %; or

(b) my ownership share is as set out below:

Property	Ownership Share (%)

(Signature)_____
(Date)

Notes:

1. Subsection 53(2) of *The Education Act, 1995* provides as follows:
- “Where the minority religious faith, whether Protestant or Roman Catholic, has established a separate school division, a property owner is to be assessed with respect to his or her property:
- (a) in the case of a member of the minority religious faith, as a taxpayer of the separate school division;
- (b) in any other case, as a taxpayer of the public school division.”
2. Subsection 297(1) of *The Education Act, 1995* provides that where a property is “held by two or more persons as joint tenants or tenants in common, each holder is to be assessed in proportion to his or her interest in the property in the separate or public school division of which he or she is a taxpayer for school purposes.”

FORM Y

[Subsection 296.1(2) of the Act]
 [Subsection 66(2) of the Regulations]

Notice of School Tax Designation for Corporations

NAME OF CORPORATION: _____

MAILING ADDRESS: _____

[Complete one of Parts A, B, C or D as appropriate.]

A. Notice pursuant to subsection 299(1) of *The Education Act, 1995*

TAKE NOTICE that pursuant to a resolution of the directors, the _____
 (Name of Corporation)

notifies the _____ as follows:
 (Name of Municipality)

(a) The proportion of the whole amount of the paid-up or partly paid-up shares or stock of the corporation that is held by members of the minority religious faith that established the _____

Roman Catholic/Protestant Separate School Division No. _____ is ____ % .

(b) This same percentage of the total assessment of the real property of the corporation within the municipality is to be designated for the purposes of the separate school division.

(Signature)_____
(Title)_____
(Date)**B. Notice pursuant to subsection 304(1) of *The Education Act, 1995***

TAKE NOTICE that the _____
 (Name of Corporation)

notifies the _____ that it is impossible, owing to the
 (Name of Municipality)

number of shareholders and their wide distribution in point of residence, to ascertain the proportion of the shares or stock of the corporation that is held by members of the minority religious faith that established the _____

Roman Catholic/Protestant Separate School Division No. _____ .

Statutory Declaration

(The statutory declaration may be made by the president, vice-president or secretary of the corporation or by some other person having the management of its affairs in Saskatchewan who can testify to the facts.)

I, _____ of the _____
(Name of Municipality)

in the Province of _____, solemnly declare that:

1. I am the _____ of the _____.
(Title) (Name of Corporation)

2. I have read the above Notice and to the best of my knowledge and belief it is true in substance and in fact.

3. I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE ME at

_____ this ____ day of _____, 20 ____.
(Signature of person making this declaration)

(Mailing Address)

(Signature and qualifications of person
(eg. commissioner of oaths, notary public)
before whom this declaration is made)

(Telephone Number)

C. Notice pursuant to subsection 304(5) of *The Education Act, 1995*

TAKE NOTICE that the _____
(Name of Corporation)

notifies the _____ that
(Name of Municipality)

[Check One]

all of the shareholders are members of the minority religious faith that established the _____ Roman Catholic/Protestant Separate School Division No. _____ .

none of the shareholders is a member of the minority religious faith that established the _____ Roman Catholic/Protestant Separate School Division No. _____ .

(Signature)

(Title)

(Date)

D. Notice pursuant to section 305 of *The Education Act, 1995*

TAKE NOTICE that pursuant to a resolution of the directors, the _____
(Name of Corporation)

requires that the real property of the corporation be assessed as follows:

_____ School Division No. _____ : _____ %

_____ Roman Catholic/Protestant Separate School Division
No. _____ : _____ %

(Signature)

(Title)

(Date)

