

# *The Registered Independent Schools Regulations*

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[Chapter E-0.2 Reg 27](#) (effective September 1, 2018) as amended by Saskatchewan Regulations [62/2022](#), [13/2023](#) and [84/2023](#).

**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.



## CHAPTER E-0.2 REG 27

### *The Education Act, 1995*

#### PART 1

#### Preliminary Matters

##### Title

1 These regulations may be cited as *The Registered Independent Schools Regulations*.

##### Definitions

2 In these regulations:

“**accredited teacher**” means an independent school teacher who holds a certificate of accreditation issued pursuant to section 20; (« *enseignant agréé* »)

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

“**alternative independent school**” means a registered independent school that is designated as an alternative independent school pursuant to section 9; (« *école indépendante alternative* »)

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

“**associate school**” means a registered independent school that has an agreement with a board of education, the conseil scolaire or the SDLC to operate in association with the board of education, the conseil scolaire or the SDLC; (« *école associée* »)

“**board**” means the board of an independent school; (« *conseil* »)

“**business day**” means a day other than a Saturday, Sunday or holiday; (« *jour ouvrable* »)

“**cancellation**” means the permanent cancellation of any or all of the following, as the case requires:

- (a) a certificate of registration, a certificate of qualification or a certified independent school certificate pursuant to section 14;
- (b) a letter of eligibility pursuant to section 19;
- (c) a certificate of registration pursuant to clause 39(5)(a);
- (d) an approval granted to an approved online learning provider pursuant to section 14.3; (« *annulation* »)

“**certified independent school**” means a qualified independent school that holds a certified independent school certificate; (« *école indépendante certifiée* »)

“**certified independent school certificate**” means a valid certified independent school certificate issued pursuant to section 11.2; (« *certificat d'école indépendante certifiée* »)

“**certificate of qualification**” means a valid certificate of qualification issued pursuant to section 11; (« *certificat de qualification* »)

“**certificate of registration**” means a valid certificate of registration:

- (a) issued pursuant to section 6; or
- (b) deemed to have been issued pursuant to section 7 or 8; (« *certificat d'inscription* »)

“**course**” means a course of study; (« *cours* »)

“**director**” means a person appointed as director pursuant to section 15; (« *directeur administratif* »)

“**fiscal year**” means a one-year period that:

- (a) commences on a day between July 1 and September 1 in one year; and
- (b) ends on a day between June 30 and August 31 of the following year, as the case may be; (« *exercice* »)

“**goals of education for Saskatchewan**” means the official goals of education prepared and published by the minister pursuant to clause 3(2)(d) of the Act; (« *buts de l'éducation pour la Saskatchewan* »)

“**historical high school**” means a registered independent school that is listed as a historical high school in section 8; (« *école secondaire historique* »)

“**independent school teacher**” means a person employed by the board of a registered independent school in accordance with these regulations to teach in the registered independent school; (« *enseignant d'école indépendante* »)

“**letter of eligibility**” means a valid letter of eligibility issued pursuant to section 18; (« *lettre d'admissibilité* »)

“**membership interest**” means membership interest as defined in *The Non-profit Corporations Act, 1995* or *The Non-profit Corporations Act, 2022*, as the case may be; (« *intérêt de mutualité* » ou « *intérêt de membre* »)

“**ministry**” means the ministry over which the minister presides; (« *ministère* »)

“**principal**” means a person appointed as principal pursuant to section 16; (« *directeur d'école* »)

“**probation**” means a period during which the ministry monitors and evaluates the adherence of a registered independent school, a qualified independent school, a certified independent school or an approved online learning provider to all requirements applicable to that category of school as set out in:

- (a) the Act;
- (b) these regulations;
- (c) *The Registered Independent Schools Policy and Procedure Manual* published by the ministry, as amended from time to time; and

(d) in the case of an approved online learning provider, the *Quality Assurance Framework for K-12 Online Learning* published by the ministry, as amended from time to time (« *période d'essai* »)

“**program**” means a program of study; (« *programme* »)

“**pupil with intensive needs**” means a pupil who has been assessed as having a capacity to learn that is compromised by a cognitive, social-emotional, behavioural or physical condition; (« *élève à besoins particuliers* »)

“**qualified independent school**” means a registered independent school that holds a certificate of qualification; (« *école indépendante qualifiée* »)

“**registered independent school**” means:

- (a) an independent school that holds a certificate of registration; or
- (b) an associate school or historical high school that is deemed to hold a certificate of registration; (« *école indépendante inscrite* »)

“**registered teacher**” means a registered teacher as defined in *The Registered Teachers Act*; (« *enseignant inscrit* »)

“**religiously-based registered independent school**” means a registered independent school that:

- (a) is owned or operated by a non-profit corporation; and
- (b) has, as its primary objective, the advancement of education from a religiously-based philosophical perspective. (« *école indépendante inscrite confessionnelle* »)

“**suspension**” means the temporary suspension of any or all of the following, as the case requires:

- (a) a certificate of registration, a certificate of qualification or a certified independent school certificate pursuant to section 14;
- (b) a letter of eligibility pursuant to section 19;
- (c) an approval granted to an approved online learning provider pursuant to section 14.3. (« *suspension* »)

18 May 2018 cE-0.2 Reg 27 s2; 26 Aug 2022 SR 62/2022 s3; 10 Mar 2023 SR 13/2023 s3; 1 Sep 2023 SR 84/2023 s3.

#### Registration required

3(1) No independent school shall operate in Saskatchewan without holding a certificate of registration.

(2) An independent school that offers programs and courses at more than one location in Saskatchewan must hold a separate certificate of registration for each location.

18 May 2018 cE-0.2 Reg 27 s3.

**E-0.2 REG 27** REGISTERED INDEPENDENT SCHOOLS**Categories of independent schools**

4 The following categories of registered independent schools are established:

- (a) registered independent schools;
- (b) associate schools;
- (c) historical high schools;
- (d) alternative independent schools;
- (e) qualified independent schools;
- (f) certified independent schools.

18 May 2018 cE-0.2 Reg 27 s4; 10 Mar 2023 SR  
13/2023 s4.

**PART 2**  
**Registration of Independent Schools**

**Application for registration**

5(1) An applicant may apply to the minister for a certificate of registration with respect to an independent school that:

- (a) is owned or operated by a corporation:
  - (i) that is incorporated or continued in Saskatchewan; and
  - (ii) that has a physical presence in Saskatchewan evidenced by the following:
    - (A) a school administration office located in Saskatchewan;
    - (B) a Saskatchewan postal address; and
    - (C) a Saskatchewan telephone number;
- (b) has a board that:
  - (i) exercises powers similar to those of a board of education; and
  - (ii) comprises a minimum of 3 adults representing 3 separate households;
- (c) subject to subsection (4), for the start of the next academic year, has enrolled at least 7 persons to attend the school:
  - (i) who have attained the age of 6 years but have not yet attained the age of 22 years;
  - (ii) who are from at least 3 separate households; and
  - (iii) the majority of whom are enrolled at a grade level higher than kindergarten;

- (d) meets all applicable fire, health and safety standards in relation to its school facilities located in Saskatchewan;
  - (e) has goals of education that are, in the opinion of the minister, not inconsistent with the goals of education for Saskatchewan;
  - (f) has a name that, in the opinion of the minister:
    - (i) is distinct from the names of other existing educational institutions;
    - (ii) reflects the level of educational programming offered or proposed to be offered by the independent school; and
    - (iii) does not inaccurately reflect the location or geographical area to be served by the independent school;
  - (g) is not owned or operated by, or for the benefit of pupils from, an Indian band within the meaning of the *Indian Act* (Canada); and
  - (h) did not hold a certificate of registration that was suspended or cancelled within the 24 months preceding the date of application.
- (2) An application for a certificate of registration pursuant to this section must:
- (a) be in the form required by the minister;
  - (b) be submitted to the minister on or before the January 31 preceding the start of the academic year for which the certificate of registration is sought; and
  - (c) include the following information with respect to the independent school:
    - (i) the school's name;
    - (ii) the school's location;
    - (iii) the location of the school administration office, if different from the school's location;
    - (iv) the name of the owner of the school;
    - (v) if the operator of the school is not the owner, the operator's name;
    - (vi) the name of the chairperson of the board;
    - (vii) the name of the director of the school;
    - (viii) if the principal of the school is not the director, the principal's name; and
    - (ix) any other information that the minister may request respecting its educational activities and educational operations.
- (3) An independent school that intends to offer programs and courses at more than one location in Saskatchewan must submit a separate application for each location.

(4) A registered independent school that, as at August 31, 2018, held a valid certificate of registration issued pursuant to *The Independent Schools Regulations* must:

- (a) subject to clause (b), for each academic year, enrol persons to attend the school who:
  - (i) have attained the age of 6 years but have not yet attained the age of 22 years;
  - (ii) are from at least 2 separate households; and
  - (iii) are enrolled at a grade level higher than kindergarten; and
- (b) comply with clause (1)(c) for the academic year commencing in September 2022 and for each subsequent academic year.

18 May 2018 cE-0.2 Reg 27 s5.

**Certificate of registration**

6(1) On receipt of an application pursuant to section 5, the minister may issue a certificate of registration to the applicant, on any terms and conditions the minister considers advisable, if the minister is satisfied that:

- (a) the independent school meets the qualifications for registration set out in section 5; and
- (b) the application is complete.

(2) The minister shall consider each application made pursuant to section 5 in accordance with the principles of:

- (a) freedom of conscience and religion in education; and
- (b) fundamental justice.

(3) The minister may issue a certificate of registration before the date on which the independent school commences operations:

- (a) if the minister is satisfied that the independent school otherwise meets the qualifications for registration set out in section 5; and
- (b) the independent school provides the minister with a written notice of intent to comply with these regulations on commencing operations.

(4) The minister may issue a certificate of registration mentioned in subsection (3) that:

- (a) is conditional on the independent school commencing operations on September 1 of that year;
- (b) is conditional on the independent school complying with these regulations on commencing operations; and
- (c) has an effective date of September 1 of that year.

- (5) A certificate of registration authorizes the independent school to offer programs and courses at the location set out in the certificate of registration, in accordance with the terms and conditions pursuant to which the certificate of registration is issued.
- (6) No independent school shall offer programs and courses at a location not set out in the certificate of registration.

18 May 2018 cE-0.2 Reg 27 s6.

PART 3  
**Associate Schools, Historical High Schools  
 and Alternative Independent Schools**

**Associate schools**

- 7(1) Every associate school, during the term of its agreement with a board of education, the conseil scolaire or the SDLC to operate in association with that board of education, the conseil scolaire or the SDLC:
- (a) is deemed to hold a certificate of registration; and
  - (b) subject to subsection (2), is subject to the provisions of these regulations as if the associate school had been issued a certificate of registration.
- (2) Sections 15, 22, 23 and 24 do not apply to associate schools.
- (3) At the request of the minister, an associate school shall promptly provide the minister with a copy of its agreement with the board of education, the conseil scolaire or the SDLC.
- (4) If the agreement mentioned in subsection (1) is amended or terminated, the associate school shall immediately:
- (a) give the minister written notice of that fact; and
  - (b) supply the minister with any information respecting the agreement or its amendment or termination that the minister may request.

18 May 2018 cE-0.2 Reg 27 s7; 1 Sep 2023 SR  
 84/2023 s4.

**Historical high schools**

- 8 Each of the following historical high schools is a registered independent school, is deemed to hold a certificate of registration on the day on which these regulations come into force, and is subject to the provisions of these regulations as if it had been issued a certificate of registration pursuant to these regulations:
- (a) Athol Murray College of Notre Dame;
  - (b) Briercrest Christian Academy;
  - (c) Luther College (High School);
  - (d) Lutheran Collegiate Bible Institute;
  - (e) Rosthern Junior College.

18 May 2018 cE-0.2 Reg 27 s8.

**Alternative independent schools**

**9(1)** A registered independent school may apply to the minister to be designated as an alternative independent school if the registered independent school:

- (a) conforms to provincial curriculum policy, as determined by the minister, with respect to alternative education;
  - (b) provides approved programs and approved courses in accordance with provincial curriculum policy, as determined by the minister;
  - (c) in employing independent school teachers, employs only registered teachers;
  - (d) is or has agreed to be supervised by:
    - (i) the ministry; or
    - (ii) an approved person;
  - (e) in the opinion of the minister, subscribes to the goals of education for Saskatchewan;
  - (f) accepts or proposes to accept as pupils those who are placed by:
    - (i) boards of education or the conseil scolaire;
    - (ii) boards of registered independent schools;
    - (iii) the Ministry of Social Services;
    - (iv) the Ministry of Justice;
    - (v) Indigenous Services Canada; or
    - (vi) with the approval of the minister, the pupil's parent or guardian; and
  - (g) offers or proposes to offer to pupils with intensive needs programs and courses that, in the opinion of the minister, are qualitatively different from regular programs and courses.
- (2) The minister may designate a registered independent school as an alternative independent school, on any terms and conditions the minister considers advisable, if the minister is satisfied that the registered independent school meets the qualifications for designation as set out in subsection (1).

18 May 2018 cE-0.2 Reg 27 s9.

## PART 4

**Qualified and Certified Independent Schools****Incorporation required**

**10(1)** Every qualified independent school and certified independent school operating in Saskatchewan shall:

- (a) be incorporated or continued pursuant to *The Non-profit Corporations Act, 1995* or *The Non-profit Corporations Act, 2022*;

- (b) have a physical presence in Saskatchewan evidenced by the following:
    - (i) a school administration office located in Saskatchewan;
    - (ii) a Saskatchewan postal address; and
    - (iii) a Saskatchewan telephone number; and
  - (c) be a separate corporation from any religious order or society that has a membership interest in or otherwise has a connection with the qualified independent school or certified independent school.
- (2) The non-profit corporation incorporated or continued pursuant to subsection (1) must not conduct any business, carry on any activity or exercise any power other than for the purposes of the ownership, governance, administration, management and operation of the qualified independent school or the certified independent school, as the case may be.
- (3) A qualified independent school or certified independent school that offers programs and courses at more than one location in Saskatchewan must be separately incorporated or continued pursuant to *The Non-profit Corporations Act, 1995* or *The Non-profit Corporations Act, 2022* for each location.
- (4) Every qualified independent school and certified independent school operating in Saskatchewan on the day before the coming into force of *The Registered Independent Schools Amendment Regulations, 2023* shall comply with the requirements of this section not later than September 1, 2024.

10 Mar 2023 SR 13/2023 s5.

**Application for certificate of qualification**

**10.1(1)** A registered independent school may apply to the minister for a certificate of qualification as a qualified independent school if the registered independent school:

- (a) has lawfully operated as a registered independent school for at least 2 consecutive years immediately before making its application for a certificate of qualification;
- (b) is owned and operated by a non-profit corporation in accordance with section 10;
- (c) notwithstanding subsection 30(3), conforms to provincial curriculum policy, as determined by the minister;
- (d) provides approved educational programs and approved courses of study in accordance with the provincial curriculum policy, as determined by the minister;
- (e) in employing independent school teachers, employs only registered teachers who hold a valid Professional A Teacher's Certificate issued pursuant to *The Registered Teachers Act*;

- (f) agrees to submit annual financial statements to the minister, in the form and within the period required by the minister;
  - (g) keeps a full and accurate record of the proceedings, transactions and financial affairs of the registered independent school;
  - (h) prepares or causes to be prepared any reports and returns concerning statistical data, budgetary information and the operation of the registered independent school that may be required from time to time by the minister;
  - (i) agrees to be supervised and inspected by ministry officials;
  - (j) complies with ministry policies, directives and administrative procedures, unless the minister agrees in writing to allow those policies, directives and administrative procedures to be adapted or amended to meet the needs of the registered independent school;
  - (k) in the opinion of the minister, subscribes to the goals of education for Saskatchewan;
  - (l) does not have an associate school agreement with a board of education, the conseil scolaire or the SDLC; and
  - (m) in the preceding 24 months:
    - (i) has not been on probation as a registered independent school; and
    - (ii) has not had its certificate of registration suspended or cancelled.
- (2) An application pursuant to this section for a certificate of qualification must:
- (a) be in the form required by the minister; and
  - (b) include any information that the minister may request to consider the application.

10 Mar 2023 SR 13/2023 s5; 1 Sep 2023 SR  
84/2023 s5.

**Issuance of certificate of qualification**

- 11(1)** On receipt of an application pursuant to section 10.1, the minister may issue a certificate of qualification to the registered independent school if the minister is satisfied that:
- (a) the registered independent school meets the qualifications for certification set out in subsection 10.1(1); and
  - (b) the application is complete.
- (2) The minister may issue a certificate of qualification on any terms and conditions that the minister considers advisable.

(3) A certificate of qualification certifies the registered independent school named in the certificate to be a qualified independent school in accordance with the terms and conditions of the certificate.

(4) Qualified independent schools are eligible for operating grants pursuant to Part 4 of *The Education Funding Regulations, 2018*.

10 Mar 2023 SR 13/2023 s5.

**Application for certified independent school certificate**

**11.1(1)** A qualified independent school may apply to the minister for a certified independent school certificate if the qualified independent school:

- (a) continues to meet the qualifications for certification set out in subsection 10.1(1);
- (b) has lawfully operated as a qualified independent school for at least 5 consecutive years immediately before making its application for a certified independent school certificate;
- (c) has core learning resources that are approved by the minister for use in the school;
- (d) provides the core learning resources mentioned in clause (c) to the ministry for review at least once every 5 years or otherwise on the written request of the minister;
- (e) agrees to participate in all provincial assessment programs and provide resulting data to the ministry on an annual basis;
- (f) has enrolled, and continues to enrol, at least 150 full-time equivalent pupils to attend the school;
- (g) employs at least one registered teacher in every classroom who holds a valid Professional A Teacher's Certificate issued pursuant to *The Registered Teachers Act*;
- (h) except in the case of non-credit religious instruction mentioned in section 33, requires a registered teacher to teach every class at the school;
- (i) has a pupil to teacher ratio that is equal to or less than 25 pupils per full-time equivalent teacher;
- (j) notwithstanding subsection 28(1), in each academic year, offers a minimum of 6 consecutive grades of instruction, not including kindergarten;
- (k) offers a minimum of 75% synchronous educational programming that is scheduled between the hours of 8:30 a.m. and 4:00 p.m.;
- (l) ensures that registered teachers who hold a valid Professional A Teacher's Certificate issued pursuant to *The Registered Teachers Act* and school administrators employed by the school are paid a minimum of 90% of the amounts set out in the current collective bargaining agreement for teachers, including allowances;

- (m) agrees to submit the financial statements of the non-profit corporation that owns and operates the school to the minister at least once in each fiscal year that:
  - (i) are independently audited by a person who:
    - (A) is a member in good standing of a recognized accounting profession that is regulated by *The Accounting Profession Act*; and
    - (B) is not disqualified pursuant to subsection (3); and
  - (ii) include detailed salary information for all teachers and school administrators employed by the school, in the form and within the period required by the minister; and
- (n) in the preceding 24 months:
  - (i) has not been on probation as a qualified independent school; and
  - (ii) has not had its certificate of qualification suspended or cancelled.
- (2) An application pursuant to this section for a certified independent school certificate must:
  - (a) be in the form required by the minister; and
  - (b) include any information that the minister may request to consider the application.
- (3) The person appointed pursuant to subclause (1)(m)(i) to audit the financial statements shall not be a person who:
  - (a) is, or was during the preceding fiscal year, a member of the board of the school;
  - (b) is, or was during the preceding fiscal year, employed by the school in any capacity except for that of auditor; or
  - (c) has, or had during the preceding fiscal year, an interest in a contract made by the board of the school other than in a contract appointing that person as auditor.

10 Mar 2023 SR 13/2023 s5.

**Issuance of certified independent school certificate**

- 11.2(1)** On receipt of an application pursuant to section 11.1, the minister may issue a certified independent school certificate to the qualified independent school if the minister is satisfied that:
- (a) the qualified independent school meets the qualifications for certification set out in subsection 11.1(1); and
  - (b) the application is complete.
- (2) The minister may issue a certified independent school certificate on any terms and conditions that the minister considers advisable.

(3) A certified independent school certificate certifies the qualified independent school named in the certificate as a certified independent school in accordance with the terms and conditions of the certificate.

(4) Certified independent schools are eligible for operating grants pursuant to Part 4.1 of *The Education Funding Regulations, 2018*.

10 Mar 2023 SR 13/2023 s5.

#### Public financial statements

**11.3(1)** For the purposes of this section, “**personal information**” means personal information within the meaning of *The Local Authority Freedom of Information and Protection of Privacy Act*.

(2) The board of every certified independent school:

(a) shall publicly post the financial statements mentioned in clause 11.1(1)(m) to the school’s public website; or

(b) if the certified independent school does not have a public website, shall make the financial statements mentioned in clause 11.1(1)(m) available to the public in any form and manner determined by the minister.

(3) For the purposes of this section, the board of the certified independent school shall take reasonable steps to avoid disclosing personal information about pupils, parents, guardians, teachers, school administrators, the principal, the director and all other staff of the certified independent school in the financial statements that are posted or made available in accordance with subsection (2).

(4) For the 2024-2025 fiscal year, every certified independent school shall comply with the requirements of clause 11.1(1)(m) and this section not later than December 31, 2025.

10 Mar 2023 SR 13/2023 s5.

## PART 5

### Rejection of Application or Suspension or Cancellation of Certificate

#### Interpretation of Part

**12** In this Part, “**certificate**” means, as the case requires:

(a) a certificate of registration; or

(b) a certificate of qualification; or

(c) a certified independent school certificate.

18 May 2018 cE-0.2 Reg 27 s12; 10 Mar 2023 SR 13/2023 s6.

**E-0.2 REG 27** REGISTERED INDEPENDENT SCHOOLS**Rejection of application**

**13** If the minister rejects an application for a certificate, the minister shall provide the applicant with:

- (a) written notice of the rejection; and
- (b) written reasons for the rejection.

18 May 2018 cE-0.2 Reg 27 s13.

**Suspension or cancellation of certificate**

**14(1)** Subject to subsection (1.1), the minister may suspend or cancel a certificate if the minister is satisfied that:

- (a) the independent school named in the certificate:
  - (i) obtained the certificate by providing the minister with false or misleading information;
  - (ii) has contravened the Act, these regulations or *The Registered Independent Schools Policy and Procedure Manual* published by the ministry, as amended from time to time;
  - (iii) has breached a term or condition of the certificate; or
  - (iv) has ceased to meet the qualifications for the certificate; or
- (b) the suspension or cancellation of the certificate is necessary in the public interest.

(1.1) The maximum suspension period that the minister may impose pursuant to subsection (1) is one school year.

(1.2) If the minister considers it to be in the public interest, the minister may place an independent school on probation for a maximum of 2 years.

(2) The minister shall not suspend or cancel a certificate without giving the holder of the certificate an opportunity to be heard.

(3) Notwithstanding subsection (2), if the minister considers it necessary in the public interest, the minister may immediately suspend or cancel a certificate but shall give the holder of the certificate an opportunity to be heard within 10 business days after the suspension or cancellation.

(4) If the minister suspends or cancels a certificate, the minister shall immediately provide the independent school with:

- (a) written notice of the suspension or cancellation; and
- (b) written reasons for the suspension or cancellation.

18 May 2018 cE-0.2 Reg 27 s14; 26 Aug 2022 SR 62/2022 s4; 10 Mar 2023 SR 13/2023 s7.

PART 5.1  
**Approved Online Learning Providers**

**Approved online learning provider**

14.1(1) The minister may approve an application by an independent school to be an approved online learning provider on any terms and conditions the minister considers appropriate if the independent school:

- (a) either:
    - (i) is a registered independent school; or
    - (ii) applies to the minister to become a registered independent school and becomes a registered independent school at the same time that the independent school applies to become an approved online learning provider;
  - (b) submits to the minister an application to be an approved online learning provider in the form required by the minister, including any records, reports or other information required to be submitted by the *Quality Assurance Framework for K-12 Online Learning* published by the ministry, as amended from time to time; and
  - (c) is otherwise qualified to be an approved online learning provider pursuant to the Act, these regulations and any other regulations made pursuant to the Act that govern online learning offered by approved online learning providers.
- (2) The minister shall consider each application made by an independent school pursuant to subsection 11.2(3) of the Act in accordance with the principles of:
- (a) freedom of conscience and religion in education; and
  - (b) fundamental justice.
- (3) The minister may approve an application pursuant to this section before the date on which the independent school meets all of the requirements for approved online learning providers if:
- (a) the minister is satisfied that the independent school otherwise meets the qualifications for approval set out in this section; and
  - (b) the independent school provides the minister with a written notice of intent to comply with the Act, these regulations, any other regulations made pursuant to the Act that govern online learning and the *Quality Assurance Framework for K-12 Online Learning* published by the ministry, as amended from time to time, by the time the independent school commences offering online learning.
- (4) The minister may grant an approval mentioned in subsection (3) that:
- (a) is conditional on the independent school offering online learning commencing on September 1 of that year;

- (b) is conditional on the independent school complying with the Act, these regulations, any other regulations made pursuant to the Act that govern online learning and the *Quality Assurance Framework for K-12 Online Learning* published by the ministry, as amended from time to time, by the time the independent school commences offering online learning; and
  - (c) has an effective date of September 1 of that year.
- (5) For the purposes of clause 11.2(4)(c) of the Act, each independent school that is an approved online learning provider shall comply:
- (a) with any requirements set out in the *Quality Assurance Framework for K-12 Online Learning* published by the ministry, as amended from time to time;
  - (b) with the requirements of the Act, these regulations and any regulations made pursuant to the Act to the extent and in the manner that the Act and the regulations apply to the particular category of independent school that is an approved online learning provider; and
  - (c) with any other provisions in the Act, these regulations or any other regulations made pursuant to the Act that govern any online learning offered by the approved online learning provider.
- (6) No independent school shall offer online learning in Saskatchewan without receiving approval to be an approved online learning provider.
- (7) An independent school that offers online learning programs and courses from more than one location in Saskatchewan must receive approval to be an approved online learning provider for each location from which online learning will be offered.

1 Sep 2023 SR 84/2023 s7.

**Rejection of application – approved online learning provider**

**14.2** If the minister refuses to approve an application to be an approved online learning provider, the minister shall provide the applicant with:

- (a) written notice of the refusal; and
- (b) written reasons for the refusal.

1 Sep 2023 SR 84/2023 s7.

**Suspension, cancellation or probation of approved online learning provider**

**14.3(1)** The minister may suspend or cancel an approval granted to an approved online learning provider if the minister is satisfied that:

- (a) the independent school that is an approved online learning provider:
  - (i) received the approval by providing the minister with false or misleading information;
  - (ii) has contravened the Act, these regulations, any other regulations made pursuant to the Act or the *Quality Assurance Framework for K-12 Online Learning* published by the ministry, as amended from time to time;

- (iii) has breached a term or condition imposed on the approval; or
  - (iv) has ceased to meet the qualifications for an approved online learning provider; or
  - (b) the suspension or cancellation of the approval of an approved online learning provider is necessary in the public interest.
- (2) If the minister considers it to be in the public interest, the minister may place an approved online learning provider on probation.

1 Sep 2023 SR 84/2023 s7.

## PART 6 School Staff

### Director

- 15(1)** The board of a registered independent school, other than an associate school, shall appoint a director for the registered independent school.
- (1.1) The director appointed for a certified independent school shall not be a member of the board of directors of the non-profit corporation that owns and operates the certified independent school.
- (2) The director shall be designated as the chief executive officer of the registered independent school.
- (3) Subject to subsection (3.1), the board of a registered independent school may appoint the principal of the registered independent school to act as the director of the registered independent school.
- (3.1) The board of a certified independent school shall not appoint the principal of the certified independent school to act as the director of that certified independent school.
- (4) The board shall determine the powers and duties of the director.
- (5) The director shall:
- (a) comply with the duties determined by the board;
  - (b) be responsible for preparing and transmitting to the ministry any reports and returns that:
    - (i) the minister may request; and
    - (ii) relate to the registered independent school's educational activities and educational operations;
  - (c) be responsible for ensuring that the registered independent school is conducted in accordance with the Act, these regulations and the policies of the board; and
  - (d) be responsible for the general management of the registered independent school and its staff.

18 May 2018 cE-0.2 Reg 27 s15; 10 Mar 2023 SR 13/2023 s8.

**Principal**

**16(1)** The board of a registered independent school shall appoint a registered teacher as the principal of the registered independent school.

(1.1) The principal appointed for a qualified independent school or a certified independent school shall not be a member of the board of directors of the non-profit corporation that owns and operates the school.

(1.2) Every qualified independent school and certified independent school operating in Saskatchewan on the day before subsection (1.1) comes into force shall comply with the requirements of subsection (1.1) not later than September 1, 2023.

(2) Notwithstanding the generality of subsection (1), the principal of each of the following registered independent schools must hold a valid Professional A Teacher's Certificate issued pursuant to *The Registered Teachers Act*:

- (a) an associate school;
- (b) a historical high school;
- (c) an alternative independent school;
- (d) a qualified independent school;
- (e) a certified independent school.

(3) Section 175 of *The Education Act, 1995* applies, with any necessary modification, to the office and duties of the principal of a registered independent school.

18 May 2018 cE-0.2 Reg 27 s16; 10 Mar 2023 SR 13/2023 s9.

**Teaching qualifications**

**17(1)** The board of a registered independent school, other than a qualified independent school and a certified independent school, shall only employ as independent school teachers those persons who hold a valid:

- (a) Professional A Teacher's Certificate issued pursuant to *The Registered Teachers Act*;
- (b) Probationary B teaching certificate issued by the Saskatchewan Professional Teachers Regulatory Board;
- (c) temporary teaching permit issued by the Saskatchewan Professional Teachers Regulatory Board; or
- (d) letter of eligibility, in the case of a religiously-based registered independent school.

(2) The board may restrict employment of independent school teachers:

- (a) in the case of a registered independent school other than a qualified independent school or a certified independent school, to those teachers who share the faith and practice of the owner or operator of the registered independent school; or

(b) in the case of a qualified independent school or a certified independent school, to those teachers who share the faith and practice of the religious order or society that has a membership interest in or otherwise has a connection with the qualified independent school or certified independent school, as the case may be.

18 May 2018 cE-0.2 Reg 27 s17; 10 Mar 2023 SR 13/2023 s10.

**Letter of eligibility**

- 18(1)** The board of a religiously-based registered independent school may apply to the minister, in the form required by the minister, for the issuance of a letter of eligibility to a person who is 18 years of age or older and whom the board proposes to employ or retain to teach.
- (2) On receipt of an application pursuant to subsection (1), the minister may issue a letter of eligibility to the person named in the application.
- (3) A letter of eligibility:
- (a) authorizes the person named in the letter to teach in the religiously-based registered independent school at the location set out in the letter;
  - (b) is valid for 5 academic years or for any shorter period that the minister may determine, as long as the person named in the letter is continuously employed or retained by the board to teach in the religiously-based registered independent school at the location set out in the letter;
  - (c) is not transferrable to any other location or school; and
  - (d) is subject to any other terms and conditions that the minister considers appropriate.
- (4) The minister may refuse to issue a letter of eligibility to a person who:
- (a) has had a teacher's certificate suspended or cancelled by a Canadian education authority; or
  - (b) has been convicted under the *Criminal Code* of a sexual offence or an offence involving a minor.
- (5) If the minister rejects an application for a letter of eligibility, the minister shall provide the board with:
- (a) written notice of the rejection; and
  - (b) written reasons for the rejection.

18 May 2018 cE-0.2 Reg 27 s18.

**Suspension or cancellation of letter**

**19(1)** The minister may suspend or cancel a letter of eligibility if the minister is satisfied that:

- (a) the holder of the letter:
    - (i) obtained the letter by providing the minister with false or misleading information;
    - (ii) has contravened the Act or these regulations;
    - (iii) has breached a term or condition of the letter; or
    - (iv) has ceased to meet the qualifications for the letter; or
  - (b) the suspension or cancellation of the holder's letter of eligibility is necessary in the public interest.
- (2) The minister shall not suspend or cancel a letter of eligibility without giving the holder of the letter an opportunity to be heard.
- (3) Notwithstanding subsection (2), if the minister considers it necessary in the public interest, the minister may immediately suspend or cancel a letter of eligibility but shall give the holder of the letter an opportunity to be heard within 10 business days after the suspension or cancellation.
- (4) If the minister suspends or cancels a letter of eligibility, the minister shall immediately provide the holder of the letter and the applicable board with:
- (a) written notice of the suspension or cancellation; and
  - (b) written reasons for the suspension or cancellation.

18 May 2018 cE-0.2 Reg 27 s19.

**Teacher accreditation**

**20(1)** An independent school teacher may apply to the minister, in the form required by the minister, to become an accredited teacher.

- (2) On receipt of an application pursuant to subsection (1), the minister may issue a certificate of accreditation if:
- (a) the independent school teacher has taught in the registered independent school:
    - (i) for at least 1 academic year; and
    - (ii) in the subject area for which accreditation is sought;
  - (b) the independent school teacher meets the requirements for accreditation established by the ministry and set out in the ministry's policy statement on accreditation; and
  - (c) the independent school teacher is under the supervision of:
    - (i) the ministry; or
    - (ii) an approved person.

18 May 2018 cE-0.2 Reg 27 s20.

PART 7  
Supervision and Inspection

**Supervision**

21(1) At the expense of the ministry, the minister may cause to be supervised any registered independent school.

(2) The minister may appoint, designate, employ or approve as supervisors of registered independent schools only persons who:

- (a) hold a Master of Education Degree;
- (b) hold a valid Professional A Teacher's Certificate issued pursuant to *The Registered Teachers Act*; and
- (c) have a minimum of 2 years of school administration experience.

(3) Supervision of a registered independent school by the ministry:

- (a) is an ongoing process; and
- (b) includes:
  - (i) inspection;
  - (ii) reviewing educational programming with, and enhancing the performance of, independent school teachers;
  - (iii) an appreciation and recognition of the distinct philosophical orientation of each registered independent school; and
  - (iv) conducting any other supervision the minister considers necessary related to the health, safety and well being of staff and pupils of the registered independent school.

(4) Supervision of a registered independent school by the ministry does not include supervision of the registered independent school's responsibility for:

- (a) the recruitment of independent school teachers; or
- (b) the selection of the registered independent school's programs and courses.

18 May 2018 cE-0.2 Reg 27 s21; 26 Aug 2022 SR  
62/2022 s5; 10 Mar 2023 SR 13/2023 s11.

**Duties of minister**

22(1) In this section, "**registered independent school**" does not include an associate school.

(2) The minister shall:

- (a) inform, in any manner the minister considers appropriate, registered independent schools of changes in curriculum policy and of curriculum development in Saskatchewan;

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- (b) invite registered independent schools to participate in in-service training programs that relate to the implementation of new programs and courses and that are provided in accordance with clause 3(2)(f) of the Act;
- (c) ensure that the attendance provisions of the Act are met by pupils enrolled in registered independent schools.

18 May 2018 cE-0.2 Reg 27 s22.

**Inspection**

**23(1)** The minister shall cause all registered independent schools, other than associate schools, to be inspected.

(2) The minister may appoint, designate, employ or approve as inspectors of registered independent schools only persons who:

- (a) hold a Master of Education degree;
- (b) hold a valid Professional A Teacher's Certificate issued pursuant to *The Registered Teachers Act*; and
- (c) have a minimum of 2 years of school administration experience.

(3) Inspection of a registered independent school by the ministry:

- (a) includes:
  - (i) examining and inspecting the financial condition or the administrative condition of the school or any other matter relating to the management, administration or operation of the school;
  - (ii) checking compliance with the Act, these regulations and the criteria for registration on an ongoing and collaborative basis with the school;
  - (iii) observing any aspect of the educational activities and educational operations in the school to protect the societal interest of educating the pupils in the school;
  - (iv) an appreciation and recognition of the distinct philosophical orientation of each registered independent school;
  - (v) reviewing the school's application of and adherence to *The Registered Independent Schools Policy and Procedure Manual* published by the ministry, as amended from time to time;
  - (v.1) in the case of an approved online learning provider, reviewing the school's application of and adherence to the *Quality Assurance Framework for K-12 Online Learning* published by the ministry, as amended from time to time;
  - (vi) reviewing pupil and teacher records;
  - (vii) meeting with pupils, parents, guardians, teachers, school administrators, the director, the principal and any other staff of the school; and
  - (viii) meeting with the board of the registered independent school;

- (b) may include non-directive and unobtrusive supervision of the educational operations of the school.
- (4) Inspection of a registered independent school by the ministry does not include inspection of the school's responsibility for:
  - (a) the recruitment and dismissal of independent school teachers; or
  - (b) the selection of the school's programs and courses.

18 May 2018 cE-0.2 Reg 27 s23; 10 Mar 2023 SR 13/2023 s12; 1 Sep 2023 SR 84/2023 s8.

**School to permit inspection and provide records**

**24** In accordance with section 358 of the Act and these regulations, every registered independent school, other than an associate school, shall:

- (a) permit inspection by the ministry, at all reasonable times, of:
  - (i) the school's facilities;
  - (ii) the conduct of the school's educational activities and educational operations; and
  - (iii) all records in the possession or under the control of the registered independent school that relate to the activities and functioning of the registered independent school;
- (a.1) on the written request of the minister and in the manner required by the minister, submit to the minister any records, reports and other information required to be maintained by *The Registered Independent Schools Policy and Procedure Manual* published by the ministry, as amended from time to time;
- (a.2) in the case of a registered independent school that is an approved online learning provider, on the written request of the minister and in the manner required by the minister, submit to the minister any records, reports and other information required to be maintained by the *Quality Assurance Framework for K-12 Online Learning* published by the ministry, as amended from time to time;
- (b) submit an annual return, on the form provided by the minister, within the period required by the minister; and
- (c) promptly provide to the minister copies of any records or any information that:
  - (i) are requested by the minister; and
  - (ii) relate to the activities and functioning of the registered independent school.

18 May 2018 cE-0.2 Reg 27 s24; 10 Mar 2023 SR 13/2023 s13; 1 Sep 2023 SR 84/2023 s9.

**Criminal allegations**

**24.1** The director or board of a registered independent school shall immediately notify the minister if the director or board becomes aware of an allegation of criminal activity by or a criminal charge against any of the following:

- (a) a staff member of the registered independent school;
- (b) a volunteer at the registered independent school;
- (c) any person who is engaged by the registered independent school to:
  - (i) transport pupils to and from the registered independent school; or
  - (ii) transport pupils to and from other educational activities;
- (d) in the case of a qualified independent school or a certified independent school, any person:
  - (i) who is employed or retained by the religious order or society that has a membership interest in or otherwise has a connection with the qualified independent school or certified independent school, as the case may be; and
  - (ii) who has contact with pupils of the qualified independent school or the certified independent school, as the case may be;
- (e) any other person who is from time to time invited or allowed to be present at the registered independent school and who has contact with pupils of the registered independent school, other than parents or guardians of pupils attending the registered independent school.

10 Mar 2023 SR 13/2023 s14.

**Official trustee**

**24.2(1)** If the minister considers it in the public interest to do so, the minister may appoint an official trustee to conduct the affairs of a registered independent school and to exercise the powers and duties otherwise vested in the board of the registered independent school for any period the minister considers necessary.

(2) A person who is appointed by the minister pursuant to subsection (1) is entitled to remuneration determined by the Lieutenant Governor in Council and paid by the minister.

26 Aug 2022 SR 62/2022 s6; 10 Mar 2023 SR 13/2023 s15.

## PART 8 Administration

**Academic year and hours**

**25(1)** Every registered independent school shall have:

- (a) an academic year that, in the opinion of the minister, is consistent with section 163 of the Act and section 22 of *The Education Regulations, 2019*; and
- (b) hours of instruction that, in the opinion of the minister, are consistent with the Act and *The Education Regulations, 2019*.

(2) The board of a registered independent school has the same powers as those of a board of education pursuant to section 163 of the Act.

18 May 2018 cE-0.2 Reg 27 s25; 10 Mar 2023 SR 13/2023 s16.

#### Goals of education

**26(1)** Each registered independent school has the freedom to add to the goals of education for Saskatchewan and to define responsibility for their achievement among the school, the home, the religious order or society and the community.

(2) Subject only to such reasonable limits prescribed by law that can be demonstrably justified in a free and democratic society, clause 5(1)(e) is not intended to diminish or infringe on the religious conscience of the owner or operator of any registered independent school.

18 May 2018 cE-0.2 Reg 27 s26; 10 Mar 2023 SR 13/2023 s17.

#### Approved program participation

**27** A registered independent school may participate in approved programs for the education and training of teachers.

18 May 2018 cE-0.2 Reg 27 s27.

#### Grades of instruction

**28(1)** Unless the minister determines otherwise, every registered independent school, in each academic year, must provide, and have pupils enrolled in, at least 3 different grades of instruction, not including kindergarten.

(2) Notwithstanding subsection (1), the rate of progress of any pupil or of any group of pupils in completing the work of any grade may be accelerated or decelerated, in the discretion of the independent school teacher but subject to the policies of the registered independent school established or adopted pursuant to section 39.2.

18 May 2018 cE-0.2 Reg 27 s28; 10 Mar 2023 SR 13/2023 s18.

#### Classification of pupils

**29(1)** Pupils are to be classified according to the grade of the level in which they are enrolled so that:

(a) those enrolled in the Elementary Level are to be classified as engaged in studies of Grade 1, 2, 3, 4 or 5 of that Level;

(b) those enrolled in the Middle Level are to be classified as engaged in studies of Grade 6, 7, 8 or 9 of that Level; and

(c) those enrolled in the Secondary Level are to be classified as engaged in studies of Grade 10, 11 or 12 of that Level.

(2) Notwithstanding subsection (1), the director may authorize any variations in the classification of pupils as the director considers necessary in the circumstances.

18 May 2018 cE-0.2 Reg 27 s29.

**E-0.2 REG 27** REGISTERED INDEPENDENT SCHOOLS**Instruction**

- 30(1)** Each registered independent school shall provide instruction in the required areas of study, as determined by the minister.
- (2) The instruction mentioned in subsection (1) must be:
- (a) appropriate for the age and ability of the pupils;
  - (b) comparable in quality to that of schools administered by a board of education or the conseil scolaire;
    - (b.1) in the case of online learning offered by an approved online learning provider, comparable in quality to that of the school operated by the SDLC; and
  - (c) consistent with generally accepted teaching principles with respect to academic content and teaching methods.
- (3) The board of a registered independent school may authorize and approve its own programs and courses in the required areas of study.
- (4) An independent school teacher must be physically present in Saskatchewan when providing instruction to pupils of the registered independent school.

18 May 2018 cE-0.2 Reg 27 s30; 1 Sep 2023 SR  
84/2023 s10.

**Approval of courses and programs**

**31(1)** In this section:

**“locally developed course”** means a course that is:

- (a) developed by a board of education, the conseil scolaire, the SDLC or the board of a registered independent school; and
- (b) approved by the minister; (« *cours élaboré localement* »)

**“modified course”** means a course that is:

- (a) developed by the ministry and modified by a board of education, the conseil scolaire, the SDLC or the board of a registered independent school; and
- (b) approved by the minister. (« *cours modifié* »)

- (2) The board of a registered independent school may submit to the minister for approval:
- (a) programs at the elementary and middle levels; and
  - (b) programs at the secondary level that include:
    - (i) locally developed courses;
    - (ii) modified courses;

- (iii) regular courses originating from registered independent schools that:
- (A) reflect the religious or philosophical base of the registered independent school; and
  - (B) are academically equivalent to provincially developed courses designated 10, 20 or 30.
- (3) A regular course originating from a registered independent school and approved by the minister qualifies pupils for secondary level credits on the same basis as provincially developed courses designated 10, 20 and 30.

18 May 2018 cE-0.2 Reg 27 s31; 1 Sep 2023 SR 84/2023 s11.

#### Language of instruction

- 32(1)** Subject to subsection (2), English is the language of instruction in a registered independent school.
- (2) A language other than English may be the principal language of instruction in a registered independent school if:
- (a) the board passes a resolution declaring that language to be the principal language of instruction in the school; and
  - (b) the minister gives written approval to that resolution.

18 May 2018 cE-0.2 Reg 27 s32.

#### Religious instruction

- 33(1)** If authorized by the board of a registered independent school, non-credit religious instruction may be given for a period not exceeding 2.5 hours per week within the regular hours of instruction pursuant to clause 25(1)(b).
- (2) If a board passes a resolution in accordance with subsection 32(2), the religious instruction mentioned in subsection (1) may be given in a language other than English.
- (3) Notwithstanding any other provision of these regulations, non-credit religious instruction mentioned in subsection (1) may be provided by any person who meets the qualifications prescribed by the board.

18 May 2018 cE-0.2 Reg 27 s33.

#### Eligibility for credit

- 34** Without restricting the eligibility of a pupil to obtain secondary level credits in accordance with *The Education Regulations, 2019*, a pupil enrolled in a course in a registered independent school is eligible for secondary level credit in the course if:
- (a) the registered independent school has been lawfully in operation for at least one full academic year, unless this requirement is waived by the minister;
  - (b) the minister has approved the course;

- (c) the teacher of the course:
  - (i) is a registered teacher; and
  - (ii) is:
    - (A) physically present in the classroom with the pupils when instructing or supervising the instruction of the course; or
    - (B) in the case of an approved online learning provider, instructing or supervising the instruction of the course in accordance with the *Quality Assurance Framework for K-12 Online Learning* published by the ministry, as amended from time to time; and
- (d) the instruction is under the supervision of:
  - (i) the ministry; or
  - (ii) an approved person.

18 May 2018 cE-0.2 Reg 27 s34; 10 Mar 2023 SR 13/2023 s19; 1 Sep 2023 SR 84/2023 s12.

#### Pupil records

**35(1)** In this section, “**registered independent school**” includes a former independent school that:

- (a) held a certificate of registration at any time within the 15 years before the date of a request for access to its pupil records pursuant to this section but has closed; and
  - (b) has informed the minister pursuant to subsection 39(4) that it has retained its pupil records.
- (2) Every registered independent school shall:
- (a) maintain for each enrolled pupil a record indicating:
    - (i) the pupil’s name and any other names by which the pupil is known;
    - (ii) the pupil’s address and telephone number;
    - (iii) the pupil’s sex and date of birth;
    - (iv) the name, address and telephone number of the pupil’s parent or guardian;
    - (v) the pupil’s citizenship; and
    - (vi) if a pupil is not entitled to remain permanently in Canada, the type of visa held by the pupil and its expiry date; and
  - (b) maintain records of pupil enrolment and attendance in a form acceptable to the minister.

- (3) Subject to subsection (4), each registered independent school shall keep confidential all records relating to a pupil.
- (4) Subject to subsection (5), each registered independent school shall grant access to records relating to a pupil to:
- (a) subject to clause (c), the pupil to whom the records relate and whose parent or guardian is in attendance when access is granted;
  - (b) the pupil's parent or guardian if the pupil to whom the records relate is not living independently of the parent or guardian;
  - (c) the pupil to whom the records relate if the pupil is:
    - (i) 16 or 17 years of age and living independently of his or her parents or guardian; or
    - (ii) 18 years of age or older;
  - (d) an official of the ministry duly authorized by the minister to have access;
  - (e) a person who is authorized by law to have access to the records;
  - (f) a school or a registered independent school if:
    - (i) in the case of pupil mentioned in clause (c), the pupil authorizes access to or the provision of information from the pupil's records; or
    - (ii) in the case of a pupil mentioned in clause (b), the parent or guardian authorizes access to or the provision of information from the pupil's records.
- (5) The board of a registered independent school may pass a resolution prescribing the conditions, including the hours and manner of inspection, under which the access mentioned in subsection (4) is to be granted.

18 May 2018 cE-0.2 Reg 27 s35.

#### **Restrictive enrolment policy**

**36** The board of a registered independent school may follow a restrictive policy with respect to enrolment on the basis of sex, creed, religion, disability or educational philosophy if the registered independent school:

- (a) enrolls pupils of a particular sex, creed, religion or educational philosophy, exclusively;
- (b) in the case of religion:
  - (i) is operated by a religious order or society, including a qualified independent school or certified independent school that is operated by a religious order or society that has a membership interest in or otherwise has a connection with the qualified independent school or certified independent school; and
  - (ii) has, as its primary objective, the advancement of education from a religiously-based philosophical perspective; or
- (c) enrolls pupils who have a disability.

18 May 2018 cE-0.2 Reg 27 s36; 10 Mar 2023 SR 13/2023 s20.

**E-0.2 REG 27** REGISTERED INDEPENDENT SCHOOLS**Discipline**

**37** In accordance with subsection 152(1.1) of the Act, the use of any of the following forms of discipline on a pupil attending a registered independent school is prohibited:

- (a) a strap, cane or other physical object;
- (b) a hand or foot used in a manner meant to punish.

18 May 2018 cE-0.2 Reg 27 s37.

**Prohibition**

**38(1)** No person other than a registered independent school may refer to itself or advertise itself as a registered independent school.

(2) Subject to subsection (3), no person purporting to provide its pupils of compulsory school age with an exemption from attendance at a school pursuant to clause 157(1)(b) of the Act shall operate an independent school without being a registered independent school.

(2.1) Subject to subsection (3.1), no person purporting to provide its pupils of compulsory school age with an exemption from attendance at a school pursuant to clause 157(1)(m) of the Act shall offer online learning without being an approved online learning provider.

(3) No person who has applied to the minister for registration pursuant to section 5 is liable to prosecution pursuant to subsection (2) of this section for the period during which the minister considers the application and until the minister:

- (a) issues a certificate of registration; or
- (b) responds in writing pursuant to subsection 13(1).

(3.1) No person who has applied to the minister for approval to be an approved online learning provider pursuant to section 14.1 is liable to prosecution pursuant to subsection (2.1) of this section for the period during which the minister considers the application and until the minister:

- (a) approves the application to be an approved online learning provider; or
- (b) responds in writing pursuant to section 14.2.

(4) No person other than an alternative independent school shall refer to itself or advertise itself as an alternative independent school.

(5) No person other than an approved online learning provider may refer to itself or advertise itself as an approved online learning provider.

18 May 2018 cE-0.2 Reg 27 s38; 1 Sep 2023 SR  
84/2023 s13.

**School closure or discontinuance of grade**

**39(1)** Subject to subsections (2) to (5), the board of a registered independent school may:

- (a) close the school; or
- (b) discontinue one or more of the grades taught in the school.

- (2) If a board proposes to close the school or discontinue one or more grades taught in the school pursuant to subsection (1), the director shall:
- (a) notify, in writing:
    - (i) the minister;
    - (ii) the director for the school division in which the registered independent school is situated; and
    - (iii) in the case of:
      - (A) closure of the school, the parent or guardian of each pupil enrolled in the school;
      - (B) discontinuance of a grade, the parent or guardian of each pupil enrolled in that grade of the school proposed to be discontinued; and
  - (b) consult with the parents or guardians mentioned in subclause (a)(iii) with respect to educational services for the pupils.
- (3) The board may not close the school or discontinue any grade pursuant to subsection (1) less than 30 days after the date on which the minister and the director for the school division receive notice pursuant to subsection (2).
- (4) If a board closes the school or discontinues any grade, the board shall send a written notice to the minister:
- (a) confirming the closure or discontinuance; and
  - (b) in the case of closure, informing the minister that the owner or operator of the registered independent school:
    - (i) proposes to retain the pupil records required pursuant to section 35; or
    - (ii) requests the minister to provide for retention of the pupil records mentioned in subclause (i).
- (5) On receipt of a written notice confirming closure of a registered independent school pursuant to subsection (4), the minister:
- (a) shall cancel the school's certificate of registration, and section 14 does not apply to that cancellation; and
  - (b) if the minister is requested to provide for retention of pupil records pursuant to subclause (4)(b)(ii), shall cause the records to be placed for safekeeping with:
    - (i) the ministry;
    - (ii) another registered independent school; or
    - (iii) any other person, authority or body that the minister considers appropriate.

18 May 2018 cE-0.2 Reg 27 s39.

#### **Records and reports**

**39.1(1)** Every registered independent school shall create and maintain in an approved format any records, reports and other information required to be maintained pursuant to *The Registered Independent Schools Policy and Procedure Manual* published by the ministry, as amended from time to time.

(2) In addition to the requirements set out in subsection (1), every approved online learning provider shall create and maintain in an approved format any records, reports and other information required to be maintained pursuant to the *Quality Assurance Framework for K-12 Online Learning* published by the ministry, as amended from time to time.

10 Mar 2023 SR 13/2023 s21; 1 Sep 2023 SR 84/2023 s14.

**Administrative policies and procedures**

**39.2(1)** Every registered independent school:

- (a) shall establish or adopt administrative policies and procedures pertaining to the internal organization, management and supervision of the registered independent school; and
  - (b) subject to subsection (4), may amend the administrative policies and procedures established or adopted pursuant to clause (a).
- (2) Every registered independent school shall provide a copy of each administrative policy and procedure mentioned in subsection (1) to the minister within 60 days after establishing, adopting, amending, replacing or removing that policy or procedure.
- (3) The minister may, by written notice, require a registered independent school to do all or any of the following:
- (a) update an administrative policy or procedure of the registered independent school to follow a policy or procedure approved by the minister;
  - (b) create an administrative policy or procedure as required by the minister;
  - (c) cancel or suspend the application of an administrative policy or procedure;
  - (d) set a date or period by which the activities mentioned in clauses (a) to (c) must be completed by the registered independent school.
- (4) If a registered independent school adopts one or more approved model administrative policies or procedures, the registered independent school shall not modify that model policy or procedure unless the minister agrees in writing to allow the model policy or procedure to be adapted to meet the needs of the registered independent school.
- (5) Every registered independent school operating in Saskatchewan on the day before this section comes into force shall comply with the requirements of this section not later than September 1, 2024.

10 Mar 2023 SR 13/2023 s21.

**Conflict**

**39.3** In the case of an independent school that is an approved online learning provider, any conflict or inconsistency between the requirements set out in *The Registered Independent Schools Policy and Procedure Manual* published by the ministry, as amended from time to time, and the *Quality Assurance Framework for K-12 Online Learning* published by the ministry, as amended from time to time, is resolved:

- (a) by applying the *Quality Assurance Framework for K-12 Online Learning* published by the ministry, as amended from time to time, to the extent of the conflict or inconsistency, if the issue giving rise to the conflict or inconsistency arises in the context of online learning or a pupil who is receiving online learning from the approved online learning provider; or
- (b) by applying *The Registered Independent Schools Policy and Procedure Manual* published by the ministry, as amended from time to time, to the extent of the conflict or inconsistency, if the issue giving rise to the conflict or inconsistency arises in the context of learning other than online learning or a pupil who is not receiving online learning.

1 Sep 2023 SR 84/2023 s15.

**PART 9****Repeal, Transitional and Coming into Force****RRS c E-0.1 Reg 11 repealed**

**40** *The Independent Schools Regulations* are repealed.

18 May 2018 cE-0.2 Reg 27 s40.

**Transitional**

**41** Every certificate of registration and certificate of qualification that was issued or deemed to have been issued pursuant to *The Independent Schools Regulations* and that was in force on the day before these regulations came into force is continued as, and may be dealt with as, a certificate of registration or as a certificate of qualification, as the case requires, issued pursuant to these regulations.

18 May 2018 cE-0.2 Reg 27 s41.

**Coming into force**

**42(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.

18 May 2018 cE-0.2 Reg 27 s42.

