The 2000 Transitional School Grant Regulations

Repealed
by Chapter E-0.2 Reg 9 (effective April 1, 2000).

Formerly
Chapter E-0.2 Reg 8 (effective January 1, 2000).

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.

Table of Contents

PART I

Short Title and Application

1 Title

2 Interpretation

PART II

Operating Grants

3 Public safety answering points

4 Prince Albert Public Safety Answering Point

PART III

Capital Grants

5 Regina Public Safety Answering Point

PART IV

Repeal, Transitional and Coming into Force

6 Saskatoon Public Safety Answering Point

7 South Saskatchewan Public Safety Answering Point

8 Coming into force

CHAPTER E-0.2 REG 8

The Education Act, 1995

PART I
Short Title and Application

Title

1 These regulations may be cited as *The 2000 Transitional School Grant Regulations.*

Application

2 These regulations apply only to grants made with respect to the period January 1, 2000 to March 31, 2000 pursuant to sections 310 to 315 of *The Education Act, 1995.*

7 Apr 2000 cE-0.2 Reg 8 s2.

PART II
Operating Grants

School divisions and the conseil scolaire

3 Each school division and the conseil scolaire are entitled to an operating grant with respect to the period January 1, 2000 to March 31, 2000 in an amount calculated in accordance with the following formula:

operating grant = 0.25A + [A/B x (C – 0.25B)]

where:

A is the amount of the operating grant paid or payable to the school division or the conseil scolaire for 1999, as determined by the minister effective December 31, 1999 in accordance with *The 1999 School Grant Regulations*;

B is the total amount of operating grants paid or payable to all school divisions and the conseil scolaire for 1999, as determined by the minister effective December 31, 1999 in accordance with *The 1999 School Grant Regulations*; and

C is the amount of funds available for operating grants to school divisions and the conseil scolaire for the period January 1, 2000 to March 31, 2000, as determined by the minister, which shall not be less than $112 million nor more than $117.8 million.

7 Apr 2000 cE-0.2 Reg 8 s3.

Historical high schools

4 Each of the following historical high schools is entitled to an operating grant with respect to the period January 1, 2000 to March 31, 2000 in the following amounts:

(a) Luther College High School (Regina) $202,604;

(b) Rivier Academy (Prince Albert) $88,653;

(c) Rosthern Junior College (Rosthern) $65,181;

(d) St. Angela's Academy (Prelate) $12,372.

7 Apr 2000 cE-0.2 Reg 8 s4.

PART III
Capital Grants

Application of *The 1999 School Grant Regulations*

5 With respect to the period January 1, 2000 to March 31, 2000, the minister may make capital grants to the boards of education and the conseil scolaire in accordance with Parts VII and VIII of *The 1999 School Grant Regulations*.

7 Apr 2000 cE-0.2 Reg 8 s5.

PART IV
Repeal, Transitional and Coming into Force

R.R.S. c.E-0.2 Reg 7 repealed

6 *The 1999 School Grant Regulations* are repealed.

7 Apr 2000 cE-0.2 Reg 8 s6.

Transitional

7 Notwithstanding the repeal of *The 1999 School Grant Regulations*, Parts VII and VIII of those regulations remain in force for the purposes of section 5.

7 Apr 2000 cE-0.2 Reg 8 s7.

Coming into force

8 These regulations come into force on the day on which they are filed with the Registrar of Regulations, but are retroactive and are deemed to have been in force on and from January 1, 2000.

7 Apr 2000 cE-0.2 Reg 8 s8.

Editorial Appendix

NOTE: In accordance with section 7 of these regulations, Parts VII and VIII of the *The 1999 School Grant Regulations*, being cE-0.2 Reg 7, shall remain in force for the purposes of section 5 of these regulations, as follows:

"PART VII
Capital Expenditures

Recognized capital expenditures

30 Recognized capital expenditures of a school division consist of:

(a) with respect to expenditures for recognized debt retirement for school facilities and, in the case of a school division located in the Northern Saskatchewan Administration District, teachers' residences, the sum of:

(i) actual payments of principal and interest for approved capital loans and debentures; and

(ii) actual payments made to other school divisions in lieu of direct debt retirement;

less any payments received from other school divisions, the Government of Canada, Indian bands or institutions for capital debt retirement;

(b) the replenishment of any cash reserve funds recognized:

(i) in equal annual instalments, including principal and interest, for a term agreed on by a board of education and the minister where those cash reserve funds are utilized by the board of education with the minister's approval for approved capital projects; and

(ii) at an interest rate approved at the time the funding arrangement is completed; and

(c) the payment of capital grants recognized:

(i) where the provincial share is less than or equal to $50,000, one payment on confirmation of substantial completion; and

(ii) where the provincial share is greater than $50,000, two payments, the first equal to one-half of the provincial share on notice of contract award and the second payment on confirmation of substantial completion."

7 Jan 2000 cE-0.2 Reg 7 s30.

"PART VIII
Capital Funding

Interpretation of Part

31 In this Part:

(a) **"ability to pay factor"** means the difference between one and the ratio of a school division's basic grant to its net recognized expenditure;

(b) **"actual usable area"** means the entire area of floor space in a school, in square metres, excluding any area of floor space used for:

(i) walls;

(ii) internal circulation in the school, including corridors, hallways, mudrooms, vestibules and foyers;

(iii) mechanical and boiler rooms;

(iv) janitorial and building maintenance areas;

(v) student washrooms;

(vi) gymnasium service areas, which include areas of floor space used for those purposes set out in Table B of the Saskatchewan Education, Training and Employment School Facilities Funding Guidelines, 1995;

(vii) survey areas as defined in the Saskatchewan Education, Training and Employment School Facilities Funding Guidelines, 1995;

(c) **"average provincial mill"** means the mathematical average of the value of one mill from all school divisions offering K-12 curricula for the assessment year prior to the fiscal year in which the capital project is approved;

(d) **"base share"** means a numerical value calculated in accordance with the following formula:

BS = (0.7 + UF) x [(0.5 x APF) + 0.25]

where:

BS is the base share;

UF is the utilization factor calculated pursuant to these regulations; and

APF is the ability to pay factor calculated pursuant to these regulations;

(e) **"capital surplus"** means:

(i) surplus money from previous capital projects; and

(ii) interest earned on surplus money from previous capital projects;

(f) **"debenture and loan interest"** means:

(i) any revenue earned as interest on moneys received from the sale of debentures, before the issuance of the final approval of the capital project, that may be recognized by the minister; and

(ii) any revenue earned as interest on loans;

(g) **"estimated school division downpayment"** means the estimated value of a division's contribution to capital funding as determined by the department prior to public tender and is the product of:

(i) the difference between:

(A) the estimated cost of the project; and

(B) the sum of:

(I) all applicable federal tax rebates;

(II) all third party funding;

(III) debenture and loan interest;

(IV) unused capital surplus; and

(V) provincial capital reserves held by that school division; and

(ii) the school division share percentage;

(h) **"maximum provincial contribution"** means the maximum value, in the minister's discretion, of provincial funding for a capital project and is the difference between:

(i) the estimated cost of the project; and

(ii) the sum of:

(A) the estimated school division downpayment;

(B) all applicable federal tax rebates;

(C) all third party funding;

(D) debenture and loan interest;

(E) unused capital surplus; and

(F) provincial capital reserves held by the school division;

(i) **"mill factor"** means a numerical value calculated in accordance with the following formula:

$$ML = \frac{\log (BM \div APM)}{7.520345} \times BS$$

where:

ML is the mill factor;

BM is the value of the particular school division's mill;

APM is the average provincial mill; and

BS is the base share for the school division, calculated pursuant to these regulations;

(j) **"net recognized expenditure"** means the difference between a school division's total recognized expenditure and tuition fee revenue;

(k) **"provincial capital reserves"** means the money derived from the following sources to be applied to the provincial share of an approved project:

(i) net proceeds from rental revenue;

(ii) net proceeds from the sale of school properties;

(iii) recognized provincial share of federal tuition fees;

(iv) interest earned on any of the sources listed in subclauses (i) to (iii);

(l) **"recognized usable area"** means the recognized area of floor space in a school, in square metres, as determined in accordance with the Saskatchewan Education, Training and Employment School Facilities Funding Guidelines, 1995;

(m) **"school division share percentage"** means the level of school division funding used for capital estimating purposes and is the sum of:

(i) the base share; and

(ii) the mill factor;

(n) **"target school"** means the specific school for which a capital funding request is made by a school division;

(o) **"total actual usable area"** means the sum of:

(i) the actual usable area in a target school; and

(ii) the sum of the actual usable areas for all schools currently in operation that are located within a 30-kilometre radius of a target school;

(p) **"total construction cost"** means the board of education's choice of publicly tendered offers to construct a capital project, but excluding consultants' fees, department construction allowances, miscellaneous costs, site purchase costs, and the federal goods and services tax;

(q) **"total construction estimate"** means the sum of all proposed construction estimates, but excluding consultants' fees, department construction allowances, miscellaneous costs, site purchase costs, and the federal goods and services tax;

(r) **"total project cost"** means the total construction cost plus consultants' fees, department construction allowances, miscellaneous costs, site purchase costs, and all applicable provincial taxes, but excluding the federal goods and services tax;

(s) **"total project estimate"** means the sum of the total construction estimate, consultants' fees, department construction allowances, miscellaneous costs, site purchase costs, and all applicable provincial taxes, but excluding the federal goods and services tax;

(t) **"total recognized usable area"** means the sum of:

(i) the recognized usable area for a target school; and

(ii) the sum of the recognized usable areas for all schools currently in operation that are:

(A) located within a 30-kilometre radius of a target school; and

(B) located in the same school division as a target school.

7 Jan 2000 cE-0.2 Reg 7 s31.

Utilization factor

32(1) Subject to subsection (2), the utilization factor for a target school is the amount calculated as the difference between:

(a) 0.8; and

(b) the quotient of the total recognized usable area divided by the total actual usable area.

(2) The utilization factor is to be deemed to be zero where:

(a) the utilization factor, as calculated pursuant to subsection (1), yields a negative or zero value; or

(b) the capital project:

(i) has a total approved cost less than $100,000; and

(ii) does not involve the addition of new instructional area or the renovation of existing instructional areas to new instructional program areas.

7 Jan 2000 cE-0.2 Reg 7 s32.

Building grants

33(1) Subject to subsection (5), in the case of capital projects approved before April 1, 1995, the amount of a down payment paid by a school division is to be determined by the regulations in effect for the year in which funding approval was received.

(2) Subject to subsections (5), (6), (7) and (8), in the case of capital projects approved on or after April 1, 1995, the down payment is the difference between:

(a) the total project cost with federal goods and services tax added; and

(b) the sum of:

(i) the maximum provincial contribution;

(ii) all applicable federal tax rebates;

(iii) all third party funding;

(iv) debenture and loan interest;

(v) unused capital surplus; and

(vi) provincial capital reserves held by that school division.

(3) Subject to subsections (7) and (8), for projects approved on or after April 1, 1995, and where an approved project involves accessibility modifications only, the down payment is the difference between:

(a) the total project cost with federal goods and services tax added; and

(b) the sum of:

(i) the maximum provincial contribution;

(ii) all applicable federal tax rebates;

(iii) all third party funding;

(iv) debenture and loan interest;

(v) unused capital surplus; and

(vi) provincial capital reserves held by that school division.

(4) Subject to subsections (7) and (8), for projects approved on or after April 1, 1995, and where an approved project involves the installation of telecommunications or computer cable networks under the guidelines of the Telecommunications Enhancement Fund Program, the down payment is the difference between:

(a) the total project cost with federal goods and services tax added; and

(b) the sum of:

(i) the maximum provincial contribution;

(ii) all applicable federal tax rebates;

(iii) all third party funding;

(iv) debenture and loan interest;

(v) unused capital surplus; and

(vi) provincial capital reserves held by that school division.

(5) For the purposes of subsections (1) and (2), the minimum value of the down payment of the school division is the lesser of:

(a) 0.1 mill applied to the total equalized assessment of the school division for the year in which the project was approved; and

(b) for:

(i) roof projects, $5,000;

(ii) fuel tank removal, $5,000 per tank;

(iii) all other capital projects, $50,000.

(6) For the purposes of subsection (2), where an approved project requires the transfer of relocatable classrooms within the geographic boundaries of a school division, the maximum provincial contribution is $5,000 per relocatable classroom.

(7) There is no minimum value for the down payment of the school division:

(a) for the purposes of subsection (2), where the project consists of facility and technical studies or renovations to designated community schools; or

(b) for the purposes of subsections (3) and (4).

(8) For the purposes of subsections (2), (3) and (4), provided that the scope of the project does not exceed the limits set out in the Saskatchewan Education, Training and Employment School Facilities Funding Guidelines, 1995, the maximum provincial contribution will be revised to reflect the total project cost with federal goods and services tax added where:

(a) the total construction cost is greater than the total construction estimate by a value that is the lesser of:

(i) 5% of the total construction estimate; and

(ii) $50,000; or

(b) the total construction cost is less than the total construction estimate by a value that is the lesser of:

(i) 5% of the total construction estimate; and

(ii) $50,000.

(9) Where subsection (8) applies, the down payment of the school division will be recalculated for:

(a) accessibility projects, pursuant to subsection (3);

(b) telecommunications projects or cable network projects, pursuant to subsection (4); and

(c) all other projects, pursuant to subsection (2).

7 Jan 2000 cE-0.2 Reg 7 s33.

Northern teacherage allowances

34 Northern teacherage allowances are payable to a northern school division to a maximum amount equal to the difference between:

(a) the previous year's actual teacherage expenditure; and

(b) the previous year's actual teacherage expenditure divided by the northern factor for that school division set out in Table 1.

7 Jan 2000 cE-0.2 Reg 7 s34.

Historical high schools cash reserves and conseil scolaire

35(1) Subject to subsections (2) and (3), the replenishment of cash reserve funds within the meaning of clause 30(b) or (c) is payable to assist historical high schools, as defined in *The Independent Schools Regulations*, other than Athol Murray College of Notre Dame and College Mathieu (High School), that are considered by the minister to be eligible for assistance, for capital construction in an amount equal to 20% of the recognized costs of the facilities, including architect's fees.

(2) A historical high school, as defined in *The Independent Schools Regulations*, other than Athol Murray College of Notre Dame and College Mathieu (High School), is eligible for the replenishment of cash reserves pursuant to this section only where it:

(a) has been in operation for not less than five years;

(b) has had an enrolment during each of the preceding two years of operation of not less than 60 pupils in grades 9 to 12;

(c) meets the requirements of the minister, the Act and the regulations with respect to courses of study, qualifications of teachers, operating schedules and supervisions;

(d) furnishes the minister with any information that the minister may require with respect to finances, structure and administration of the school; and

(e) with respect to capital projects, submits preliminary drawings and cost estimates of proposed projects to the minister.

(3) Caronport High School is not eligible for grants pursuant to this Part.

(4) This Part applies, with any necessary modification, to capital grants to the conseil scolaire."

7 Jan 2000 cE-0.2 Reg 7 s35.

REGINA, SASKATCHEWAN
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