

## STUDENT ENROLMENT AS IT RELATES TO RESIDENCY & TUITION STATUS

This guideline should not be considered legal advice; boards of education should consult their own legal counsel.  
Any decisions made should align with applicable legislation.

### Definitions

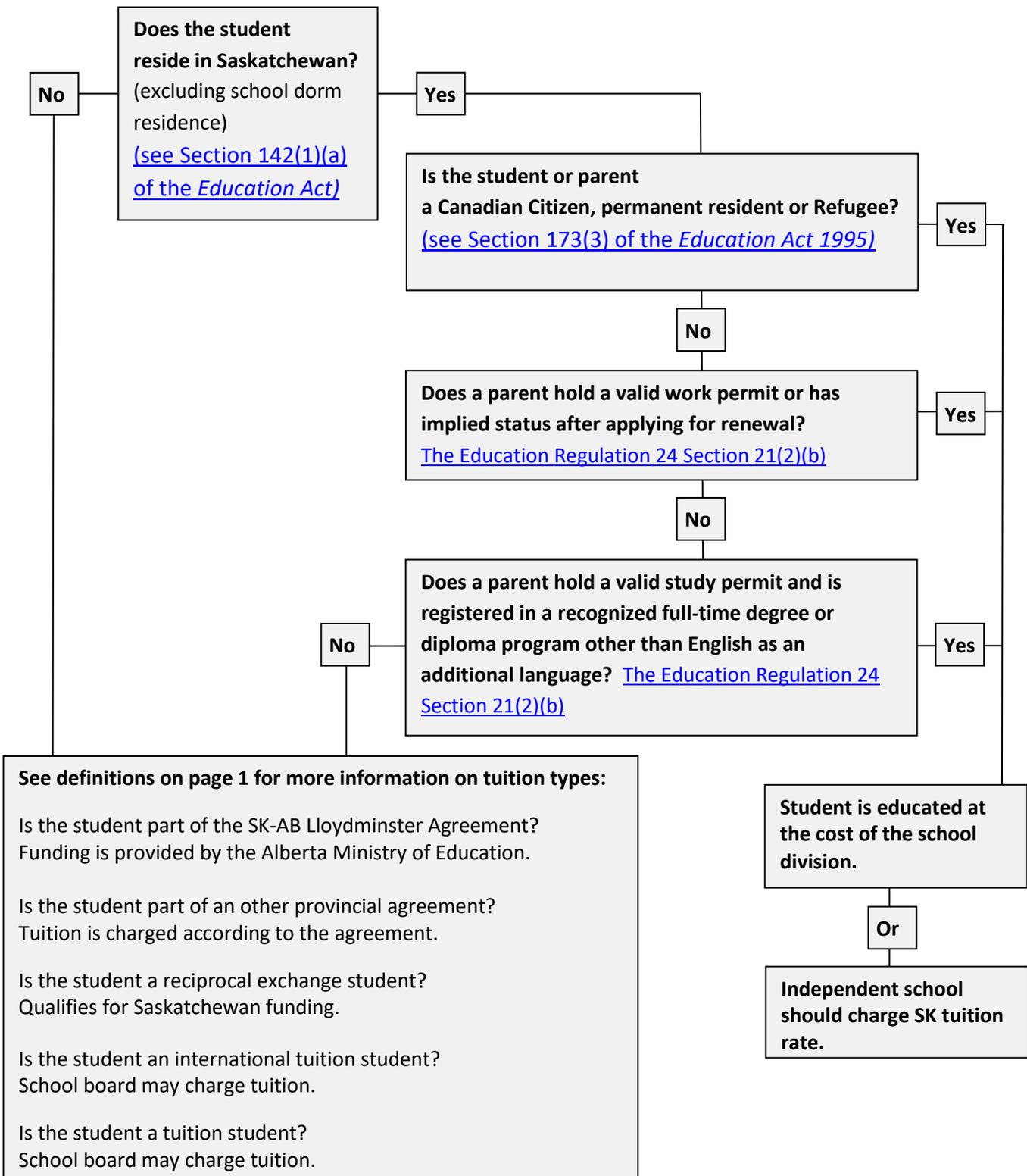
- **Resident** [See Section 173\(1\) of the Education Act 1995](#), “resident” means a person whose place of residence is inside the boundaries of the school division in which the person seeks or is provided with educational services.
- **International Tuition** students are foreign students who are visiting Canada. The students do not have permanent resident status, are not Canadian Citizens and their parents do not have work permits or study permits in Saskatchewan. Immigration, Refugees and Citizenship Canada (IRCC) require international students to have a custodian to enter Canada.
- **Tuition** students have a primary residence outside the province and attend a school in Saskatchewan without an exchange program. Towns on provincial borders are not exceptions: the students living outside Saskatchewan borders are tuition students.
- **Reciprocal Exchange** students who are participating in a two-way exchange with a student from Saskatchewan. Both students spend equal amounts of time in each other’s schools. For example, a student from France attends a school in Saskatoon for one semester. A Saskatoon student from the same school would also spend a semester in France attending the exchange student’s school. This exchange can happen with the paired students attending school together or by switching places.
- **SK-Lloyd Agreement** is used by Lloydminster SD 99 and Lloydminster RCSSD 89 to identify students who are funded by the Ministry of Education in Alberta.
- **Other Provincial Agreement** is used by South East Cornerstone SD 209 and Good Spirit SD 204 for Manitoba students attending their school divisions.
- **Refer to terms and definitions often used by IRCC:**
  - [Permanent Resident](#);
  - [Temporary Resident](#);
  - [Canadian Citizen](#); and,
  - [Minor children Studying in Canada](#)

The chart illustrates some scenarios with respect to immigration status, residency and tuition.

Does the student reside in Saskatchewan? (excluding school dorm residence)	Does the student or parent have permanent status in Canada? (Canadian citizen, refugee or permanent resident)	Does the parent have a work permit or study permit? (in a full time degree or diploma program)	May the school board charge tuition?
No	n/a	n/a	<a href="#">Yes</a>
Yes	Yes	n/a	<a href="#">No, receive funding</a>
Yes	n/a	Yes	<a href="#">No, receive funding</a>
Yes	No	No	<a href="#">Yes</a>
Explanation: Education is provided at the cost of the school division for Canadian citizens, permanent residents, refugees and students from international families who are in Saskatchewan on work permits or study permits taking a full time degree or diploma program.			



# Student Enrolment Residency and Tuition Flow Chart



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## **Enrolment Scenarios**

**These scenarios attempt to provide an analysis of likely situations. Boards of Education should consult their own legal counsel when further clarification is required.**

- A. Jett immigrated to Canada and has since become a permanent resident. He wishes to enrol his six-year old daughter and nine-year old son who have joined him in Canada in school.**

Since Jett is a Permanent Resident residing in Saskatchewan, he has all the same rights to education as a Canadian citizen. Therefore, his children qualify for Saskatchewan funding ([see Section 173\(3\)\(a\) of the Education Act](#)).

- B. Karuna fled from Nepal to Canada as a refugee with her school-aged children and wishes to enrol them in school.**

According to the [Education Act, 1995, Section 173\(3\)\(c\)](#), those who are a refugee or the subject of a refugee claims made in the previous year would qualify for Saskatchewan funding.

- C. Adriana is in Saskatchewan on a temporary work permit with her children.**

According to the [Education Act, 1995, Section 173\(3\)\(b\)](#), any individual who have a valid work permit are considered temporary residents. Therefore, their children would qualify for Saskatchewan funding.

- D. Aiko is a reciprocal exchange student from Japan and will return to Japan with Mark, a student from Saskatchewan.**

In the reciprocal exchange program, Saskatchewan will educate Aiko and Aiko's country will educate Mark for the same length of time. Reciprocal exchange students are eligible for Saskatchewan funding ([see Section 173\(3\)\(d\) of the Education Act](#)).

- E. Olivia is in Saskatchewan on a study permit attending a post-secondary school full-time to earn a diploma or degree. Olivia would like to enrol her children in school.**

Since Olivia has a valid study permit and is registered in a recognized full-time degree or diploma program in Saskatchewan, her children qualify for Saskatchewan funding. ([The Education Regulation 2015 Section 21\(2\)\(b\)](#))

- F. Jasmine is from the Philippines and is residing with an Aunt who is Jasmine's caregiver. Jasmine is in Canada on a visitors permit and her parents do not have status in Canada.**

Since neither Jasmine or her parents are Canadian citizens, permanent residents or a reciprocal exchange student the board of education may charge tuition fees as the student is not eligible for Saskatchewan funding. ([see Section 173\(3\)\(c\) of the Education Act](#)) and [The Education Regulations, 2015 clause 21\(2\)\(b\)](#).

**G. Francisco is from Mexico and is residing with his mom and Canadian step dad in Saskatchewan.**

Francisco's mom does not have permanent resident status, does not have a work permit and does not have a study permit. According to the [Education Act, 1995, Section 173\(3\)\(b\)](#) the status of step parents and guardians is not considered and the board of education may charge tuition as the student is not eligible for Saskatchewan funding. The step dad as a guardian only provides a place of residence not status. If the step dad became a parent through adoption, then Francisco's parent would have status in Canada.

**H. Tom is from Alberta and is residing in a dorm at a boarding school.**

Tom is a Canadian Citizen but the ministry does not consider out of province students who reside in dorms as Saskatchewan residents. The school may charge out of province tuition rates as the student is not eligible for Saskatchewan funding.

**I. Brady is in Saskatchewan with his parent who did not apply to renew their work permit which expires in January.**

Similar to scenario C, Brady is considered a funded student as of September 30<sup>th</sup>. The ministry recommends boards of education allow Brady to finish the school year.