

Establishing a Private School – Application Process

Background

The Government of Alberta respects choice in education, including private schools. The application process is described below for those who wish to establish a private school in Alberta.

Application Process

→ Formalize your organizational structure

Private schools are governed under a variety of organizational structures. In order to be eligible for funding, an accredited private school must be incorporated as a society under the [Societies Act](#) or registered as a non-profit company under Part 9 of the [Companies Act](#) or operate under a special Act of the legislature. Each private school must operate in accordance with its approved bylaws.

→ Become familiar with Alberta Education’s [Notice of Intent](#) and requirements

For best results, begin your planning in the winter months for submission of your Notice of Intent by May 31.

Refer to the Fact Sheet: Private Schools – Submitting the Annual [Notice of Intent](#) to understand the information that must be submitted to Alberta Education. Also refer to the chart on page 3 outlining the requirements for a private school operator.

→ Determine the type of private school you wish to establish and the programs you will offer

Section 28 of the [School Act](#) authorizes two kinds of private schools to operate in Alberta: registered and accredited. Please see page 2 for further details.

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→ **Notify Alberta Education of your intent to establish a private school and submit the [Notice of Intent](#)**
Contact School Accreditation and Disputes Resolution Branch of Alberta Education at 780-427-7235 about your intent to establish a private school, and branch staff will provide information and appropriate notification forms, including the [Notice of Intent](#) form.

→ Receive Alberta Education’s decision

Alberta Education will notify the private school by the end of July regarding the status of their accreditation.

→ Expect Alberta Education to monitor the private school

In the first year, an Alberta Education manager will meet with the private school operator to monitor the school for compliance with Alberta Education requirements. There is no set timeline for when that visit will take place, but the manager will provide adequate notice of the monitoring visit.

Types of Private Schools in Alberta

Registered private schools, defined under Section 28(1) of the *School Act*, must meet basic registration requirements set out in the *Private Schools Regulation*. The requirements are set out on the chart on the following page. Registered private schools are not eligible for Alberta Education funding.

Accredited private schools, defined under section 28(2) of the *School Act*, must continue to meet the requirements of a registered private school; however there are additional requirements set out in section 28(2) of the *School Act* and in the *Private Schools Regulation* that must be met in order to receive accredited status. These requirements are noted on the following pages.

Accredited non-funded private schools are primarily those private schools that focus on adult education, language and culture. These schools are not eligible for Alberta Education funding.

Accredited funded private schools are entitled to partial provincial funding, pursuant to the Minister of Education's authority to make grants under the *Government Organization Act* and the *Education Grants Regulation* (AR 120/2008). However, accredited funded schools must operate for one year with no government funding (*Private Schools Regulation* section 9(1)). Refer to the most recent *Funding Manual for School Authorities* for details on applicable funding rates.

Designated Special Education Private Schools

(DSEPS) provide education programs to students with special education needs and meet the criteria outlined in the *Funding Manual for School Authorities*. These schools receive special education funding at rates equal to those provided to the public system and meet the same accountability requirements for this funding as public school jurisdictions. The status of each Designated Special Education Private Schools is approved annually by the Director of the Special Education Branch.

Heritage Language Schools do not fit neatly into either category. These schools offer language and cultural programming for students in ECS to Grade 12 and most do not receive funding from Alberta Education. If funding is received from Alberta Education, it is through the *Credit Enrolment Unit (CEU)* funding system for provincially authorized or Locally Developed/Authorized high school courses, if CEU accountability requirements are met.

Programming Considerations

A special education program must be offered in any private school that admits a student with special needs. Private school operators should provide such programs in accordance with the *Requirements for Special Education in Accredited Funded Private Schools*. However, the operator of a Designated Special Education Private School must meet the standards as defined in *Ministerial Order No. 015/2004, Standards for the Provision of Special Education to Students in Alberta: Standards for Special Education, Amended June 2004*

Early Childhood Services (ECS) programs may be offered by any private school operator. The private school operator must meet the requirements set out in the *Early Childhood Services Regulation*, including offering a Kindergarten program that complies with the *Kindergarten Program Statement*. Funding is available from the first year of operation, and operators are expected to provide access to a minimum of 475 hours of instruction.

Home Education is a program of choice whereby a parent provides a home education program to a student under the supervision of an associate board or associate private school. Under the *Home Education Regulation*, the parent is responsible for developing, administering and managing the home education program. The associate board or associate private school also has responsibilities. Only an accredited funded private school may be an associate private school.

A blended program is an educational program that consists of two distinct parts: (1) a school-provided program where a teacher employed by a school board or an accredited funded private school is responsible for providing the planning, resource selection, instructional delivery, assessment and evaluation of student progress in selected courses that follow the *Alberta Programs of Study*; and (2) a home education program that meets the requirements of the *Home Education Regulation*, including supervision by an associate board or associate private school.

Requirements for Establishing a Private School The private school operator is responsible to the Minister of Education for meeting the requirements of provincial legislation and regulations as set out in this chart.	Registered	Accredited	Accredited-Funded
BASIC REQUIREMENTS			
The private school operator provides a basic education through offering a program of studies meeting goals and standards adopted or approved by the Minister.	X	X	X
The private school operator meets standards of student achievement and achievement testing acceptable to the Minister.	X	X	X
The private school operator agrees to regular evaluation and monitoring by the Minister.	X	X	X
The private school operator meets all local and provincial health, safety (fire), and building standards (zoning and building code).	X	X	X
The private school operator maintains individual student records.	X	X	X
The private school operator provides parents and students with rules for the discipline of students and for the suspension and expulsion of students that incorporate the principles of fundamental justice.	X	X	X
The private school operator annually provides the Minister with a <i>Notice of Intent to Operate</i> by May 31.	X	X	X
SPECIFIC REQUIREMENTS			
The private school operator provides parents or prospective students with written notice: <ul style="list-style-type: none"> a) that students attending the school might not be placed in the same grade level if they transfer to another school b) that the school cannot grant credit for senior high school courses c) of the qualifications of the instructional staff d) of the operator's general liability insurance coverage in the event of accident or death. 	X		
The private school operator develops and maintains policies for the evaluation of students; teacher growth, supervision and evaluation; safety for outdoor education and field trips; and a policy related to a health protocol.		X	X
Seven or more students from two or more families are enrolled and continue to be enrolled in the school.		X	X
The private school operator employs teachers with valid Alberta Teaching Certificates.		X	X
May employ a competent individual to teach a language, culture or religion under the supervision of a teacher holding a valid Alberta Teaching Certificate.		X	X
The school principal holds a valid Alberta Teaching Certificate.			X
During a school year, the private school operator offers students in grades 1 through 9 access to a minimum of 950 hours of instruction and/or offers students in grades 10 through 12 access to a minimum of 1,000 hours of instruction		X	X

Requirements for Establishing a Private School	Registered	Accredited	Accredited-Funded
The private school operator is responsible to the Minister of Education for meeting the requirements of provincial legislation and regulations as set out in this chart.			
The private school operator complies with provincial Senior High School Graduation requirements.		X	X
The private school operator uses provincial achievement tests and diploma examinations.			X
The private school operator follows the requirements for teaching the Alberta <i>Programs of Study</i> .			X
The private school operator operates for a minimum of one school year, unless otherwise approved by the Minister, before being eligible to receive funding from Alberta Education.			X
The private school operator is incorporated as a society under the <i>Societies Act</i> , or as a non-profit company under Part 9 of the <i>Companies Act</i> , or operate under a special act of the legislature.			X
The private school operator appoints a secretary and a treasurer, or a secretary-treasurer, and reports their names and addresses to the Minister.			X
The private school operator appoints an auditor who is registered and qualified to perform an audit engagement under the <i>Regulated Accounting Profession Act</i> and reports this individual's name and address to the Minister.			X
The private school operator is, if a student is expelled responsible for the student's education program, and ensures that the student continues to have access to an education program for the remainder of the school year.			X
The private school operator keeps in force a blanket fidelity bond covering the operator and employees of the school. The amount of the bond shall be the lesser of \$50,000 or 40% of the operator's provincial funding plus any surplus from the previous operational year.			X
The private school operator has a general liability insurance policy in the minimum amount of \$2 million for each occurrence of loss or damage resulting from bodily injury or death and for loss of damage to property			X
The private school operator develops implements and maintains policies regarding the school's Three-Year Education Plan and Annual Education Results Report.			X
The private school operator annually submits a Three-Year Education Plan and an Annual Education Results Report.			X
The private school operator annually submits to the Minister a Budget Report and Audited Financial Statements along with the Auditor's Report, Notes to the Financial Statements, Management Letter, and Independence Letter.			X
The private school operator establishes a parent advisory council if the parents of students enrolled in the school do not constitute a majority of the members of the board operating the school.			X
The private school operator may be an associate private school under the <i>Home Education Regulation</i> .			X

Requirements for Establishing a Private School The private school operator is responsible to the Minister of Education for meeting the requirements of provincial legislation and regulations as set out in this chart.	Registered	Accredited	Accredited-Funded
The private school operator complies with the relevant sections in the <i>Funding Manual for School Authorities</i> .			X

Legislation

Section 28 of the [School Act](#) outlines the requirements for private schools for grades 1 - 12. Section 28 distinguishes between registered private schools and accredited private schools. In addition to section 28, the following sections of the [School Act](#) apply to private schools:

1: Interpretation	28: Private Schools	94: Regulations
2: Limitations	29: Home education program	109.1: Duty to report
3: Diversity in shared values	30: Early childhood services program	126 (1), (3): Duties re: hearings
8: Right of access to education	39: Courses, programs, etc	127: Matters governing hearings
9: Language of instruction - English	40: Investigators	128: Order of Board
13 (1), (5), (6): Compulsory education	41: Inquiry into administration	129: Establishment of Board
15 (2): Attendance at school	43: Inspections	130: Sitting in panels

Regulations

Regulations are legal requirements that derive their authority from specific sections of various acts. Most regulations that apply to private school operators are made under the authority of the [School Act](#) and the [Government Organization Act](#). It is necessary to review the regulations carefully to determine what sections are applicable. The regulations under the *School Act* that apply to the operation of private schools are listed below. All regulations can be viewed at the [Queen's Printer](#) website.

- [Early Childhood Services Regulation](#)
- [Home Education Regulation](#)
- [Private Schools Regulation](#)
- [Student Evaluation Regulation](#)
- [Student Record Regulation](#)
- [Certification of Teachers Regulation](#)
- [Practice Review of Teachers Regulation](#)

Other Links

The [Guide to Education: ECS to Grade 12](#) identifies program requirements specified by Alberta Education, information about ECS to Grade 12 programs, and education delivery and achievement standards for students enrolled in Alberta schools. It also communicates useful information for organizing and operating Alberta schools to meet the needs of children and students.