



## PROVISION OF EDUCATIONAL PROGRAMS TO YUKON RESIDENT STUDENTS

DM Approval:

*Valerie Royle*

Effective Date: February 1, 2015

### GENERAL INFORMATION

The *Education Act* provides that every school-age person who resides in Yukon is entitled to receive an educational program that is appropriate to their needs, in accordance with the provisions of the Act:

- A School Board provides an educational program in Yukon to every school-age person who resides in the School Board's education area by enrolling the student in an educational program operated by the School Board.
- The Deputy Minister of Yukon Education provides an educational program in Yukon to every other school-age person who is resident in Yukon by enrolling the student in an educational program operated by Yukon Education.

The Act also provides that parents may choose home schooling or private schooling for their children.

Under the Act, a student's residency is determined by the residency of the student's parents.

### PURPOSE

The purpose of this policy is to outline Yukon Education's responsibility for providing educational programs to students who are resident in Yukon.

### DEFINITIONS

'Deputy Minister' means the deputy minister of Yukon Education.

'Educational Program' means a set of learning activities for schools, not including post-secondary, college, or adult training programs.

'French Language Instruction Educational Program' means an educational program in which the language of instruction is French, but does not include the French immersion program, French as a second language program, or French adult classes.

'Home Education Program' means an educational program under section 31 of the *Education Act*.

'Individualized Education Plan' means a document which outlines the educational program for a student as determined by a school based team, containing a description of the student's present level of functioning; long term or annual goals; short term goals or specific behavioural objectives; special resources required; suggested instructional materials, methods and strategies; IEP review dates; persons responsible for the implementation of the IEP, including parents; and parents' written, informed consent for implementation.

'Parent' means the biological parents, the adoptive parents by custom or otherwise, the persons legally entitled to custody, or the persons who usually have the care and control of the child.

'Private School' means a school, other than a school operated by the Minister or a School Board, that offers educational programs during school days to school-age children and is registered or accredited under section 29 of the *Education Act*.

'Resident' means a person legally entitled to remain in Canada who makes their home and is ordinarily present in Yukon, as determined by Yukon Education.

'School Board' means a school board that is established in Yukon under the authority of the *Education Act*.

'Special Education Program' means a program provided for students because of intellectual, communicative, behavioural, physical, or multiple exceptionalities (the special education program is outlined in the student's Individualized Education Plan).

## **POLICY STATEMENT**

### **Educational Programs Provided in the Yukon Public School System**

Educational programs provided in the Yukon public school system are administered by either the Deputy Minister or a School Board.

The Act provides that tuition fees may not be charged for educational programs provided to Yukon resident students in Yukon public schools.

## Educational Programs Administered by Yukon Education

The Deputy Minister provides an educational program in Yukon to every school-age person who is resident in Yukon (except those who reside in the education area of a School Board) by enrolling the student in a school operated by Yukon Education.

The educational programs provided by the Deputy Minister include the following:

### *Special Education Programs*

Special education programs are provided for students who are in need of a special educational program because of intellectual, communicative, behavioural, physical, or multiple exceptionalities (the special education program is outlined in the student's Individualized Education Plan).

### *Aboriginal Language Educational Programs and Yukon First Nation Culture, Heritage, Traditions and Practices*

The Deputy Minister may authorize an educational program (or part of an educational program) to be provided in an aboriginal language, after receiving a request to do so from a School Board, School Council, or a Yukon First Nation.

The Act provides that every school must, in consultation with the Yukon First Nation served by the school, include in the school program activities relevant to the culture, heritage, traditions, and practices of that Yukon First Nation.

### *French Immersion Educational Programs*

The Deputy Minister provides French immersion educational programs in Yukon schools.

### *Educational Programs in the Catholic Separate Schools*

The Deputy Minister provides educational programs at the Catholic separate schools, in accordance with the Act and the *Separate School Regulation*.

### *Pre-School Educational Programs*

The Deputy Minister or a School Board may establish and maintain educational programs for children who have not reached school age. The Act provides that tuition fees may be charged for pre-school educational programs.

## French Language Instruction Educational Programs

As the School Board for Education Area #23, the Commission scolaire francophone du Yukon provides French language instruction educational programs in Yukon at the

schools in Education Area #23, in accordance with the Act and the *French Language Instruction Regulation*.

## **Educational Programs Not Provided in the Yukon Public School System**

### Educational Programs Provided in Private Schools

Students and their parents may take an educational program in Yukon at a registered or accredited private school, in accordance with the requirements of the Act and the *Private Schools Regulations*.

### Home Educational Programs Provided in Yukon

A parent of a student may provide, at home, a home educational program for a student in accordance with the requirements of the Act and the *Home Education Regulations*.

### Educational Programs Provided Outside Yukon

Students and their parents may choose to take an educational program outside Yukon. The Deputy Minister is not required to provide or authorize payment for educational programs outside Yukon for school age persons who are resident in Yukon, however the Deputy Minister may do so in the following circumstances:

1. When Yukon Education determines that it is not able to provide a student with special educational needs with a special education program in Yukon that is appropriate for the student's special educational needs.
2. When Yukon Education determines that it is able to provide the student with an educational program outside Yukon through the Aurora Virtual School.
3. As part of an established scholarship program under which Yukon Education sponsors a student to receive all or part of their educational program outside Yukon (*for example, Yukon Education's scholarship program with the Lester B. Pearson United World College of the Pacific*).

## **ROLES AND RESPONSIBILITIES**

The Deputy Minister is responsible for providing school-age persons who reside in Yukon with an educational program that is appropriate to their needs in accordance with the provisions of the Act and regulations and this policy.

The Commission scolaire francophone du Yukon is responsible for administering French language instruction educational programs in Yukon.

Parents and students may choose to take an educational program in Yukon at a registered or accredited private school or through a registered home education program.

## **APPLICATION**

This policy applies to the provision of educational programs to all school-age persons who are resident in Yukon.

## **EXCEPTIONAL CIRCUMSTANCES**

In situations where the individual circumstances of a case are such that the provisions of this policy cannot be applied or to do so would result in an unfair or an unintended result, the decision may be based on the individual merits and justice of the situation. Such a decision will be considered for that specific case only and will not be precedent setting.

## **EFFECTIVE DATE**

This policy is effective February 1, 2015.

## **LEGISLATIVE AND POLICY REFERENCES**

Education Act s. 10, s. 11, s. 14, s. 15, s. 19, s. 29, s. 30, s. 31, s. 50, s. 55, s. 56, s. 57.  
s. 116 (1) (c)

French Language Instruction Regulation O.I.C. 1996/99

Private Schools Regulation O.I.C. 1991/72

Home Education Regulations O.I.C 1991/74

Separate School Regulation 1991/231

## **HISTORY**

Provision of Educational Programs to Yukon Resident Students Policy, effective February 1, 2015.