G. DETERMINATION OF A STUDENT WITH SPECIAL EDUCATIONAL NEEDS

After school based assessment and intervention have been tried and learning concerns still remain, a student may be considered to receive services to determine if the student has exceptional needs. As outlined in Division 2 Section 16(2), (3), (4), and (5) of The Yukon Education Act:

(2) Before a student is determined to be a student with special educational needs and if so, what Individual Education Plan is appropriate, the following procedures shall be followed:
   a) the student shall be referred to Student Support Services for a determination of the assessments that may be required to be performed;
   b) the parent of the student shall receive written information concerning procedures outlined in this section;
   c) prior written informed consent by a parent for the psychological and other specialized tests that are not routinely used by teachers shall be obtained;
   d) if appropriate, the assessment shall be multidisciplinary;
   e) the results of the assessment reports shall be provided and explained to the parent;
   f) a parent and, if appropriate, the student, shall be consulted before the determination of, and during the implementation of, an Individual Education Plan; and
   g) the parents shall be provided with information concerning the right of appeal the Educational Appeal Tribunal.
(3) Parents shall have the right to request for their children a determination in accordance with this section.

(4) Parents shall be invited members of a school based team that is established for their child.

(5) Where there is more than one parent for a child, consultation with one parent shall be deemed to be compliance with any consultation requirements of this section.

As per the Yukon Education Act, Yukon Education staff shall be compliant with this legislation in order to ensure equitable service for all students.