



LEARNING DISABILITIES ASSOCIATION OF CANADA
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

VICTORY IN B.C. COURT FOR STUDENT WITH LEARNING DISABILITY: Implication for all students with learning disabilities across the country

The B.C. Human Rights Tribunal ruled on Wednesday that the B.C. Ministry of Education and the District School Division discriminates against children with learning disabilities by making cutbacks that disproportionately impacted children with learning disabilities and by failing to provide them with necessary programs and services.

The Learning Disabilities Association of Canada, an intervenor in this case, hails it as a significant, major victory for children with learning disabilities across Canada. In a decision arising from the particular circumstances concerning Jeffrey Moore, a young boy in the mid 90's who was identified as having severe learning disabilities and did not receive the services he required, the tribunal ordered the ministry and the district to reimburse the Moore family for tuition fees and other out of pocket expenses they paid during the nine years Jeffrey attended a private school for children with learning disabilities.

"What happened to Jeffrey is happening to thousands of young people with learning disabilities across Canada through a systemic failure by ministries of education and school districts by not providing the needed services to enable these children to fully benefit from services provided by the educational system," states Yude Henteleff, of Winnipeg, Manitoba, Honorary Solicitor of the Learning Disabilities Association of Canada and its counsel in this matter.

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“Failure to provide appropriate support and accommodations to a vulnerable group could not be justified on the basis of cost. Public schools are required by law to provide an education for all students to the point of undue hardship,” wrote tribunal chairwoman Heather MacNaughton in her 309 page ruling. Chairwoman MacNaughton also ordered that a range of optional services both inside and outside the regular classroom be available for students with severe learning disabilities.

“As an Association, we urge that all provincial governments and school divisions across this country put into place what has been ordered by the B.C. Human Rights Tribunal so that all students with mild, moderate, and severe learning disabilities receive those services that will enable them to optimize what every child receives from the education system. It is the right, fair and equitable thing to do.” remarked Mr. Henteleff.

Founded in 1963, the Learning Disabilities Association of Canada (LDAC) is the national voice for persons with learning disabilities and those who support them. LDAC is dedicated to building a level playing field for individuals with learning disabilities to enable them to function as citizens with equal opportunities and to develop to their chosen potential. LDAC, in partnership with Provincial and Territorial LDA Associations, accomplishes these goals through public awareness about the nature and impact of learning disabilities, advocacy, research, health, education and collaborative efforts.

For a complete transcript of the decision please visit the B.C. Human Rights Tribunal website at <http://www.bchrt.bc.ca/decisions/default.htm>

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