

LEARNING DISABILITIES ASSOCIATION OF BC  
SOUTH VANCOUVER ISLAND CHAPTER



# know your rights

**STUDENT EDITION**

*Facts for Students  
with Learning Disabilities and/or  
Attention Deficit Disorder*

generously funded by

  
**THE LAW  
FOUNDATION  
OF BRITISH COLUMBIA**





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Produced by the Learning Disabilities  
Association of British Columbia,  
South Vancouver Island Chapter

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**LEARNING DISABILITIES  
ASSOCIATION OF BC –  
SOUTH VANCOUVER ISLAND CHAPTER**

The LDABC–SVI is a not for profit organization that educates, supports, and advocates for children and youth with Learning Disabilities and/or Attention Deficit Disorder and their families.

We are located at:

1524 Fort Street,  
Victoria, BC V8S 5J2  
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- Legal aid;
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or check out:

[www.lawfoundationbc.org](http://www.lawfoundationbc.org)

Special thanks to the team of people who researched, compiled, and wrote the information found in *Know Your Rights*:

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# contents

- 4 introduction
- 6 the top five facts about Learning Disabilities
- II the top five facts about Attention Deficit Disorder
- 15 what is special education?
  - adaptations and modifications
  - special education rules
- 19 your individual education plan (IEP)
- 23 your rights, roles, and responsibilities
  - other important rights
- 27 frequently asked questions
- 31 options for solving problems
  - appeals
  - other options
- 34 community resources
- 36 important contacts
- 37 appendix
- 39 evaluation form



# introduction

School can be difficult for students who have Learning Disabilities (LD) and/or Attention Deficit Disorder (AD/HD). How well you do at school depends on two major factors:

- **What is being done at school to help you; and,**
- **Your attitude toward yourself and your abilities.**

Many students with LD don't like school. They find the work too hard or too boring. Some kids have bad experiences or don't have their needs met. They learn to give up on themselves and quit trying altogether. Some believe they are dumb because they receive poor grades. They wonder why they try so hard when all their hard work doesn't seem to matter.

LD can be a confusing mix of "can do's" and "can't do's." Understanding your LD and what can be done to help takes time and effort. You might wonder why bother? THIS IS ULTIMATELY ABOUT YOU, and you will benefit for the rest of your life if you learn how to help yourself now.

## **You need to believe in yourself.**

You are a smart, capable learner who has many skills and talents. The right attitude can help you become a better student, but it isn't enough on its own.

You also need to know how your Learning Disability or Attention Deficit Disorder impacts your life and what you can do to help. Remember, no one is good at everything – Like all people, people with LD have talents and skills that are unique!

You also deserve and will require to be treated respectfully if you are to find those special talents. Like all children and youth, you need support and understanding!

At school, there are many people involved in making sure you receive an appropriate education. You need to take responsibility for knowing what you are entitled to and what you are responsible for in your education.

## **This hand-book will help you!**

# it's your life.

*You have a right, and a responsibility to yourself to get the best education possible, and one that is right for you.*



KNOW YOUR RIGHTS is a project of the Learning Disabilities Association of British Columbia, South Vancouver Island Chapter (LDA-SVI). It was funded by the Law Foundation of British Columbia.

Check us out on-line at

[www.knowyourrights.ca](http://www.knowyourrights.ca)

# the top 5 facts about Learning Disabilities

LD

When someone has a Learning Disability, what he or she should be able to do is different from what he or she is able to do. Learning Disabilities are invisible, life-long conditions. You can't tell by looking at a person that he or she has one. One in every ten people has a Learning Disability.



*A Learning Disability may mean you have difficulty with:*

- **understanding spoken language;**
- **understanding written language;**
- **reading or writing;**
- **math;**
- **memory;**
- **organizational skills;**
- **attention; or,**
- **coordination.**



## fact I

# People with LD are smart

People with LD have average to above average intelligence. Some people and some experts think of LD as a “different learning style” or a “learning difference.” That’s because you CAN learn, but the way in which you learn is different. You have a unique learning style.

## fact 2

# There are many types of LD

- *Dyslexia* is usually thought of as a reading disability although it also means having problems using language in many ways.
- *Dyscalculia* causes people to have problems doing arithmetic and understanding math concepts. Many people have problems with math, but a person with Dyscalculia has a much more difficult time solving basic math problems than his or her friends.
- *Dysgraphia* is a writing disorder that causes people to have difficulty forming letters or writing within a certain space. For some, it can feel that their brain is going so fast with all their thoughts that their hands can't keep up with writing it all down!
- *Dyspraxia* is a problem with the body's system of motion. Dyspraxia makes it difficult for a person to control and coordinate his or her movements.
- *Auditory Memory and Processing Disabilities* describes problems people have in understanding or remembering words, sounds or information.



## fact 3

### LD can run in families

No one knows the exact reason people have LD but it is believed to be a problem with the Central Nervous System, meaning it is neurological. LD tends to run in families. You may discover that one of your guardians or grandparents had trouble at school or was thought to be a unique and creative thinker. LD is not caused by too much sugar, parents who aren't strict enough, or allergies.



## fact 4

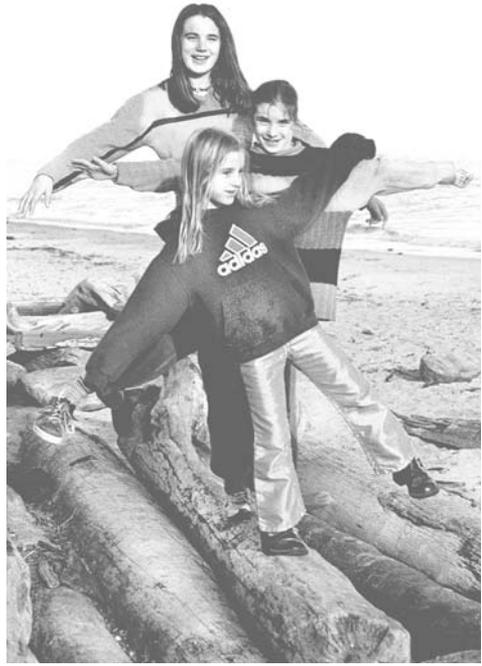
### LD can be assessed by a psychologist

Assessing LD involves a number of things. You and your guardians will be interviewed to find out what kind of difficulties you have had, how long you have had them and how they have affected you. Your teachers may also be interviewed as well.

You will be given several tests. These aren't the same kind of tests you take in school. Instead, the person testing you will ask you questions and get you to complete certain tasks. Once the tests



are finished, the examiner looks at how you are doing at school and compares that with how you should be doing given how smart you are. If there is a difference between these that can't be explained by other reasons, then an assessment of LD is often made.



## fact 5

# There are lots of things that can help LD

One of the most important things you can do to help yourself is to understand what your particular LD is. It is also important for you to recognize and use your strengths to help you learn. Your guardians and teachers will help you learn about your learning challenges and teach you strategies that can minimize their effect. In later sections of this handbook you will read more about the kind of things that can help.

the top 5 facts about

# Attention Deficit Disorder

AD/HD

Attention deficit hyperactivity disorder (AD/HD) is the most commonly diagnosed disorder of childhood. Children with AD/HD can have difficulty with paying attention or concentrating. They can feel distracted and sometimes act without thinking. Some people with AD/HD also may be hyperactive, so sometimes it is also called Attention Deficit/Hyperactivity Disorder (AD/HD).

## fact I

**People  
with AD/HD  
are smart**

Thomas Edison,  
Winston Churchill,  
Leonardo Da Vinci,  
and Vincent Van Gogh  
were all believed  
to have had ADD.

People with ADD usually have average to above average levels of intelligence and can become very successful. Thomas Edison, Winston Churchill, Leonardo Da Vinci, and Vincent Van Gogh were all believed to have had ADD.

## fact 2

### The cause of AD/HD is unknown

No one knows the exact cause of AD/HD but we do know that people with AD/HD have differences in their brains. About one person in twenty has AD/HD. And, often people with AD/HD have LD as well.

## fact 3

### AD/HD must be diagnosed by a professional

There is no quick or easy way to be tested for AD/HD. Instead a doctor, psychiatrist or a psychologist gathers information from several sources including your guardians and teachers. He or she will look to see if you have trouble concentrating, being impulsive and/or being overly active. Guardians and teachers are given checklists to rate these behaviours. A doctor evaluates the checklists, interviews you and your guardians, and looks at your history of symptoms to determine if you have the symptoms of AD/HD.



## fact 4

# There is lots we can do to help with with AD/HD Symptoms

Some kids use medication to help their AD/HD symptoms. Medication can help you feel more focused and less restless. This isn't the only thing that should be done though. It is also important to learn how to manage your symptoms. While this can be hard work, it isn't impossible! Your guardians, teachers, and other professionals can help show you ways to get the symptoms of AD/HD under control. They can also provide you with the kind of environment that makes your symptoms more manageable. It is important that you learn these coping skills because as you get older, you will want to become more responsible for helping yourself.

# fact 5

## People with AD/HD often have LD and other conditions too

These conditions can include:

- **Anxiety Disorders** – a feeling of being anxious and worried;
- **Disruptive Behaviour Disorders** – a problem with controlling behaviour;
- **Mood Disorders** – feeling depressed, or having chronic feelings of low self-worth;
- **Phobias** – an unreasonable fear of something;
- **Learned helplessness** – Giving up on helping yourself and needing others to do for you;
- **Tourette Syndrome** – having body movements (tics) and vocal tics (grunts or words) that can't be controlled easily;
- **Sleep disorders** – a problem with sleep patterns.





# what is special education?

**Special education is a way for your teachers to help you learn and experience more success in school.**

**It can be a lot of different things to different people. That's because every person's needs are unique. Generally, if you are receiving special education services, it means you may be:**

- Doing the same work as everyone else in the class, but doing it in a different way. For example, you may be able to take a test in a quieter room, have someone take notes for you, or have a book on tape rather than a textbook; or,
- Going to a quieter room than your classmates to be taught by a teacher who has special training in how to help students who have school problems. You might go there for all or just part of your school day; or,
- Receiving help from people who are not teachers, but are there to help as well. They may be a Speech/Language Pathologist, Occupational Therapist, or Counselor, etc.; or,
- Learning things that are different than what other students in your class are learning. For example, you may be working on long division while your classmates work on decimals.

# Adaptations and Modifications

## What is an **Adapted** Program?

Some students with LD and/or AD/HD do well in a regular classroom with a little extra help. **Your program is**

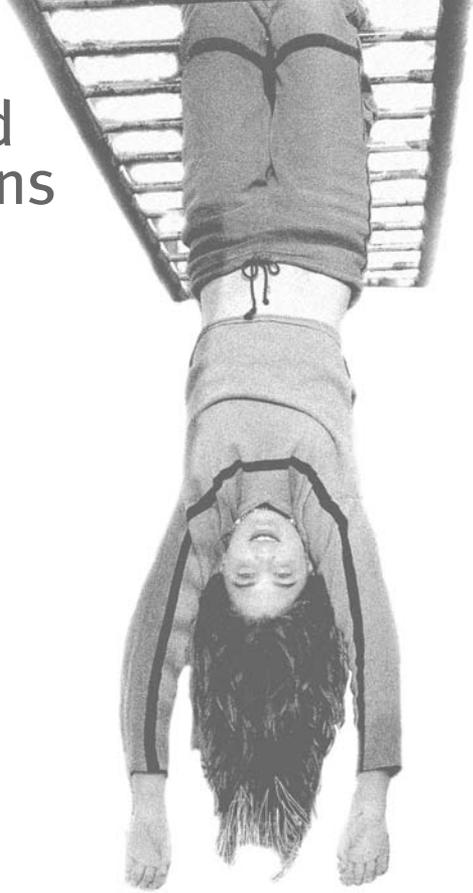
**considered adapted when you are doing the same work as the rest of your class, but do it a bit differently because you have your own learning style.**

Adaptations might include:

- having extra time to write an exam;
- having someone read the test questions to you;
- having someone write down your answers for you;
- using a tape recorder;
- using a computer;
- using textbooks on tape;
- not having to do as many questions as others in your class;
- receiving extra time to finish your assignments;
- using another student's or the teacher's notes;

- not having marks taken off for spelling mistakes;
- using a calculator; and/or
- any other ways that can accommodate the way you learn.

The above list describes changes in the way things are done, not in what is being taught. These changes level the playing field. They do not give you an unfair advantage over the other students. Being on an adapted program does not affect your letter grades.



## What is a *Modified Program*?

At certain times, or in certain subjects, some students with LD and/or AD/HD may not be able to do the same work as the others in their class, even with adaptations. If that is the case for you, then your guardians, teachers and you will decide what you will be taught. All of the changes to what you are learning are written down in your Individual Education Plan (IEP) (see the section on IEPs for more information).

**When you are learning things that are different from the other students in your class your program is called modified.**

In most cases, only some of your subjects will be modified and you will be following the regular curriculum for the rest of your subjects.

When you are following a modified program, you will not receive letter grades. Instead, you will receive comments from your teachers about how well you are doing. Students on a modified program can also receive accommodations.

## What is the difference between *Adapted and Modified Programs*?

Students who are following adapted programs receive a **Dogwood Certificate** when they graduate. A Dogwood Certificate indicates that you have successfully completed all of the subjects required for graduation. The certificate does not mention anything about being on an adapted program.

Students who have had modifications to their curriculum in the subjects required for graduation may receive a **School Completion Certificate** when they graduate. A School Completion Certificate indicates that you have successfully completed all of the goals set out in your Individual Education Plan. ➤

While post secondary schools typically accept students with a Dogwood Certificate, there are many post-secondary opportunities for students who receive a School Completion certificate.

**The Ministry of Education says that a decision to modify your program SHOULD be discussed with you, and MUST be discussed with your guardians, before it is done.**

Sometimes teachers get confused and use the wrong terms. They may say your program is modified when it is really adapted. If this happens, or if you aren't sure which is being done, talk to your teachers about it.

## Special Education Rules

There are many rules dealing with special education called policies. Policies are a set of instructions that must be followed when making decisions. For students with special needs there are particular policies the Ministry of Education expects your teachers to follow when they make decisions about your education. These policies are contained in the manual "Special Education Services: A Manual of Policies, Procedures and Guidelines." In addition to policies, there are also guidelines. Guidelines are written to "help guide" some of the decisions that have to be made by you, your guardians, and your teachers.

Everyone involved in education, including you, has certain responsibilities. In addition to the rules and responsibilities, you and your guardians also have rights. Knowing what your rights are can help you get the best education for you. Knowing your rights also makes sure your rights are not violated.

# your Individual Education Plan

IEP

## *What is an IEP?*

The Ministry of Education's policy says that a student with special needs MUST have a written plan for their education. **This plan is called an**

**Individual Education Plan or IEP.**

**It helps to make sure that you have an education that is right for you based on your own special learning needs.**

## *Why do I need an IEP?*

An IEP helps the school meet your special learning needs. It also helps you plan educational goals for yourself. The Ministry of Education says that most students who have special learning needs must have an IEP. Sometimes students do not have a special learning need identified through testing, but may also receive extra help. If this is your situation, and you receive 25 hours or more of extra help in a year (learning assistance, speech/language therapy, occupational therapy, counseling, ►



etc.), you must also have an IEP written for you. If you have a learning disability but don't have many adaptations, and your program isn't modified, an IEP isn't required.

## *Who develops the IEP?*

The plan is developed by one of your teachers who talks to everyone involved in your education at an IEP meeting. These people can include:

These people can include:

- You
- Your guardians
- Your teachers, including your case manager
- Your counselor
- Your principal
- Your social worker
- And others you or your school think can help plan your program

## *What is a Case Manager?*

If you have special learning needs, the principal of your school will assign one of your teachers to be your case manager. A case manager is in charge of seeing that your IEP is developed and that all your teachers are aware of it. The case manager arranges the meetings where you and your guardians can discuss your IEP. He or she is also the person you should see if you have questions or concerns about your education.

## *How often is the IEP meeting held?*

An IEP planning meeting usually takes place at the beginning of each school year. Sometimes other IEP meetings take place throughout the school year to make sure the plan is working and to make further plans if needed. A date for reviewing your IEP should be written in your plan.

## *What goes into an IEP?*

There is no one type of IEP. Everyone is unique and so is their IEP. Your IEP will contain some or all of the following information:

- what you are to learn if it is different from other students in your grade;
- any adaptations to help you in the classroom such as having your books on tape, having extra time to write tests, or sitting closer to the board, etc.;
- any extra help you may need such as counseling services or speech/language therapy, etc.

**A new IEP should be reviewed and/or updated each year.**

Your IEP should also mention plans for your next transition. This might be from elementary to middle school or junior high school, or from high school to post-secondary or a career.

Always remember, that the IEP is a tool to help your teachers help you and to ensure your learning needs are being met - that is its purpose. If you are not receiving the support you require, make sure you or your parents speak to the teacher and make sure they are aware of your IEP.

## *Should I participate in the IEP meeting?*

It's your education that everyone will be discussing at the meeting. Your opinions are an important part of this discussion. An IEP meeting is a great opportunity for you to let your teachers know what works well for



you and what does not. Unfortunately, not all students are asked to attend the meetings where their IEPs are discussed. If you want to sit in and listen or participate and contribute to the discussion, talk to your guardians or your teachers about including you.

## *What should I do if I want to participate?*

There are five basic steps to follow:

1. Tell your guardians and teachers that you are interested in participating.
2. If you don't already have a copy of last year's IEP, ask for a copy and go over it.
3. Think about your strengths and weaknesses in school.
4. Write your goals for this school year.
5. Practice what you want to say at the meeting.

## *What if I disagree with the IEP?*

Once the IEP is written, your guardians and teachers will sign it if they agree with its content. You may be asked to sign it too. Before you sign anything, make sure that you understand and agree to it. An IEP is a serious document. If you don't understand something, ask for an explanation. If you disagree with something in your IEP, or think something is missing, talk to your teachers about making changes.

Even if you don't attend the planning meeting, you should ask for a copy of your IEP. **It is important to know that your IEP can be changed whenever it is necessary, even after it has been signed.** You don't have to wait until the review to request changes.

It is your right and your responsibility to speak up for yourself. If you find that a teacher isn't following the IEP you have the right to discuss it with him or her. If your teacher still doesn't do something that is written into the IEP, talk to your guardians or make an appointment to discuss it with the principal. The principal of the school is ultimately responsible for making sure you have an IEP and that your teachers follow it.

# your rights, roles and responsibilities

Everyone in the school system has certain rights, roles and responsibilities, including you, your teachers, the principal, the school district and the Ministry of Education. Some of these rights and responsibilities are written into a law called the School Act. Others are written in the Ministry's Special Education Policy Manual.

## *Principals*

**The Principal of your school is the person responsible for making sure your IEP is written and followed.** He or she is also responsible for making sure your teachers and you have the kind of support you need for your education. You can speak to your principal if:

### **You can speak to your principal if:**

1. You have a disagreement with your teacher and you have tried to work it out, but can't reach an agreement; ➤



2. You have a concern about your education that still worries you even after you have spoken to your teacher about it;
3. You feel you have been treated unfairly and you cannot resolve it with your teacher; or
4. You feel that your teacher is not following your IEP even after you have spoken to him or her about it.

Of course, whenever you talk to your teachers or principal, you should do it in a respectful way. It might be helpful to talk to your guardians about it first. It helps to write your concerns down, including what you have done about them. This makes it easier to remember everything you want to talk about so you won't forget anything important. If you decide to talk to the principal, ask for an appointment and let him or her know what it is you want to talk about. You have the right to take someone with you to help you at the meeting.

## Teachers

**All of your teachers have a responsibility to make sure that your IEP is followed.** This is particularly

important at secondary school when you have many teachers and they have many students. Things can get overlooked or forgotten more easily. If you think your teacher isn't following your IEP, speak to him or her about it after class or after school. If the problem continues, talk with your guardians about it or you may ask to speak with the principal.

## Special Education Assistants and Teacher Assistants (TAs and SEAs)

Special Education Assistants (SEA) and Teacher Assistants (TA) are not teachers. They are people with special training who help you and your teachers in the classroom. TAs or SEAs often help students organize their work, get started on an assignment, or provide explanations when things are unclear.

## Guardians/Parents

### Your guardians/parents are responsible for:

1. Supporting your education and for making sure you attend school;
2. Talking with your teachers about your education;

### Your guardians/parents have the right to:

3. Attend meetings where your Individual Education Plan is being discussed;
4. Appeal any decision made that significantly affects your health, safety or education. They can also appeal if they feel the school has failed to make a decision;
5. Receive reports from the school about your attendance, behaviour and your progress.

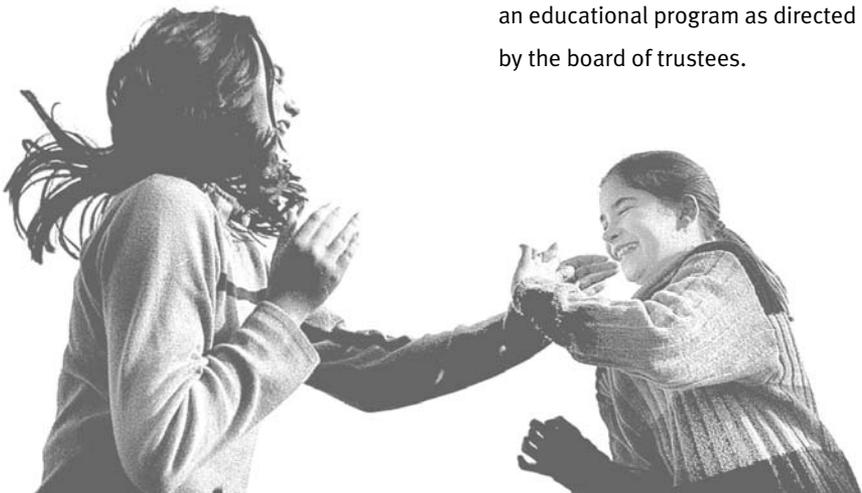
## Students

### You have the right to:

1. An education that is right for you in a place that is safe and welcoming;
2. Receive help in a timely way and in a manner that meets your learning needs;
3. Be treated fairly and to have your concerns heard and acted upon.

**You are responsible for following the school rules and for making an effort to get the best education possible.**

*The School Act* is law written specifically to guide the delivery of public education in BC. It says that students will comply with school rules, the code of conduct, and other rules and policies authorized by the school board. It also states that students attending a school shall participate in an educational program as directed by the board of trustees.



# Other Important Rights

## *The Right to Information and Privacy*

You have the right to expect that your school records will be kept confidential. Teachers and principals are not allowed to give information about you to people outside the school system except in very special circumstances or when your guardians give their permission. Of course, teachers and others who work with you can share information amongst themselves as long as it relates to your education.

You have the right to examine all of your records. A principal, or someone the principal assigns, will be with you when you look at them. You have the right to have anything you don't understand explained to you. If your request to examine your records is refused, or if you think a teacher has violated your privacy, you may discuss it with the principal.

## *The Right to Appeal*

If a decision, or the failure to make a decision, about your education significantly affects your health, safety or education, you have the right to have the situation reviewed. This is called an appeal. You can read more about appeals in the section called *When Things Go Wrong*.

## *The Right to attend safe schools and not be bullied or harassed*

Students, guardians, educators, police, and the community share the responsibility for making sure schools are safe places. Most schools and school districts have policies about violence, harassment, bullying and student conduct. Teachers and other professionals in your schools also have special professional codes of conduct that govern their behavior as well. You should be able to receive a copy of these policies and have them explained to you. You may be asked to sign a copy of policy to indicate ➤

# frequently asked questions

that have read it and agree to it. Don't sign anything you don't understand. Ask for an explanation.

Discipline for poor behaviour might result in a detention or, for serious misbehaviour, suspension from school. Suspensions are dealt with at a meeting where the student is given an opportunity to explain what happened from his or her perspective. You must be treated fairly and you have the right to have an advocate attend with you to support you, give you advice, or speak on your behalf. Students who are suspended from school will be given their school-work to do while they are suspended.

*I feel embarrassed about getting help in school. What can I do about it?*

You are not alone. Many students feel embarrassed about getting extra help in school. It's natural to want to fit in and be like everyone else. You might be afraid that someone will say something mean and embarrass you in front of others. It's normal to feel that way, but if you need help, you need help. You have nothing to be ashamed of for having a Learning Disability or AD/HD. Many people ➤



share your experiences. In fact ALL people need help at some time or another!

If someone asks you why you go to the resource room or learning centre you can tell them you are getting help so you can do well. It can help to discuss the situation with your friends. They can stick up for you. If someone continues to give you a bad time about it, you should ask an adult you trust to help.

**The problem is that most kids don't know much about LD and AD/HD so they make fun of what they don't understand.**

Sometimes it helps if a teacher explains to the class about these things (without mentioning your name of course).

### *Why do I have to get pulled out of class to get help?*

The Ministry of Education says that students with LD and/or AD/HD have the right to be educated in a regular classroom if that is where they learn best. If you are pulled out for all or part of your day, it may be that you need to do your work in a quieter place than in a busy, noisy classroom.

It may also be that you need help from a teacher who has special training to help students who have a different learning style.

If it really upsets you, talk to your guardians and teachers about it. Find out the reasons why you need to be pulled out. If you still think you could work in a regular classroom, you and your guardians may request that the school move you there for a trial period to see how you do.

### *Why don't I get letter grades on my report card?*

If you don't get letter grades on your report card, you are following a modified program. Instead of letter grades, your teachers will write comments in your report card about how well you are doing. If you are following an adapted program, you will receive letter grades. They are worth the same as the letter grades everyone else receives. In either case, when you work hard you deserve to know your efforts are recognized whether it is with letter grades or comments.

## *How do I get a say in what happens to me at school?*

You have an opportunity to talk to your teachers and guardians about what works best for you and how things should be done. You can attend the IEP planning meeting to discuss your feelings and ideas. You may also talk to your teachers at any time about your education.

## *Why do people compare me with my brother or sister?*

It isn't fair to be compared to anybody and that would make anyone angry. It's also hard to know that you work just as hard as others do but you don't get the same results. It might make you feel envious of your brother or sister. If you don't deal with your feelings it can lead to arguments or fights.

If this is happening, you need to work on your relationship. You might try talking to your brother or sister about it. You can point out that you have many things that you do well at and that you don't want to compete with anyone. It might be helpful to tell them about your learning difficulties. They

may not realize how tough things can be for you or how hard you work to overcome your problems. A family discussion can be helpful. Don't give up on yourself: be the best YOU can be.

## *Is there anything good about LD and AD/HD?*

Kids with LD and AD/HD have things that they are great at doing. You may have a special talent in sports or music or be very creative because of your unique view of the world. For example, kids with learning differences seem to come up with their own ideas as opposed to using other people's ideas. Therefore, they can be great leaders.

Use your talents to express yourself and produce ideas and work you can be proud of and that other people will recognize and appreciate. You can find the special talents you have inside you and use them to your advantage. It is also really important to have adults and friends in your life that recognize how wonderful you are. If you don't have this support, seek the help of someone you trust or visit the school counselor.

## *Will my LD or AD/HD go away?*

The short answer to this question is no. LD and Attention Deficit Disorders are life-long conditions. But that doesn't mean they will always affect you the same way they do now. Many adults with these problems say that life got much easier after they finished school. The older you get, the more choices you have to decide for yourself what you want to do, and even how to do it. At school you don't have as many choices.

It's true too that as you grow older you will find new ways of dealing with your problems – it takes practice! You may even be able to avoid things that are particularly hard for you or find that what was hard for you previously, is no longer hard for you. In fact, you will likely find a career that spotlights your talents. For example, you might be great working with your hands. You can use that talent to become a good carpenter, artist, or mechanic. There are many very successful people with the same learning problems you have. The secret to their success is that they have focused on their strengths or their interests. For example, David Cole and Jonathan Mooney both graduated from University at the top of their class and

are authors of a published book (see appendix). Jonathan did not read until he was 12 and David dropped out of school at 15. They both found their passion and interests in a different education setting. While university learning was still challenging, they discovered what worked for them and had special interests that helped them to get through the tough parts. Many famous actors, singers, writers, lawyers, educators, artists, politicians and business people - all who had learning problems in school - did not let their learning problems stand in the way. They used their talents and developed strategies to help themselves become successful.

## *Why Me?*

Unfortunately, there is no single or easy answer to that question. There are many reasons why people have LD. It might be that you inherited your LD from your family just like you inherited the colour of your hair and eyes. Your mother or father, uncle or grandfather may have had LD but they may not have been told what it was that caused their problems at school. What is more important than trying to figure out why you have an LD is figuring out how you can succeed.

# options for solving problems

## Appeals

Sometimes, in spite of everyone's best efforts, you might be dissatisfied with some of the decisions people have made for your education. You might disagree with where your teachers want you to attend school (special or regular classroom), what your program contains, or how your teachers treat you.

### *What Should I do if I Disagree?*

If you find yourself in this kind of situation, there are several things you should do. First, talk things over with your parents or guardians. They may be able to help put things in perspective, give you suggestions, and support you as you try to resolve the problem. Next, you should talk to the teacher involved about your concerns. Be respectful and state your concerns clearly. Be specific about what it is that concerns you.

**Tip: Use "I" statements instead of "you" statements.**

For example, it's better to say, "I am supposed to receive photo-copied notes. If you look at my IEP you'll see that this was agreed upon at the beginning of the year." Rather than saying, "You are making me fail this class because you won't give me photo copied-notes."

### *What is an Appeal?*

If you and your teacher can't reach an agreement, you may take your concerns to the principal. When you do this you are "appealing" a decision. In some situations you might be concerned that a decision hasn't been made when you think one should have been made. You may also appeal when a teacher doesn't make a decision. ➤



The appeal must be made within a reasonable amount of time from the date that you heard about the decision. The school board must inform you about how they want you to handle your appeal.

**If you do appeal a decision, you must follow all of the steps necessary or your appeal may not be heard.**

**When you appeal, you are entitled to:**

1. Be heard by someone who isn't biased;
2. Be treated fairly;
3. Have someone attend the meeting with you to support you, assist you or speak on your behalf (your advocate);
4. Be told the reasons why a decision was made;
5. Present evidence which helps to support your position;
6. See any information that the teachers or principals have to support their position;
7. Have things you don't understand explained to you;
8. Have the meeting postponed if you need time to prepare for the meeting.

If the situation is not resolved to your satisfaction after meeting with the principal, you may take your appeal to

the next level. This will mean going to the school district with your appeal.

If you are not satisfied with the outcome at this level, you have one last appeal within the school district. It is made to the Board of Trustees. Most appeals are usually resolved at the school level. It is unusual to have an appeal heard by the school board.

## Other Options

If you have not been able to resolve your concerns within the school district, or you believe the process for resolving your concerns was unfair, there are several things you can do.

**OMBUDSMAN 1-800-567-3247**  
**[www.ombudsman.bc.ca](http://www.ombudsman.bc.ca)**

The Ombudsman is an independent investigator of complaints about government unfairness. Since schools are government bodies, the Ombudsman can investigate them. The Ombudsman looks into matters that concern delays, indifference, rudeness, negligence, arbitrariness, oppressive behaviour, arrogance, and

unlawfulness by school officials. If any one of these is a concern for you, you may talk to someone at the Ombudsman's office. They will decide if the Ombudsman will investigate your complaint. Very often complaints are resolved before there is a hearing. It is important to know that the Ombudsman can make recommendations about what should be done, but he or she cannot force the district to comply with the recommendations.

**FREEDOM OF INFORMATION,  
PROTECTION OF PRIVACY ACT**

This Act was written to help protect an individual's privacy and to allow individuals to examine government or "public" records. You have the right to examine records kept by the school district about you. If you feel there is an error in your records, you may ask to have it changed. You have the right to have information about you kept confidential. If you feel that your right to access information or your privacy are not being respected you should contact the person assigned to be the Freedom of Information, Protection of Privacy Officer in your school district.

**THE BC HUMAN RIGHTS  
COMMISSION**

The Human Rights Act was written to ensure that all British Columbians have equal access to public services, like education. The Human Rights Code protects against discrimination based on a person's race, colour, ancestry, place of origin, religion, marital and family status, physical and mental disability, sex, sexual orientation and age.

**If you feel you have been discriminated against because of your Learning Disability, your parent may file a complaint on your behalf with the Tribunal.** There is no financial cost to filing a complaint.

You may call the Tribunal at  
**1-888-440-8844**

visit their webpage at  
**www.bchrt.bc.ca**

or write to:  
**BC Human Rights Tribunal  
1170-605 Robson Street  
Vancouver, BC V6B 5J3**

# community resources

## **SCHOOL BOARD OFFICE**

Your local school board is a good source of information about policies, regulations and guidelines. It should also be able to provide you with a copy of the district's appeal procedures and a list of the special education programs and services offered in the district.

## **THE INTERNET**

The Internet offers a lot of information about special education. The Ministry of Education has a web page you can visit at [www.gov.bc.ca/bced](http://www.gov.bc.ca/bced). It contains a lot of information about policies, programs and services.

There are also many sites dealing with special education, but it is important to know that if they are an American site, they may contain information about policies that do not apply to Canadian schools. Check out some of these web-sites:

### **LD on Line**

[www.ldonline.org](http://www.ldonline.org)

### **All Kinds of Minds**

[www.allkindsofminds.com](http://www.allkindsofminds.com)

### **LDA Canada**

[www.ldac-taac.ca](http://www.ldac-taac.ca)



## **LEARNING DISABILITIES ASSOCIATION (LDA)**

Your local LDA has a great deal of information about LD and AD/HD, as well as information about school policies. It can provide you with support and information regarding your education.

Visit the LDA Canada website for listings of LDA's in your community.

**[www.ldac-taac.ca](http://www.ldac-taac.ca)**

Call or visit the website of the Learning Disabilities Association in Victoria BC for information or for LDA listings in your community (250) 370-9513 **[www.ldasvi.bc.ca](http://www.ldasvi.bc.ca)**

## **ADD SUPPORT GROUPS**

There are several organizations that provide support and information about AD/HD. Contact their provincial office to find out if there is a group near you.

**CHADD: (604) 222-4043**

**ADDSA: (604) 524-9183**

## **CHILDREN'S HELP LINE:**

**310-1234**

Call this number if you are feeling desperate or depressed, if you are being abused physically, emotionally or sexually, or if you are being intimidated or harassed.



# important contacts

You can keep all these important phone numbers related to your education on this page. It will help you when you need to contact people.

My school: \_\_\_\_\_

My guardian(s) at work: \_\_\_\_\_

● Guardian #1: \_\_\_\_\_

● Guardian #2: \_\_\_\_\_

My tutor: \_\_\_\_\_

My psychologist: \_\_\_\_\_

My coach: \_\_\_\_\_

My counselor: \_\_\_\_\_

My doctor: \_\_\_\_\_

My social worker: \_\_\_\_\_

Youth Group: \_\_\_\_\_

The LD Association: \_\_\_\_\_

My other important contacts: \_\_\_\_\_

\_\_\_\_\_

# appendix

*Special Education Services:  
A Manual of Policies, Procedures  
and Guidelines, (1995).*

Special Education Branch,  
Ministry of Education,  
Province of BC

*Making the Most of the Law:  
Education and the Child with  
Disabilities, (1993).*

LD Association of Canada

*The Manual of School Law, (1995).*  
Ministry of Education,  
Province of BC

*Advocating for Your Child With LD,  
(1998).*

LD Association of BC,  
Tri-Cities Chapter.

*Parent Advocacy Training Manual,  
(1999).*

LD Association of BC,  
Tri-Cities Chapter.

*The British Columbia School Act,  
(1996).*

Government of British Columbia.

*Inclusive Education:  
A Parent's Handbook, (1993).*  
British Columbia Association  
for Community Living.

*Administrator's Guide  
to Special Education*  
Ministry of Education,  
Special Education Branch.

*Becoming an Effective Advocate  
for Your Child, (1997).*

LD Association of BC,  
Tri-Cities Chapter.

*LD In-Depth, (2000).*  
LD On Line, [www.ldonline.org](http://www.ldonline.org)

*Keeping A Head In School, (1999).*  
Melvin Levine, MD

*Learning Outside the Lines, (2000)*  
Jonathan Mooney and David Cole



# evaluation form

It would really help us to know what you think of this booklet. We want it to be useful, so we need to know what you liked about it and what you didn't like. You can help us by completing this questionnaire and returning it to us. Your opinions are valuable to us!

1. The booklet was:

\_\_\_ easy to read    \_\_\_ too difficult to read

2. I found the information in the booklet:

\_\_\_ very helpful    \_\_\_ helpful    \_\_\_ not very helpful

3. The information I found most useful was:

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4. The information that was least useful was:

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5. I would like more information about:

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6. Do you have any other comments?

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When completed, this form can be sent to Learning Disabilities Association

by fax (250) 370-9421, by mail, 1524 Fort St, Victoria BC V8S 5J2, or on the web [www.knowyourrights.ca](http://www.knowyourrights.ca)







LEARNING DISABILITIES ASSOCIATION OF BC  
SOUTH VANCOUVER ISLAND CHAPTER



# know your rights

[www.knowyourrights.ca](http://www.knowyourrights.ca)

**LEARNING DISABILITIES  
ASSOCIATION OF BC**  
SOUTH VANCOUVER ISLAND CHAPTER

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