

# LDAO Public Policy Manual 2002

## Section T: Adult Issues

Policies Relating Specifically to Adults

### Policies

- T1 Public awareness of learning disabilities
- T2 Employer Awareness of learning disabilities
- T3 Training of service providers
- T4 Support services
- T5 Assistive devices
- T6 Adult assessments
- T7 Equal access to literacy programming
- T8 Training of literacy workers
- T9 Employment and vocational services
- T10 Ontario Works: Work for Welfare Payments Program
- T11 Ontario Works Literacy Testing I
- T12 Ontario Works Literacy Testing II
- T13 Ontario Works Literacy Training
- T14 Ontario Works Employment Supports
- T15 Ontario Disability Support Program (ODSP) Income Support
- T16 ODSP Eligibility
- T17 ODSP Employment Support Employment Planning I
- T18 ODSP Employment Support Employment Planning II
- T19 Income Tax: Disability Tax Credit
- T20 Income Tax: Medical Expense Tax Credit
- T21 Access to information for Persons with Print Disabilities

### Policy T1 – Public Awareness of Learning Disabilities

LDAO advocates that any government organized or mandated public awareness or public education campaigns related to disability issues include specific references and information about learning disabilities.

#### Rationale

Many people are not aware of learning disabilities, their high incidence in the general population and their impact on the lives of people. Since learning disabilities affect about 10% of the general population and about 50% of those who are considered disabled in Ontario, the condition should be better recognized and understood by the general population. This can only happen as part of a large scale public awareness and public education campaign. Although it is obviously LDAO's mandate to carry out such initiatives on behalf of people with learning disabilities, it is very important that any general disability related initiatives and campaigns include learning disabilities as a major disability area.

#### References

Report of the Interministerial Working Group on Learning Disabilities, 1992  
See also Q1 and Q9.

## **Policy T2 – Employer Awareness of Learning Disabilities**

LDAO advocates that the Government of Ontario ensure that all its employment equity related education campaigns directed towards employers include appropriate information about learning disabilities and the needs of persons with learning disabilities in terms of workplace supports and accommodation.

### **Rationale**

Since the former Employment Equity Act was repealed, the Government of Ontario indicated that it would encourage employers to implement employment equity initiatives voluntarily. It was stated at that time that the Government's primary should be not to legislate process, offer incentives or institute penalties, but rather to educate employers about the importance of such initiatives and the value of helping those who are considered employment disadvantaged.

### **References**

Response to the consultation on an Ontarians with Disabilities Act, LDAO, 1998  
Letter to the Ministry of Citizenship, 1995  
Brief on employment equity to the Ontario government, LDAO, 1993  
Report of the Interministerial Working Group on Learning Disabilities, 1992  
See also: S6

## **Policy T3 – Training of Service Providers**

LDAO advocates that any approved public or private training programmes developed and delivered to service providers in the areas of career/employment counselling, employment training and support as well as income supports include appropriate information about the vocational and employment needs of persons with learning disabilities, such that these service providers can make appropriate referrals and/or offer needed accommodations to their clients.

### **Rationale**

Many service providers in the fields of employment, vocational and income supports, are inadequately trained in recognizing the signs and symptoms of learning disabilities. As a result, many of their clients who have learning disabilities do not receive and/or are not referred to appropriate services, supports and accommodations, in order to be successfully employed. Better training and the implementation of rigorous standards for such programming would enable persons with learning disabilities to be more successful in becoming employed or receive more appropriate training, services and supports.

### **References**

Response to the consultation on an Ontarians with Disabilities Act, LDAO, 1998  
Letter to the Ministry of Citizenship, 1995  
Brief on employment equity to the Ontario government, LDAO, 1993  
Report of the Interministerial Working Group on Learning Disabilities, 1992  
See also: Q1, Q9, T1.

## **Policy T4 – Support Services**

LDAO advocates that support services, as needed by persons with learning disabilities, be provided by the appropriate Ministry and/or Government agency.

### **Rationale**

Persons with learning disabilities have the same rights to access needed support services as persons with other disabilities. These may include but are not limited to:

- assistive devices - access to computers, word processors, tape recorders, calculators, talking books, computer software, alternative communication devices, etc.
- medical supports such as
  - optometry for visual perception, co-ordination and related problems,
  - occupational therapy,
  - physiotherapy,
  - psychotherapy to help deal with emotional and stress related problems arising from having learning disabilities,
  - counselling
  - medical management therapy to help deal with the ongoing use of medication
  - speech-language therapy for those who have auditory and/or language learning disabilities
- practical life skills training offering direct instruction in these important fields
- social skills training
- appropriate employment and vocational services and supports
- income supports including disability pensions and other funding provided to persons with disabilities
- interpretation/translation services for persons with significant language processing and comprehension needs

#### **References**

Response to the consultation on an Ontarians with Disabilities Act, LDAO, 1998  
 Report of the Interministerial Working Group on Learning Disabilities, 1992

### **Policy T5 – Assistive Devices**

LDAO advocates that persons with learning disabilities be provided access to assistive devices on the basis of the same criteria as those for persons with other disabling conditions.

#### **Rationale**

Many people with learning disabilities require the use of assistive devices to carry out the tasks of daily living. Such devices can make a tremendous difference in the functioning level and progress of the individual. Thus, they should be regarded as an essential service and not a luxury to meet the accommodation needs of persons with learning disabilities. In spite of the mandates of the Ontario Human Rights Code, the Assistive Devices Program has continued to deny this service to persons with learning disabilities, without any penalty or negative consequence. This situation needs to be changed.

#### **References**

Response to the consultation on an Ontarians with Disabilities Act, LDAO, 1998  
 Report of the Interministerial Working Group on Learning Disabilities, 1992  
 Guidelines for Assessing the Accommodation Requirements of Persons with Disabilities, Ministry of Citizenship, 1989  
 Ontario Human Rights Code, 1981  
 ADP Brochure, Ontario Ministry of Health  
 See also: T4

## **Policy T6 – Adult Assessments**

LDAO advocates that access to assessments be available to people who exhibit the signs and symptoms of learning disabilities on the same equitable basis as is available to persons with other disabling conditions. Such assessments should delineate the accommodation needs of the individual in educational and employment settings and the activities of daily living.

### **Rationale**

In order to obtain requisite supports, services and accommodations, people with disabilities are usually required to provide verification of their disabilities. An appropriate assessment is the threshold to obtaining services for persons with learning disabilities. The cost of diagnostic testing for most disabilities is usually covered through OHIP. Because the diagnosis of learning disabilities is usually made by a registered psychologist and because OHIP does not usually cover the costs of psychological testing, except under unusual circumstances such as a psychiatric hospital referral, people with learning disabilities are at a disadvantage in this regard.

Further, in spite of the fact that learning disabilities are intrinsic to the individual and are a life-long condition, service providers frequently demand an up-to-date assessment as proof of the presence of a learning disability. This results in adults having to seek re-assessment without having the resources available to cover the cost of such an assessment.

### **References**

Response to the consultation on an Ontarians with Disabilities Act, LDAO, 1998  
Report of the Interministerial Working Group on Learning Disabilities, 1992  
OHIP Fee Schedule, Ontario Ministry of Health  
See also D8, D21.

## **Policy T7 – Equal Access to Literacy Programming**

LDAO advocates that all persons with learning disabilities who require literacy programming be guaranteed the right to access such programs and have their learning disabilities accommodated within any literacy programs, whether these are community based and provided by volunteers or delivered through government funding through school boards or other agencies.

### **Rationale**

Since 50% of those who have learning disabilities have some form of difficulty with reading, often dyslexia, and literacy is one of the most fundamental basic skills required for both employment and daily living purposes, a significant percentage of the population with learning disabilities may need access to appropriate literacy programming. Unfortunately, the traditional ways in which reading is taught frequently do not take into consideration the learning needs of persons who learn differently. As a result, many people with learning disabilities do not succeed in mainstream literacy programs without significant modification of programming and accommodation of their needs.

### **References**

“Bringing Literacy within Reach - Identifying and teaching adults with learning disabilities”, LDAC, 1991  
“Target Literacy”, Hatt and Nichols, LDAO, 1992  
“Accessibility and Beyond, Accessibility Issues for Adult Literacy Programs”, Parkins, S., NYBE, 1992  
“Links in Learning”, Hatt and Nichols, MESE Consulting Ltd., 1995  
See also T8.

## **Policy T8 – Training of Literacy Workers**

LDAO advocates that all literacy workers, volunteer and paid, have access to in-service training on how to modify their programmes to meet appropriately the needs of all learners with special needs and in particular those whose progress is hindered by learning disabilities.

### **Rationale**

It is recognized that literacy workers frequently receive limited training and are not trained to recognize the signs and symptoms of learning disabilities in adult learners. As a result, they frequently do not have the requisite knowledge or skills to modify their programmes. Providing the requisite training and support to literacy workers will result in greater satisfaction for both the learners with whom they are working as well as for themselves.

### **References**

“Bringing Literacy within Reach - Identifying and teaching adults with learning disabilities”, LDAC, 1991  
“Target Literacy”, Hatt and Nichols, LDAO, 1992  
“Accessibility and Beyond, Accessibility Issues for Adult Literacy Programs”, Parkins, S., NYBE, 1992  
“Links in Learning”, Hatt and Nichols, MESE Consulting Ltd., 1995  
See also T7

## **Policy T9 – Employment and Vocational Services**

LDAO advocates that access to appropriate employment counselling, work preparation and vocational programmes be provided to individuals with learning disabilities to maximize their ability to obtain and maintain meaningful successful employment.

### **Rationale**

Persons with learning disabilities are employable, provided that they are given the necessary training and support to turn employability into job readiness. To become job ready, everyone requires:

- a viable occupational goal
- the education, training, skills and experience to achieve that goal
- job search skills
- the ability to demonstrate that if hired, they can meet the requirements of the job
- the ability to keep the job, by working hard and satisfying the essential job requirements

To meet the unique vocational needs of persons with learning disabilities, they may need access to the following:

- intensive career counselling to identify suitable vocational goals
- social skills training
- understanding what accommodations they will need to be successful in the workplace
- self-advocacy skills
- life skills training
- adapted job skills training
- help from a job coach
- academic upgrading to enhance their skills in this field

When persons with learning disabilities are not able to obtain and maintain appropriate employment,

they may have to rely on social assistance supports, rather than functioning as independent contributing members of society. The costs of this are unacceptably high to the individual as well as society. Helping people with learning disabilities achieve their potential and becoming successful is both a legal and moral obligation.

### References

- “Job Interview Tips for People with Learning Disabilities”, LDAC, 1990
- “Learning Disabilities and the Workplace”, LDAC, 1993
- “Design for Success”, Nichols, E., LDAO, 1994
- “Nobody’s Perfect”, Nichols, E., LDAO, 1994
- “Learning and Employment Assessment Profile”, Nichols, E., LDAO, 1999

### **Policy T10 – Ontario Works: Work for Welfare Payments Program\***

*\*Now called Employment Assistance Activities, required for most recipients of Ontario Works financial assistance.*

LDAO advocates that all work for welfare\* payments programs guarantee the following in order to be effective, fair and meet the rights of their clients:

- they are voluntary
- they respect the dignity and human rights of the client
- they provide the kind of training and support which helps individuals who are employment disadvantaged obtain marketable skills for real jobs
- they pay a fair wage for work experience and training
- they do not displace other employed individuals from existing jobs
- they include an initial accurate assessment of the client’s needs, followed by appropriate services based on the needs
- they do not set restrictive criteria of access to the program such as excluding individuals with certain kinds of disabilities
- they allow welfare recipients to do volunteer work on the same terms as other volunteers, with the value of the volunteer work recognized for welfare eligibility.

### Rationale

Historically, work for welfare\* payments programs have been unsuccessful in cutting long term social assistance costs, in creating jobs or enhancing skills and employability. The only real solution to unemployment is an economy in which real permanent jobs are created in both the private and the public sector. Individuals with disabilities have traditionally been employment disadvantaged, in spite of the fact that employment related discrimination is illegal and the majority of them would prefer to work rather than having to rely on income supports. Therefore, in addition to striving for a strong economy, society needs to assure access to appropriate job readiness, vocational training and employment support programs for all those who are employment disadvantaged.

### References

- Singing for Our Supper: A Review of Workfare Programs, Ontario Network of Employment Skills training Projects, 1995

## **Policy T11 – Ontario Works Literacy Testing I\***

\*No longer relevant

LDAO advocates that individuals who have a learning disorder, including learning disabilities, which has been confirmed through an appropriate assessment, be appropriately accommodated or exempted from mandatory testing for literacy\* and other cognitive competencies for the purposes of participating in Ontario Works programs and receiving any relevant services or funding, but that the option of participating in literacy training on a voluntary basis be made available to them.

\*No longer in effect

### **Rationale**

The Government of Ontario has introduced mandatory literacy testing\* for all individuals who wish to participate in Ontario Works programs and services. Individuals who do not pass the test are expected to participate in mandatory literacy training, before they are deemed eligible for programs, services and funding available through Ontario Works. Many commonly used literacy tests are inappropriate for individuals with learning disabilities. Similarly, many well-established literacy training programs are not appropriate for individuals who have learning disabilities. Many individuals with learning disabilities have been unsuccessful in existing literacy programs, but have made progress with individualized or small group instruction, where, in addition to the specialized training, they also have access to adaptive technology and other accommodations. \*No longer in effect

Literacy programs typically focus on decoding ahead of comprehension and the application of the information contained in print. For some persons with learning disabilities decoding print remains a major area of difficulty and they need to be provided with alternative methods to access printed information. Such methods may include but are not limited to adaptive technology.

### **References**

Bringing Literacy Within Reach - Identifying and teaching adults with learning disabilities, LDAC, 1991  
Target Literacy, Hatt and Nichols, LDAO, 1992  
Accessibility and Beyond: Accessibility issues for adult literacy programs, Parkins, S., NYBE, 1992  
Links in Learning, Hatt and Nichols, MESE Consulting Ltd., 1995  
See also policies T7 and T8

## **Policy T12 – Ontario Works Literacy Testing II\***

\*No longer relevant

LDAO advocates that all individuals who apply for Ontario Works and who do not pass the mandatory literacy test\* be screened for having learning disabilities.

Where this screening indicates the presence of a potential learning disability, the individual should be referred to a specialized literacy program for individuals with learning disabilities.

\*No longer in effect

### **Rationale**

The Government of Ontario has introduced mandatory literacy testing\* for all individuals who wish to participate in Ontario Works programs and services. Individuals who do not pass the test are expected to participate in mandatory literacy training, before they are deemed eligible for programs, services and funding available through Ontario Works. Many commonly used literacy tests are inappropriate for individuals with learning disabilities. Similarly, many well-established literacy training programs are not appropriate for individuals who have learning disabilities. Many individuals with learning disabilities have been unsuccessful in existing literacy programs, but have made progress with individualized or

small group instruction, where, in addition to the specialized training, they also have access to adaptive technology and other accommodations. [\\*No longer in effect](#)

Literacy programs typically focus on decoding ahead of comprehension and the application of the information contained in print. For some persons with learning disabilities decoding print remains a major area of difficulty and they need to be provided with alternative methods to access printed information. Such methods may include but are not limited to adaptive technology. Many individuals with undiagnosed learning disabilities have difficulties with maintaining employment and therefore need to rely on income support. The opportunity to have their learning disabilities identified and access to appropriate training programs and accommodations enhance the employability of persons with learning disabilities.

### **References**

Bringing Literacy Within Reach - Identifying and teaching adults with learning disabilities, LDAC, 1991  
Target Literacy, Hatt and Nichols, LDAO, 1992  
Accessibility and Beyond: Accessibility issues for adult literacy programs, Parkins, S., NYBE, 1992  
Links in Learning, Hatt and Nichols, MESE Consulting Ltd., 1995  
See also policies T7 and T8

## **Policy T13 – Ontario Works Literacy Training**

LDAO advocates that designated funding be provided through government ministries for the establishment of specialized literacy programs for participants who are assessed as or suspected of having a learning disability. Such programs need to have a low learner/tutor ratio, extended periods of instruction, access to adaptive technology and other accommodations, based on the learners' strengths and needs and be delivered by instructors with specific training and expertise in learning disabilities.

### **Rationale**

The Government of Ontario has introduced mandatory literacy testing\* for all individuals who wish to participate in Ontario Works programs and services. Individuals who do not pass the test are expected to participate in mandatory literacy training, before they are deemed eligible for programs, services and funding available through Ontario Works. Approximately 50% of those who have learning disabilities have difficulty with reading, primarily decoding. Since literacy is one of the most fundamental skills required for employment and daily living, people with learning disabilities who are illiterate are particularly disadvantaged. Unfortunately, many commonly used literacy tests are inappropriate for individuals with learning disabilities. Similarly, many well-established literacy training programs are not appropriate for individuals who have learning disabilities. Many individuals with learning disabilities have been unsuccessful in community based literacy programs, but have made progress with individualized or small group instruction, where, in addition to the specialized training, they also have access to adaptive technology and other accommodations. Literacy programs typically focus on decoding ahead of comprehension and the application of the information contained in print. For some persons with learning disabilities decoding print remains a major area of difficulty and they need to be provided with alternative methods to access printed information. Such methods may include but are not limited to adaptive technology. [\\*No longer in effect](#)

### **References**

Bringing Literacy Within Reach - Identifying and teaching adults with learning disabilities, LDAC, 1991  
Target Literacy, Hatt and Nichols, LDAO, 1992  
Accessibility and Beyond: Accessibility issues for adult literacy programs, Parkins, S., NYBE, 1992  
Links in Learning, Hatt and Nichols, MESE Consulting Ltd., 1995  
See also policies T7 and T8

## **Policy T14 – Ontario Works Employment Supports**

LDAO advocates that the employment supports offered to Ontario Works participants take into account the needs of participants who have diagnosed and suspected learning disabilities, including employment planning, job-readiness training, the use of adaptive technology and other disability-related supports.

### **Rationale**

Individuals with learning disabilities are employable, provided that they are assured access to the necessary training and support to turn employability into job readiness. To be job ready, everyone requires:

- a viable occupational goal
- education, training, skills and experience to achieve that goal
- job search skills
- the ability to demonstrate that if hired they can meet the requirements of the job
- the ability to keep the job by satisfying the essential job requirements.

When individuals with learning disabilities are not able to obtain and maintain appropriate employment, they may have to rely on income supports, rather than functioning as independent contributing members of society. The costs of this are unacceptably high to the individual as well as society.

Helping people with learning disabilities achieve their potential and become successfully employed is both a legal and moral obligation.

### **References**

Job Interview Tips for People with Learning Disabilities, LDAC, 1990  
Learning Disabilities and the Workplace, LDAC, 1993  
Design for Success, Nichols, E., LDAO, 1994  
Nobody's Perfect, Nichols, E., LDAO, 1994  
Learning and Employment Assessment profile, Nichols, E., LDAO, 1998  
See also: Policy T9

## **Policy T15 – Ontario Disability Support Program (ODSP) Income Support Eligibility I**

LDAO advocates that the application process for ODSP Income Support Eligibility, including the questions asked of the applicant on the application forms and of any professionals who may be providing the requisite documentation, adequately reflect the daily living issues affected by learning disabilities.

### **Rationale**

The definition of disability for ODSP and other Government support programs and funding eligibility usually focuses on the disabled person's capacity to carry out the requisite tasks of daily living. This definition is sometimes inappropriately or inadequately applied and, as a result, individuals with learning disabilities are not accepted for such programming and funding. For example, where the term "learning" is applied as a task of daily living, the limitations cited are usually more relevant for developmental than learning disabilities. The resulting exclusion is an unacceptable form of discrimination against those whose disability is a learning disability and who are disadvantaged due to

this disability. The definition of “disability” within the Ontario Human Rights Code, Ontario’s premier legislation, specifically cites learning disabilities and the difficulties that people with learning disabilities have as a disability. Therefore, ODSP and other forms of employment and income supports must be available to those individuals with learning disabilities who meet the appropriately determined eligibility criteria.

#### **References**

Ontario Human Rights Code, 1981  
Assessing the Accommodation Needs of Persons with Disabilities, Ontario, 2001  
Report of the Interministerial Working Group on Learning Disabilities, Ontario, 1992  
Learning and Employment Assessment Profile, Nichols, E., LDAO, 1998

### **Policy T16 – ODSP Income Support Eligibility II**

LDAO advocates that individuals who have a learning disability, but whose verifying documentation is not up to date or adequate and who are therefore not deemed eligible for accessing ODSP Income Support as a person with a disability, be provided with access to or funding for a psycho-educational assessment for verification and documentation purposes.

#### **Rationale**

Many individuals with learning disabilities do not have adequate documentation of their learning disabilities. In some cases this is due to the fact that they have never had a full diagnostic assessment of their disability. In other cases, the documentation is not complete and/or does not meet the full requirement for verification. These individuals are at a disadvantage both in terms of accessing services and supports for persons with disabilities and also are unlikely to receive programming, services and accommodations that reflect their strengths and needs related to their specific learning disabilities.

#### **References**

AHEAD Guidelines for the Documentation of Learning Disabilities, 1997  
LOTF Diagnostic and Documentation Criteria for Pilot Project Eligibility for Students with Specific Learning Disabilities, January 2000  
LEAP, Nichols, E., LDAO, 1998  
“Recommended Practices for Assessment, Diagnosis and Documentation of Learning Disabilities” protocol prepared by the Screening and Assessment Working Group of LDAO’s Promoting Early Intervention Project, LDAO, 2001

### **Policy T17 – ODSP Employment Supports Employment Planning I**

LDAO advocates that persons, who are designated to develop individualized employment plans with ODSP clients who have learning disabilities, be selected for such work on the basis of their knowledge and understanding of the impacts of different kinds of learning disabilities on all employment related matters.

#### **Rationale**

Individuals with learning disabilities are employable, provided that they are assured access to the necessary training and support to turn employability into job readiness. To be job ready, everyone requires:

- a viable occupational goal
- education, training, skills and experience to achieve that goal

- job search skills
- the ability to demonstrate that if hired they can meet the requirements of the job
- the ability to keep the job by satisfying the essential job requirements.

To meet the unique vocational needs of persons with learning disabilities, they may also need access to specialized supports, training and programming related to:

- social skills training
- self-advocacy training including an understanding of what accommodations they will need to be successful in the workplace
- life skills training
- adapted job skills training
- job coaching and specialized job brokering supports.

When individuals with learning disabilities are not able to obtain and maintain appropriate employment, they may have to rely on income supports, rather than functioning as independent contributing members of society. The costs of this are unacceptably high to the individual as well as society.

Helping people with learning disabilities achieve their potential and become successfully employed is both a legal and moral obligation.

#### **References**

Job Interview Tips for People with Learning Disabilities, LDAC, 1990  
 Learning Disabilities and the Workplace, LDAC, 1993  
 Design for Success, Nichols, E., LDAO, 1994  
 Nobody's Perfect, Nichols, E., LDAO, 1994  
 Learning and Employment Assessment Profile, Nichols, E., LDAO, 1998

## **Policy T18 – ODSP Employment Supports Employment Planning II**

LDAO advocates that the strengths and needs identified through a psychoeducational assessment be considered in choosing and approving an appropriate employment goal for individuals with learning disabilities. Where there is no recent documentation to provide this information, LDAO advocates that obtaining an up to date assessment be included in the employment planning process.

#### **Rationale**

Individuals with learning disabilities are employable, provided that they are assured access to the necessary training and support to turn employability into job readiness. To be job ready, everyone requires:

- a viable occupational goal
- education, training, skills and experience to achieve that goal
- job search skills
- the ability to demonstrate that if hired they can meet the requirements of the job
- the ability to keep the job by satisfying the essential job requirements.

To meet the unique vocational needs of persons with learning disabilities, they may also need access to specialized supports, training and programming related to:

- social skills training
- self-advocacy training including an understanding of what accommodations they will need to be successful in the workplace
- life skills training
- adapted job skills training
- job coaching

When individuals with learning disabilities are not able to obtain and maintain appropriate employment, they may have to rely on income supports, rather than functioning as independent contributing members of society. The costs of this are unacceptably high to the individual as well as society.

Helping people with learning disabilities achieve their potential and become successfully employed is both a legal and moral obligation.

### **References**

Job Interview Tips for People with Learning Disabilities, LDAC, 1990  
 Learning Disabilities and the Workplace, LDAC, 1993  
 Design for Success, Nichols, E., LDAO, 1994  
 Nobody's Perfect, Nichols, E., LDAO, 1994  
 Learning and Employment Assessment profile, Nichols, E., LDAO, 1998

## **Policy T19 – Income Tax: Disability Tax Credit**

LDAO advocates that the eligibility criteria for the Federal Disability Tax Credit include the effects of severe learning disabilities on the tasks of daily living (in the areas of perceiving, thinking and remembering). Further, in order to assure consistency in claim approvals from region to region throughout Canada, staff of all the taxation offices should be trained in understanding and applying these criteria.

### **Rationale**

The definition of disability for most Government support programs and funding eligibility usually focuses on the disabled person's capacity to carry out the tasks of daily living. This also applies for eligibility for certain income tax exemptions and tax credits. This definition is sometimes inappropriately applied and, as a result, the claims of individuals with learning disabilities are not accepted. This exclusion is an unacceptable form of discrimination against those whose disability is a learning disability and who are disadvantaged due to this disability. The Canadian Charter of Rights and Freedoms cites two categories of disabilities. These are mental and physical disabilities and it is intended, though not explicitly stated, that learning disabilities be included under these umbrella terms. The definition of handicap within the Ontario Human Rights Code, Ontario's premier legislation, specifically cites learning disabilities and the difficulties that people with learning disabilities have as a disability.

Therefore, Government controlled employment and income related supports, including tax credit eligibilities, must be available to those individuals with learning disabilities who meet the appropriately determined eligibility criteria.

### **References**

Canadian Charter of Rights and Freedoms, 1982  
 Ontario Human Rights Code, 1981  
 Report of the Interministerial Working Group on Learning Disabilities, Ontario, 1992

## **Policy T20 – Income Tax: Medical Expense Tax Credit**

LDAO advocates that the costs of purchasing and utilizing adaptive technology as an accommodation for individuals with learning disabilities be recognized as a medical expense tax credit as is the case for individuals with other disabilities, when the use of the technology is recommended by a medical practitioner or a registered psychologist.

### **Rationale**

Individuals with learning disabilities often rely on the use of adaptive technology to carry out the tasks of daily living and obtain and maintain employment. Adaptive technology is often recommended as the most critical accommodation of the learning disability. At the same time, individuals with learning disabilities are formally excluded from eligibility for Ontario's Assistive Devices Program. As a result, individuals with learning disabilities either have to find the funds to pay for this important accommodation or be unable to function in an independent manner due to the lack of funding and access to such accommodations.

### **References**

Report of the Interministerial Working Group on Learning Disabilities, Ontario, 1992

Ontario Human Rights Code, 1981

Guidelines for Assessing the Accommodation Requirements of Persons with Disabilities, Ontario, 2001

See also: Policy T5

## **Policy T21 – Access to Information for Persons with Print Disabilities**

LDAO endorses the recommendations of the Federal Task Force on Access to Information for Persons with Print Disabilities and in particular advocates that the following be approved and implemented throughout Canada:

Recommendation 1: that self-identification be sufficient to give a person with learning disabilities the right of access to multiple alternate format materials.

Recommendation 2: that the Canadian National Institute for the Blind energetically pursue the extension of its library services to all print-disabled Canadians.

Recommendation 4: that Human Resources Development Canada establish a universal support program for funding print-disabled Canadians to acquire and be trained in the use of assistive technologies.

Recommendation 7: that the Government of Canada establish and fund a clearinghouse for e-text to which Canadian publishers must make their works available.

Recommendation 8: that federal, provincial and territorial subsidies be available only to publishers which provide e-texts to the clearinghouse simultaneous to (print) publication.

Recommendation 17: that departments and agencies of government at all levels train their personnel to be aware of the needs of print-disabled Canadians, of the availability of multiple format materials and in the use of the related assistive technology.

Recommendation 20: that the National Library of Canada provide leadership and support to Canadian libraries to facilitate inter-library loan and encourage the sharing of materials in alternate formats.

**Rationale**

In spite of the existence of relevant legislation, many individuals who are print-disabled are at a disadvantage when trying to access information from a variety of sources. In particular, individuals with learning disabilities who are print-disabled, are often discriminated against, since service providers do not accept or recognize learning disabilities for the purposes of determining print disability. Approval of the recommendations listed above and implementation of the requisite actions will ensure access and supports for individuals who are print-disabled, including those who have learning disabilities.

**References**

Report of the Task Force on Access to Information for Print-Disabled Canadians, 2000  
Response to the Task Force and the Report on Access to Information for Print-Disabled Canadians, LDAO, 2000