

THE RIGHTS OF YOUTH: DISABILITY

March 2011

Young Manitobans with disabilities have the right to participate, and be invited to participate, in all aspects of economic, social and cultural life of Manitoba.

What is disability?

In Manitoba, everyone is to be given equal opportunity to participate in school, sports, employment or entertainment. To understand “what is a disability,” think about what prevents a young person from full participation in society.

Disabilities resulting in special needs come in many forms. A disability is a condition that has long term effects and is different than being ill with the flu or a cold. A disability may be visible (for example, a physical limitation), and can also be hidden from view (for example, a learning disability).

Under Manitoba's *Human Rights Code*, “disability” is a condition that limits someone's day-to-day activities. The cause of the disability is not important. It may be the result of an accident, illness or be present from birth. Although some disabilities are more noticeable than others, invisible disabilities still have a profound effect on a young person's ability to fully participate in daily activities.

Young people with physical disabilities may rely on wheelchairs, crutches, canes or artificial limbs for mobility. Others have physical disabilities that affect eye-hand co-ordination or verbal communication, resulting from an injury or condition such as cerebral palsy or muscular dystrophy.

Invisible disabilities like attention-deficit disorder (ADD), autism, or dyslexia may affect a student's ability to learn in a regular classroom. Other invisible conditions such as allergies, irritable bowel syndrome and migraines may limit young peoples' physical stamina and endurance.



Some disabilities overlap and young people may have a combination of physical, developmental and learning disabilities. Conditions such as diabetes may create serious barriers to full participation for some young people but not for others. The impact of the condition is important when considering whether a young person has a disability.



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What if I can't do something because of my disability?

If you have a disability, you can expect assistance to allow you to participate in daily activities. In *The Human Rights Code*, this is called “reasonable accommodation”. Reasonable accommodation can often be simple and inexpensive, by changing how things are typically done. If your disability prevents you from doing something you want to do, you should speak with the person responsible for the activity, and request reasonable accommodation.

No-one should touch, feed, or interfere with a guide dog unless the owner says it is OK.



For example, a school may be required to install a ramp for a student in a wheelchair, or a restaurant would be expected to allow a guide dog even if it has a “no animals” policy.

SCHOOLS

Will my school help with my special needs?

In Manitoba, all students have the right to an appropriate education; this is guaranteed under *The Public Schools Act*. With information from you and your parents or guardian, your school administrators will figure out the best program for you.

School Divisions are required to consider reasonable options for you, such as support in a regular classroom, or a special education program. If you cannot participate in the regular school curriculum, you need to get an Individual Education Plan (IEP).



What is involved in getting an IEP?

To make sure that you get an appropriate education, school divisions will prepare an Individual Education Plan (IEP) for you. After an IEP is put in place it should be monitored, evaluated and revised at least once a year by the division. Your school principal makes sure that your IEP is prepared.

Can I take part in physical education at School?

You can have physical education requirements in your Individual Education Plan. Your school should look at reasonable options for you to participate.

What can I do if I am being bullied?

If you are being bullied or harassed because of your disability, talk to an **adult you trust**, like a parent, doctor, nurse, teacher or counselor.

Bullying is behaviour that is threatening or intimidating. It can be verbal or physical, and is generally one-sided. Individuals or groups may be responsible for it. It can take different forms, such as:

- physical attacks and other forms of violence, such as hitting or kicking;
- taunting, threats, name-calling and putdowns;
- stealing your money and/or possessions;
- refusing to speak to you, or excluding you from your group of friends or spreading a nasty rumour;
- sending embarrassing, hurtful and threatening messages using technology. This is cyber bullying.

What is harassment?

Harassment is unwelcome behaviour or comments that are repeated over and over again. If the harassers make reference to your disability, they could be violating your human rights. Harassment can also include racist comments, physical attacks, and sexual demands or advances.



You may also take your concerns about bullying to your school board and/or the Manitoba Human Rights Commission.

Other Resources

There are many tools out there about bullying for you, your parents, and your teachers. For example, there is the Toolkit for Bullying Harassment and Peer Relations at School <http://www.cpha.ca/en/activities/safe-schools.aspx>

A Canadian website dedicated to increasing awareness and the problems associated with bullying can be found at: www.bullying.org

The Canadian Red Cross (Manitoba Region) offers advice and programs <http://www.redcross.ca/>

And a national *Stop A Bully* program allows students in Canada to submit a Bully Report directly to school officials www.stopabully.ca/

Can I use a school bus?

Transportation to and from school is provided for students with disabilities. Your school division should provide safe student transportation that meets your needs. For example, some students will be able to ride the school bus with a bus monitor; a few students will require a bus staffed with specially trained medical personnel; others may need a bus with special equipment.



What if I physically just can't use the school bus?

In some cases, you may not be able to use a conventional school bus. In each case, your specific needs identified by the IEP will determine the most appropriate and cost effective transportation option for you. A school division/district can receive support for students with disabilities and arrange for transportation to and from school in a specially equipped vehicle. Information is available from:

Pupil Transportation Unit
Education Administration Services Branch
204-945-6900 or 1-800-282-8069, ext. 6900



GETTING AROUND

What transportation options do I have?

You should contact your local transit providers about easy access buses, and special transportation services for people with disabilities. Taxi companies also provide services to disabled passengers.

Can I get a driver's licence?

You are entitled to have an individual assessment to determine your ability to drive. It is your responsibility (or your parent/guardian if you are under the age of 18) to report all medical conditions and disabilities that may affect your ability to safely operate a motor vehicle.

Before taking the classroom written test, you should call Driver and Vehicle Licensing Medical Records at 985-1900 (Winnipeg) or 1-866-617-6676 (outside Winnipeg).

If you have mobility difficulties, you can apply for a disabled parking permit. Contact the Society for Manitobans with Disabilities for more information.

Where can I find information about air, bus and train travel?

The Canadian Transportation Agency has guidelines for persons with disabilities.

Telephone: 1-888-222-2592

TTY: 1-800-669-5575

http://www.cta-tc.gc.ca/access/guide/index_e.html



SPORTS, RECREATION, LEISURE and ENTERTAINMENT



If I have a disability, can I still be involved in sports and recreation?

Winnipeg offers adapted services for young people with disabilities in its Leisure Guide. You should check your city or municipality for other programs that may be available to you.

The Society of Manitobans with Disabilities has a Recreation and Life Skills Programs for young people living with disabilities. It has a variety of recreational programs for fall, winter and spring activities.

http://smd.mb.ca/children_s_recreation_life_skills_programming.aspx



What are some websites for disabled athletes?

A full list of clubs and associations with adapted services for youth with physical disabilities can be found on the Canadian Paralympics' website: <http://www.paralympic.ca/>

Also check out the Manitoba Chapter of the Special Olympics for sports and programs. <http://www.specialolympics.mb.ca/>

Manitoba Wheelchair Sport Association Junior Sport 204-925-5790
<http://www.mwsa.ca/juniorsport>



What about entertainment?

Many theatre companies accommodate people with disabilities. For example, in Winnipeg the Manitoba Theatre Centre offers the following:

- **Wheelchair Access:** MTC Mainstage and Warehouse are both fully accessible for wheelchair patrons. You should notify Patron Services staff at the MTC Box Office when ordering your tickets.
- **Hearing Access:** Sennheiser Infrared Assisted Hearing Devices are available free of charge to all MTC patrons on a first-come, first-served basis at the MTC Main Stage and Warehouse. Only a limited number are available so check with the House Manager.
- **ASL-Interpreted Performance** MTC offers an ASL-interpreted performance of some performances. You should contact MTC Patron Services at boxoff@mtc.mb.ca or call 942-6537 for more information.

You should contact your local theatre to find out what services are available for you.

Manitoba Theatre for Young People is committed to accessibility and inclusion for all young people. If you live outside of Winnipeg, you can call MTYP Touring at **204-947-0394 Ext 224**.

Movie theatres also have assistance and services for disabled movie goers.

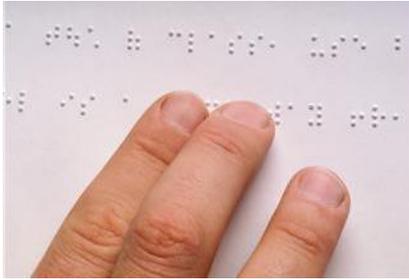
The **Access 2 Entertainment™** card provides free admission (or a significant discount) for support persons accompanying you to a movie theatre, while you pay regular admission. <http://www.access2.ca/>.



What do public libraries have for young people with disabilities?

Often public libraries have services for those with special needs. For example, the Winnipeg Public Library has programs like Story Time for Deaf Children. It also has talking books, large print material, books in Braille and descriptive DVDs. You could check with your community library to find out what it has to offer.

<http://wpl.winnipeg.ca/library/libraryservices/specialneeds/specialneeds.asp>



WORK OPPORTUNITIES & SUPPORT

How can I find work?

The Manitoba Government has a program for students with disabilities who are looking for summer employment.

<http://www.gov.mb.ca/educate/studentjobs/careeroptions.html>

The Manitoba government also has a Vocational Rehabilitation Program which offers employment counseling, planning and training as well as providing assistance with job searches and resume writing. Information can be obtained by calling: 204-945-1335.

http://www.gov.mb.ca/fs/pwd/voc_rehab.html

Once you have finished school, the Manitoba Government also offers a "Career Assistance Program for Persons with Disabilities."

<http://www.gov.mb.ca/csc/equity/pwd.html>



HOUSING & COMMUNITY SUPPORTS

Are there any resources that can help me live independently when I am ready?

The Independent Living Resource Centre is a consumer controlled organization that can help you make life choices.

311A-393 Portage Ave.

Winnipeg, Manitoba

204-947-0194 or 1-800-663-3043

www.ilrc.mb.ca

Housing and Human Rights

The Human Rights Code protects young people with disabilities from discrimination in both rental and condominium housing.

It is usually considered discriminatory if landlords refuse to rent to someone who has a disability. Reasonable accommodation under *The Code* requires landlords and property managers to take steps to meet special needs due to a disability. For example: installing an automatic door opener to assist someone in a wheelchair; or allowing tenants or visitors to bring in service animals such as guide dogs, even though there is a no pet policy in the building; or installing smoke detectors with flashing lights to alert those who have hearing impairments or are deaf.

The same protections against discrimination apply in condominium housing.

Are there laws in Manitoba to help or protect me if I have a disability?

The Human Rights Code prohibits unreasonable discrimination based on your disability. If you are being treated differently by someone because you have a disability, or even if someone thinks you have a disability, that action could be discriminatory. *The Human Rights Code* protects you from discrimination in the workplace, finding housing and receiving services from places like schools, restaurants and theatres.



Tracking Technology:

There are many products available to assist young people with disabilities. Many more are in development.

Did you know?

The University of Washington (UW) engineers are developing what is claimed to be the first device to transmit American Sign Language (ASL) over mobile phone networks in the US.

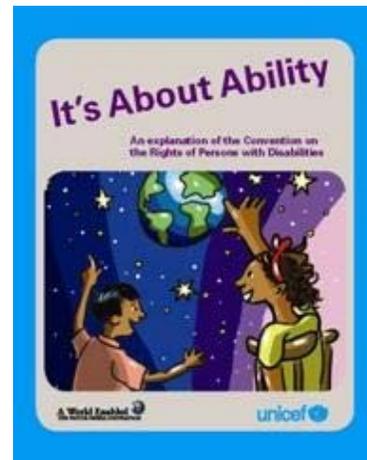
The University of California, Irvine, researchers are preparing to release EarTrumpet – an iPhone hearing-assistance application that lets users tailor the way that sounds are enhanced.

Keep informed and pass along what you find out.

What is the United Nations Convention on the Rights of Persons with Disabilities?

In March 2010, Canada “ratified” this new Convention. A convention is a general agreement, and in this case “ratifying” it means that our government will try to accomplish the goals it has set. The Convention promotes, protects and ensures the full and equal enjoyment of human rights and freedoms by all people with disabilities, including youth.

Many Canadians with disabilities were involved in the development of this Convention. They made sure that people with disabilities have the right to make their own decisions about issues that affect them, rather than having decisions made by others. Young people with disabilities have the same rights as other youth, and communities should put into place ways to support all children at home, school, vocational centers, sports and cultural events and in their communities.



If you would like to know more about all the provisions in the Convention, check out the guide put together by UNICEF (“It’s about Ability”) at: http://www.unicef.org/publications/index_43893.html





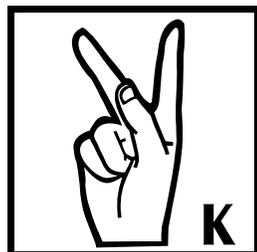
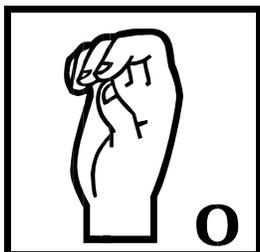
Manitoba Human Rights Commission

The Manitoba Human Rights Commission deals with complaints of **discrimination** and **harassment** in a number of areas of public life, including:

- employment;
- rental of housing; and
- public services and facilities such as stores, hospitals, schools, and recreation programs.

Manitoba's *Human Rights Code* is designed to promote equality of opportunity and to protect against discrimination based on:

- ✓ age;
- ✓ ancestry (including colour and perceived race);
- ✓ nationality or national origin;
- ✓ ethnic background;
- ✓ religion or religious association or activity;
- ✓ sex (including pregnancy);
- ✓ gender-determined characteristics;
- ✓ sexual orientation;
- ✓ marital or family status;
- ✓ source of income;
- ✓ physical or mental disability (which includes circumstances related to your disability, such as reliance on a wheelchair);
- ✓ political belief, activity or association.



Office of the Manitoba Ombudsman

The Manitoba Ombudsman investigates complaints from anyone who feels he or she has been treated unfairly by departments or agencies of the provincial or a municipal government.

There are also laws in Manitoba that require the provincial and municipal governments, school divisions, hospitals and health professionals such as doctors to respect and uphold your information access and privacy rights. The Ombudsman investigates complaints under those laws.

If you feel a decision or action of someone in government that affects you was wrong or unfair, or if you have questions about your information access and privacy rights, you may contact the Ombudsman Office. There is an intake officer you can speak to and who will listen to you. You can discuss your complaint privately.

If your concern is something they can investigate, they will explain the process. If it is not something that they can investigate, they will try to refer you to someone who can help.



Children's Advocate

The Children's Advocate represents the rights, interests and views of children and youth who feel they are not getting the services they need from a child and family services agency or department.

An advocate is someone who speaks with you and for you. Advocacy is about supporting and helping to make sure you are heard and taken seriously.

The Office of the Children's Advocate will do their best to help you and support you whenever you have a concern. More specifically, the Advocate:

- can listen; give you information about how you can solve your situation on your own; help you say what you want to say; call someone for you and explain what you want or need; and assist you in participating in decisions that affect your life.
- may also: arrange a meeting with all the people involved and try to sort things out; work to change the system for all children and youth having the same problem; and work with the community to promote and support advocacy for all children and youth.



Offices that Protect the Rights of Youth

Manitoba Human Rights Commission Winnipeg

7th Floor 175 Hargrave
Winnipeg, MB R3C 3R8
Ph: 204-945-3007
Fax: 204-945-1292

Brandon

Provincial Government Building
Rm 341-340 9th Street
Brandon, MB R7A 6C2
Ph: 204-726-6261
Fax: 204-726-6035

The Pas

2th Floor- Otineka Mall
PO Box 2550
The Pas, MB R9A 1K5
Ph: 204-627-8270
Fax: 204-623-5404

TOLL FREE: 1-888-884-8681
TTY: 1-888-897-2811

Collect calls accepted in all locations
www.manitoba.ca/hrc

Office of the Manitoba Ombudsman Winnipeg

750 - 500 Portage Avenue
Winnipeg, MB R3C 3X1
Ph: 204-982-9130
Toll Free: 1-800-665-0531
Fax: 204-942-7803

Brandon

202 Scotia Towers
1011 Rosser Avenue
Brandon, MB R7A 0L5
Ph: 204-571-5151
Toll-free: 1-888-543-8230
Fax: 204-571-5157
www.ombudsman.mb.ca

Office of the Children's Advocate

100 – 346 Portage Avenue
Winnipeg, Manitoba R3C 0C3
Ph: 204-988-7440
Toll Free: 1-800-263-7146
Fax: 204-988-7472
www.childrensadvocate.mb.ca

The content of this publication may be subject to change. Check the websites of the Manitoba Human Rights Commission, the Children's Advocate or the Ombudsman for updates.