

How does Legislation Support and Recognise Dyslexia Currently?



Every state, county and territory of every English speaking country in the world has different legislation for dyslexic individuals.

It is important to be aware of the legislation and also the legal rights of people with Dyslexia and Specific Learning Difficulties/Disabilities.

For example, Dyslexia assessments are a legal right for a child with 'special educational needs' in the UK and children with 'Specific Learning Disabilities' in the USA. In the UK and USA, parental involvement in the assessment process is also ensured by legislation.

In the UK, the 1981 Education Act allows parents to request a free assessment for their child if they have a 'special educational need' – that is significantly greater difficulty in learning than the majority of children their age.

In the USA, a free evaluation prior to the creation of an educational plan is one of the key provisions of Public Law 94-142.

In other countries, legislation and the law are not so definitive. Dyslexia assessments can still be obtained but may not be a legal right.

How does the support provisioned in legislation work in practise?

Young people who have Dyslexia and who have an identified need in line with the legislation, will often require special educational provision and/or support. The nature of that provision will depend on the severity and type of need experienced by the learner.

Generally, for learners with Dyslexia, it is expected that needs will be met in the classroom through high quality teaching and differentiated learning materials.

For many there may also be need for learners to have access to specialist teaching to meet their needs. It is unusual for such provision to be accessible within a mainstream setting, as resources tend not to allow the budget for such specialist Dyslexia intervention. As such, while small group literacy intervention support may take place, the likelihood is that it is not run or overseen by a Dyslexia specialist teacher.

Please find a number of pieces of legislation and government publications that relate to dyslexia below:

Australia

Disability Discrimination Act (1992) <https://docs.education.gov.au/node/35941>
Disability Standards for Education (2005) <https://docs.education.gov.au/node/16354>

Canada - Ontario

http://www.edu.gov.on.ca/eng/document/policy/os/2017/spec_ed_content.html

Hong Kong

https://www.dhcas.gov.hk/en/information_SEN.html

NZ

<https://www.parents.education.govt.nz/primary-school/learning-at-school/how-to-support-a-child-with-dyslexia/>

Scotland

<https://education.gov.scot/improvement/research/Dyslexia%20and%20inclusive%20practice:%20An%20overview>

Singapore

<https://www.moe.gov.sg/education/special-education/mainstream-schools>

UK

- **The Equality Act 2010:** This means that dyslexia is legally a disability. The act does not mention any disability specifically by name but accompanying guidance and case law affirm that dyslexia is encompassed by the act.
- **The Children & Families Act 2014:** This act legislates for support for young people with dyslexia in education.
- **The SEND Code of Practise 2014:** Statutory guidance for organisations which work with and support children and young people who have special educational needs or disabilities.

USA

<https://app.box.com/s/8b5755tt5fqixqk29bnr1ozlpunw6uk9>

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