

Whole Language on Trial

A case now before the British Columbia Human Rights Tribunal has huge implications for children with all kinds of learning difficulties.

By Heather Maahs

At the end of grade 3, Jeffrey Moore couldn't identify all the letters of the alphabet, nor could he always successfully count to ten. He suffered migraine headaches so severe he often vomited. Jeffrey, a dyslexic, is the boy at the centre of a case currently before the Human Rights Tribunal in British Columbia.

In 1991, Jeffrey began kindergarten. For the next four years, his parents, Rick and Michelle, did as they were told by Jeffrey's teachers, the learning assistance teacher, and the psychologist, all of whom believed they knew what was best academically for the child.

Rick and Michelle read to Jeffrey and helped him with his homework. When the teacher told them to hire an Orton Gillingham tutor, they did so, even though this required them to pay out of their own pocket and the tutoring to be done outside school hours.

Due to budget cuts, the North Vancouver School District had closed the only resource classroom that specialized in programs for students such as Jeffrey. Subsequently, the teachers told the Moores they had no other option than to place their son in Kenneth Gordon, a private school for dyslexic children.

Rick and Michelle were devastated. Although they were eager to see their son in an environment that knew best how to teach their son, they were reeling from the \$10,000 per year it would cost them and saddened by the fact that their son would be taken away from his neighbourhood school and his friends. At great personal sacrifice, they managed to come up with the necessary funds. There were no other options.

Despite the enormous upheaval to the young student, Jeffrey's life dramatically improved in the first year at Kenneth Gordon. He began to succeed academically — and his headaches began to subside.

Seeing the success his son was finally beginning to enjoy, Rick Moore decided to lodge a complaint with the Human Rights Commission,

claiming that the failure of the North Vancouver School District and the Ministry of Education to provide an education for his son contravened the Charter of Rights and that Jeffrey was being systemically discriminated against.

In one of Rick Moore's ten Complaints, he states:

"The Ministry of Education is aware that dyslexic children can be successfully taught to read using a multi-sensory approach based on the Orton Gillingham method as taught in independent schools Kenneth Gordon, James Cameron and Fraser Academy. These schools are attested to by a long term study at UBC and the Ministry of Education's External Evaluation Team. This teaching method is not available in public schools in BC."

What *is* available in BC's public schools is a method called whole language. Whole language has left a path of devastation among the many students in its wake such as Jeffrey.

Instead of actually teaching students to read in an explicit, systematic, phonetic, and direct way, it teaches students to rely on pictures, guessing, and context.

Most dyslexic students will not learn to read by this method, as was demonstrated by the first four futile years of Jeffrey's schooling.

In allowing the complaint to proceed to the Commission, Justice Shaw of the BC Supreme Court recognized Rick Moore's complaints, stating: "In my opinion, each complaint makes allegations of what can only be described as systemic discrimination in regard to dyslexic children throughout the Province of British Columbia."

The implications of this case are huge for everyone concerned with education. The ruling enabling this case to be heard indicates that ministries and districts can be held responsible and accountable for the education of their students.

No other cases in Canada related to students' needs going unmet in

school systems have gone this far. The vast majority were summarily dismissed due to "educational malpractice, not known in law."

The hearings began October 1, 2001, with the Moores' lawyers presenting their case to the Human Rights Tribunal. One of the witnesses for the Moores was Dr. Barbara Bateman, a lawyer and professor of special education at the University of Oregon. Dr. Bateman discussed the need for explicit instruction in phonics and phonemic awareness, instead of the incidental teaching of phonics.

In pointing out that this was not a 'new' method, Dr. Bateman said, "This information has been available since the late 1970s, albeit known with absolute scientific certainty since at least the early 1900s."

When asked under cross-examination by the school district lawyer, "You wouldn't expect teachers to read neurological journals, would you?", Dr. Bateman replied: "Imagine if you will doctors who don't keep regularly updated in current research and practices."

What has taken place so far could be construed as "The Monkey Trial of Education." Just as Evolution vs Creation went on trial back in the early part of the 20th century, this case puts reading methodology on trial: Whole Language vs Phonics.

Meanwhile, Jeffrey, now in grade 10, continues to enjoy success in his private school. Michelle stated that her son is much happier and the headaches he was plagued with have all but disappeared.

The hearings concluded on Thursday, October 25, and will reconvene in February 2002 when the North Vancouver School District and the Ministry of Education present their sides of the argument.

(Mrs. Maahs, the mother of a dyslexic 17-year-old son, has been a certified Orton Gillingham tutor for the past nine years. She has actively advocated for her son and other students like him for the past 13 years.)