

PROCEDURE

Student Use of Service Animals

1. Purpose

- a) It is the policy of the Keewatin-Patricia District School Board (KPDSB) in accordance with its obligations pursuant to the Ontario Human rights Code to provide individualized accommodation to students with disabilities to enable them to have meaningful access to education services in a manner that respects their dignity, maximizes integration, and facilitates the development of independence.
 - i) The School Board utilizes differentiated programming, interventions, and strategies to provide meaningful access to education for students who have disability-related needs that impact their learning.
 - ii) The School Board does not provide Guide Dogs, Service Dogs, or Service Animals to students.
 - iii) The School Board encourages any family considering the purchase of a Guide Dog, Service Dog, or Service Animal to meet with the school Principal and/or Superintendent before making a commitment.
- b) The Procedure identifies the individualized process to be followed when an adult student or parent/guardian applies to the School Board to have a Guide Dog, Service Dog, or Service Animal accompany the student while the student is attending school or a school-related event.
- c) Pursuant to the Education Act and Regulations, a school building is not a place to which the public is customarily admitted. Pursuant to the Education Act and Ontario Regulation 474/400 Access to School Premises, the KPDSB requires each school to have a process for visitors.
- d) Any determination of whether a Guide Dog, Service Dog, or Service Animal is an appropriate accommodation for a student while receiving education services is a decision of the School Board. A regulated health professional cannot unilaterally

Cross References
 Education Act
 Policy on Accessible Education for Students with Disabilities – Ontario Human Rights Commission, 2018
 Ontario Human Rights Code
 Ontario Regulation 474/400 Access to School Premises
 Meghan Search and Rescue Standard in Support of Accessibility
 Workplace Safety Insurance Act, 1997
 Blind Persons' Rights Act
 The Accessibility for Ontarians with Disabilities Act, 2005
 Ontario's Health and Promotion and Protection Act
 Policies
 323, Student Use of Service Animals
 329, Progressive Discipline & Promoting a Positive School Climate
 503, Equity and Inclusive Education
 Procedures
 321, Safe and Supportive Schools
 503, Equity and Inclusive Education

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prescribe that a Guide Dog, Service Dog, or Service Animal be a specific accommodation while the student is receiving education services at school.

- e) When an adult student or parent/guardian seeks to have their child attend school, or school-related events, with a Guide Dog, Service Dog, or Service Animal, both the Guide Dog/Service Dog/Service Animal and the Student Handler must be certified as having been successfully trained by an accredited training facility.
- i) Only in exceptional circumstances subject to the standards of undue hardship pursuant to the Human Rights Code, will the School Board consider an application for a student who will not be acting as the primary trained Handler of the Guide Dog/Service Dog/Service Animal.
- f) Only in exceptional circumstances subject to the standards of undue hardship pursuant to the Human Rights Code, will the School Board consider Service Animals, other than dogs, as accommodation for a student and only if other reasonable methods of accommodation in the school setting have been unsuccessful in meeting the demonstrated disability-related learning needs of the student.

2. Background

Service Animals have traditionally been highly trained dogs that assist individuals with various tasks of daily living (i.e., Guide Dog, Hearing and Signal Dogs, Mobility Assistance Dogs, Seizure Response Dogs, etc.).

In most circumstances, a Guide Dog will be a highly trained dog provided to support the orientation and mobility needs of a Student Handler who has a diagnosis of blindness/low vision, and the Guide Dog will provide the Student Handler with greater independence, dignity, and opportunity for integration.

The term Service Animal is used in the Accessibility Standards for Customer Service made under the Accessibility for Ontarians with Disabilities Act (AODA), to describe an animal that assists an individual with a disability to be able to access goods and services available to the public. A school is not a public space and is not generally accessible to the public. The AODA does not apply to a student's use of a Service Dog/Service Animal when accessing education services in school buildings.

- a) Pursuant to the Code it is possible that a Service Animal might include different species that provide a therapeutic function (i.e., horses, etc.), emotional support, sensory function, companionship, and/or comfort.

- b) The determination of whether the animal is an appropriate accommodation in the school setting to accommodate a demonstrated disability-related learning need is a decision of the School Board.
- i) Such a decision will consider that animals, other than dogs, are not trained by an Accredited Training Organization and may pose a risk to the safety of students and staff, and/or may be disruptive to the learning environment and/or may act as a distraction in the learning environment.

Due to risks to safety, and risks of disruption and distraction in the learning environment, the School Board does not permit training of potential Guide Dogs and Service Dogs in the school setting or during school activities.

3. Definitions

For the purpose of this Procedure, the following definitions apply:

“Accredited Training Organization” is a Guide Dog or Service Dog trainer that is accredited by:

- International Guide Dog Federation (IGDF) which develops and ensures compliance with the standards by which Guide Dogs for the blind/low vision are trained by its member organizations;
- Assistance Dogs International (ADI) which develops and ensures compliance with the standards by which Guide, Hearing, and Service Dogs are trained by its member organizations; or
- A Guide Dog or Service Dog trainer that attests to compliance with the Meghan Search and Rescue Standard in Support of Accessibility: Persons with a Disability Teamed with Service Dogs standard for training (MSAR).

“Adult Student” shall be defined to mean a student who is eighteen (18) years of age, or older, or sixteen (16) or seventeen (17) years of age and has removed themselves from the care and control of their custodial parent.

“Disability” means:

- Any degree of physical disability, infirmity, malformation, or disfiguration that is caused by bodily injury, birth defect or illness, and without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a Guide Dog or other animal, a wheelchair, or other remedial appliance or device;
- A condition of mental impairment or a developmental disability;

- A learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language
- A mental disorder; and/or
- An injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

“Guide Dog” means a dog trained as a guide for a blind person having the qualifications prescribed by the regulations pursuant to the Blind Persons’ Rights Act.

“Handler” refers to the individual trained by an Accredited Training Organization who is managing the Guide Dog/Service Dog and in most cases will be the student for whom the Guide Dog/Service Dog is provided.

“Parent” shall be defined to mean a custodial parent of the student or a guardian pursuant to the Education Act.

“Service Dog” means a dog which has been certified after successfully completing a training program provided by an Accredited Training Organization.

“Service Animal” for the purpose of this Procedure includes a therapy dog, companion animal, comfort animal, and/or emotional support animal, and includes a dog or other domesticated animal that may legally reside in an urban, residential home that is not highly trained to perform particular tasks to assist with a student’s disability-related needs but provides emotional support (and/or companionship, calming influence, etc.) for a student with disability-related mental health and/or psychological need, and/or comfort during a difficult period.

4. Roles and Responsibilities

a) Principals

School Principals are responsible for the management of the school premises, the staff providing educational programs, and the safety of all students.

- i) A school Principal has authority to exclude any animal including Guide Dogs/Service Dogs from entry onto school premises and school buildings as an accommodation for a student, provided that the student is offered appropriate alternative accommodation to meet the student’s demonstrated disability-related learning needs.
- ii) School Principals, before admitting a Guide Dog/Service Dog into the school or school-related activity with the Student Handler, shall require a parent/adult student to submit a completed application (included in Appendix A of the Procedure).

- iii) Before admitting a Service Animal, the school Principal shall require the parent/adult student to submit a completed application (included in Appendix B of the Procedure).

On receipt of an application for a Guide Dog/Service Dog or Service Animal, the school Principal shall review the application for completeness and may request any additional information or clarification necessary to assess the request for accommodation.

The school Principal shall be responsible for communication with the parent/adult student with respect to the accommodation process, and where approved, the implementation and management of the accommodation.

Where a student supported by a Guide Dog/Service Dog or Service Animal whose parent is the Handler seeks only to attend a school excursion with the Guide Dog/Service Dog or Service Animal which is a location where the public is customarily admitted, efforts will be made to facilitate the student's participation with the Guide Dog/Service Dog or Service Animal, and parent as the Handler. Inquiries may need to be made regarding competing rights and transportation arrangements.

b) Parents/Adult Students

Parents or Adult Students are required to provide all necessary documentation and engage in consultation processes for the purpose of considering and implementing, if appropriate, the request that a Guide Dog/Service Dog accompany the student at school and/or school-related activities. The parent or adult student shall be responsible for:

- i) Submission of Appendix A of this Procedure;
- ii) All costs related to the dog, food, grooming, harness, crate and/or mat, and veterinary care;
- iii) Obtaining training and maintaining the Guide Dog/Service Dog training to provide the accommodation in a safe manner that does not disrupt student learning;
- iv) Providing confirmation of municipal license for the dog (to be updated annually);
- v) Providing confirmation of certificates of training not older than six (6) months from an Accredited Training Organization attesting that the dog and Student Handler have successfully completed training and may safely engage in a public setting without creating a risk of safety or disruption within a school setting;
- vi) Diagnosis from a registered pediatrician, psychologist, psychiatrist (or other regulated health professional as determined by the School Board) with a recommendation for the use of a Guide Dog/Service Dog;
- vii) A description of the services provided by the Guide Dog/Service Dog to the student, and how those services will accommodate the student's disability-related

needs and assist the student in achieving their learning goals, and/or goals of daily living while at school;

- viii) A certificate not greater than three (3) months old from a veterinarian, qualified to practice veterinary medicine in the province of Ontario, attesting that the dog is an adult, identifying the age and breed, does not have a disease or illness that might pose a risk to humans, has received all required vaccinations, and is in good health to assist the student (to be updated annually); and
 - ix) General liability insurance providing coverage in an amount specified by the Board¹ in the event of an injury or death as a result of the Guide Dog/Service Dog's attendance on school property, or on a school-related activity (to be updated annually)².
- c) Students

Students will be expected to act as the Guide Dog, Service Dog, or Service Animal's primary Handler. The Student Handler must:

- i) Demonstrate the ability to control the Guide Dog/Service Dog/Service Animal in accordance with the training received;
 - ii) Ensure that the Guide Dog/Service Dog/Service Animal is always wearing a vest and leash or harness when the animal is not in its crate;
 - iii) Ensure the Guide Dog/Service Dog/Service Animal does not disrupt the learning of others with unnecessary movement, vocalization, or other behaviour, including aggressive or threatening behaviour;
 - iv) Ensure that the Guide Dog/Service Dog/Service Animal's biological needs are addressed;
 - v) Transition and maintain, at all times, the Guide Dog/Service Dog/Service Animal on a leash, harness, mat, and/or crate; and
 - vi) Comply with an accommodation plan that addresses the competing rights of others.
- d) Guide Dog/Service Dog/Service Animal

The Guide Dog/Service Dog/Service Animal:

- i) Shall be highly trained and certified by Accredited Training Organization (Guide Dog/Service Animal Only) and will have evidence of training or re-certification confirming compliance with training requirements within the last six (6) months;
- ii) Must be groomed and clean;

¹ Usually two (2) million in general liability insurance coverage is requested. This requirement might need to be waived on the basis of equity in the event that it causes financial hardship for a family. ² Insurance should not pose a barrier to the provision of accommodation as a result of socio-economic factors.

- iii) Must, at all times while on school property, be responsive to commands and demonstrate that it can perform the necessary tasks or accommodation(s);
- iv) Must not engage in behaviour that puts at risk the safety of others, including other animals, or that creates disruption or distraction in the learning environment;
 - Such behaviour includes, but is not limited to, growling, nipping, vocalizing, attention-seeking, eating;
 - Any such behaviour is grounds to prohibit the Guide Dog/Service Dog/Service Animal's attendance on school property and in the school building.
- v) Must have control of its biological functions so as not to soil the inside of buildings, or require feeding during the school day; and
- vi) Must demonstrate continuous appropriate behaviour with its Handler and others in the school environment to remain eligible for entry in school buildings or school-related events.

5. Assessment of the Accommodation Request

Once the application and all necessary documentation are received by the school Principal, a review will take place by the KPDSB team supporting the student and a meeting shall be scheduled to review the accommodation request. Every effort will be made to review the documentation and schedule a meeting in a reasonable time frame.

A meeting with the KPDSB team supporting the student, the parent/adult student and student (as appropriate), the health professional recommending the Guide Dog/Service Dog/Service Animal for the student, the trainer of the Guide Dog/Service Dog/Service Animal and of the Handler, and any other individuals who may contribute to the accommodation process may be scheduled to review the request for accommodation.

Each request for a Guide Dog/Service Dog/Service Animal will be addressed on an individual basis considering:

- a) The individual learning strengths and needs of the student, the student's IEP goals, safety plan, behaviour plan, and/or student's medical plan of care (if any). Supporting documents such as psychological assessments, occupational or physical therapy assessments, functional behaviour assessments, etc. will be required;
- b) Evidence of how the Guide Dog/Service Dog/Service Animal's attendance at the school might provide accommodation for a demonstrated disability-related learning need and/or act of daily living, provide emotional support for a student with a disability-related mental health and/or psychological need, and/or comfort during a difficult period that is necessary while at school;
- c) Assessment information provided by a regulated health professional with expertise regarding the student's disability-related needs supporting the request for a Guide Dog/Service Dog/Service Animal;

- d) The training document(s) and certification of the Guide Dog/Service Dog/Service Animal and student as the Handler;
- e) The impact of the accommodation on the student's dignity, integration, and independence;
- f) Whether one or more alternative accommodations can meet the needs of the student;
- g) Whether the student's attendance with a Guide Dog/Service Dog/Service Animal might require an increase in the level of staff support provided to the student;
- h) Whether training will be required for the staff and/or the student;
- i) The impact of the accommodation on the learning environment for the student and other students, including health, safety, disruption, and distraction; and
- j) Any competing human rights of students, staff, and community members using the school pursuant to a permit, along with recommendations for accommodation plans to reconcile competing rights (if necessary).

The process of accommodation, including inquiries regarding competing rights and notice to the school community, shall respect the student's right to privacy regarding their disability and specific learning needs, needs of daily living, and/or disability-related mental health/psychological needs.

Where the student is not the primary Handler, KPDSB staff must be trained as the Handler(s) and accompany the student and dog at all times. As a result, such requests will be individually considered, in accordance with the duty to accommodate to the point of undue hardship, including consideration of the resource required, alternative accommodations that might meet the student's demonstrated disability-related learning needs, needs of daily living, and/or disability-related mental health/psychological needs and the impact on the staff and other students.

Service Animals shall only be considered when reasonable methods of accommodation in the school setting have been unsuccessful in meeting the demonstrated disability-related learning needs, daily living needs, and/or mental health/psychological needs of the student. Parents must complete an application for a Service Animal (included in Appendix B of this Procedure).

- The accommodation process following a request by a parent/adult student for a Service Animal shall be consistent with the process noted above, but shall also include any special considerations that may arise if an animal is a species other than a dog, including the ability to be trained, necessary biological functions, the capacity for the animal to respond to commands, whether the animal may be

kept on a leash/harness/mat or in a crate, and how such restrictions might impact accommodation.

The determination with respect to the application for a Guide Dog/Service Dog/Service Animal shall be communicated to the parent/adult student in writing.

6. Implementing the Accommodation

Where approval is granted, the school Principal, in consultation with the student's educational team, will do the following:

- a) Make changes to the student's IEP goals and/or student's medical plan of care:
 - i) May provide for the accommodation on an interim trial basis, in which case the indicators of success, or lack of success, for this form of accommodation will be identified before the trial period begins;
- b) Organize an orientation session for school staff, students, and the Student Handler;
- c) Develop a timetable identifying a bio-break, water break, location/process to be followed during instructional and non-instructional times:
 - i) Access may be limited to certain activities, areas of the school, or certain times of day; and
 - ii) Assessment may be required by the School Board's Health and Safety Officer. Health and safety issues may be applicable to different areas/activities in the school;
- d) Develop emergency procedures to include a fire exit plan, lockdown plan, and evacuation plan;
- e) Provide notice to the community via a letter to parents, posting on the school's website/social media, presentation by the trainer of the Guide Dog/Service Dog/Service Animal during a School Council meeting or association supporting the use of the Service Animal, signage on the school's front door, gymnasium, and library doors, communication to potential occasional staff accepting a position where the Guide Dog/Service Dog/Service Animal may be providing service to the student;
- f) Organize a student assembly for introduction and orientation regarding the Guide Dog/Service Dog/Service Animal;
- g) Identify how the animal will be readily identifiable;
- h) Plan the classroom environment (i.e., seating arrangements, etc.); and
- i) Arrangements for transportation of the Guide Dog/Service Dog or Service Animal to and from school, if necessary;

- i) If the Guide Dog/Service Dog or Service Animal will be accompanying the student on a school vehicle, inquiries must be made regarding competing rights, the transportation plan must specify where the Guide Dog/Service Dog or Service Animal and the student will be located. The vehicle shall have a sticker/sign identifying the presence of a Guide Dog/Service Dog or Service Animal is on board.
- ii) Documentation about the Guide Dog/Service Dog or Service Animal will be included with the route information so that new or substitute bus drivers are aware of the Guide Dog's/Service Dog's or Service Animal's presence.
- iii) Specialized transportation shall not be provided solely for the purpose of enabling the Guide Dog/Service Dog or Service Animal to travel to and from school with the student.

7. Continuous Assessment

A review of the effectiveness of the Guide Dog/Service Dog/Service Animal in supporting the student's learning goals shall be undertaken as part of each review of the student's IEP, in the event of a Violent Incident Report, and as otherwise deemed necessary by the Principal.

Approval may be revoked at any time by the Principal if:

- a) There are any concerns for the health and safety of students, staff, or the Guide Dog/Service Dog/Service Animal;
- b) There is behaviour that is distracting, disruptive, or aggressive, including making noise, failing to follow commands, growling, or nipping. In the event that this behaviour occurs, the Handler will be required to remove the Guide Dog/Service Dog/Service Animal from the classroom immediately and the student's parent(s)/guardian(s) will be called to pick up the Guide Dog/Service Dog/Service Animal from the school. Alternative options for accommodation will be discussed;
- c) There has been a change to the student's circumstances or disability-related needs, which had supported the original approval, or a change to the needs of students/staff such that there is a new competing right; and/or
- d) The KPDSB in its discretion determines that the accommodation is not effective for the student's demonstrated disability-related learning needs, acts of daily living, and or disability-related mental health/psychological needs.

8. Records

A copy of the application and confirmation of approval, as well as any other relevant documents supporting the accommodation, shall be retained in the student's Ontario Student Record.

The School Board shall be required to collect, use, and disclose the personal information of the student in order to fulfill the accommodation process. Notice of the collection, use, and disclosure must be provided to the parent(s)/guardian(s) or adult student. Efforts should be made to limit personal information to only that which is necessary.

The Board is required to collect information regarding the implementation of the policy and procedure regarding Guide Dogs and Service Animals, including:

- a) Total number of requests for students to be accompanied by Guide Dogs/Service Dogs/Service Animals:
 - i) Whether the requests are elementary or secondary schools;
 - ii) The student's grade; and
 - iii) Whether the student is the Handler.
- b) The number of requests approved and denied:
 - i) If denied, the rationale for the decision, including a description of other supports and/or services provided to the student to support their access to the Ontario Curriculum;
 - ii) Species of Service Animals requested and approved; and
 - iii) Types of needs being supported: emotional, social, psychological, physical.

9. Food Areas

Under Ontario Regulation 562, of Ontario's Health Promotion and Protection Act, only Guide Dogs/Service Dogs are allowed to be in areas where food is served, sold, and offered for sale. Other Service Animals are not permitted in school cafeterias. No animals, including Guide Dogs/Service Dogs are allowed in areas where food is prepared, processed, or handled such as the kitchen of the school cafeteria, or the hospitality classroom.