

## ADMINISTRATIVE PROCEDURES

### FACILITATING THE USE OF GUIDE DOGS AND SERVICE ANIMALS BY STUDENTS (Policy Statement: Accessibility Standards)

#### Purpose

The purpose of this Administrative Procedure is to outline the parameters and process regarding the use of Guide Dogs and Service Animals by students in schools in the Algonquin and Lakeshore Catholic District School Board. When a parent/guardian requests that a Guide Dog/Service Dog/Service Animal accompany a student to support his or her educational environment, due consideration and diligence must be given to all factors impacting students and staff in a school, specifically those related to life-threatening allergies and disability. Each request shall be reviewed individually by the Algonquin and Lakeshore Catholic District School Board considering the student's dignity, integration, independence and learning needs as well as the accommodations available to enable meaningful access to education. The health and safety of all persons in the school is important and, therefore, any accommodation needs must be individually assessed and addressed.

#### References

*Canadian Charter of Rights and Freedom*  
*Ontario Human Rights Code*  
*Ontarians with Disabilities Act*  
*Blind Persons' Rights Act*  
*Policy/Program Memorandum No. 163*

#### Procedures

##### **1. Background**

The use of a Guide Dog/Service Dog/Service Animal is a strategy employed by some individuals with disabilities to assist in managing their environment. The use of a Guide Dog/Service Dog/Service Animal is implemented in the school with extensive consultation and clearly outlined responsibilities for all parties with respect to the animal's handling and communication of the animal's presence to the school community. A regulated health professional cannot unilaterally prescribe that a Guide Dog/Service Dog/Service Animal be a specific accommodation while the student is receiving education services at school.

Only in exceptional circumstances subject to the standards of undue hardship pursuant the Human Rights Code, will the School Board consider Service Animals, other than dogs, as an 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. The determination of whether the animal is an appropriate accommodation in the school setting 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.

The Accessibility for Ontarians with Disabilities Act (AODA) and Human Rights Code provide authority for Guide Dogs/Service Dogs/Service Animals to accompany their handlers in all public places. 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 Guide Dog/Service Dog/Service Animal when accessing education services in school buildings.

Due to risks of 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.

## 2. Definitions

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; or
- 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
- National Service Dogs Training Centre, Guide Dogs of Canada Training Centre, or equivalent registered organization (as determined by the Board).

Disability means:

- any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defects 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 or on 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 using symbols or spoken language,

- a mental disorder, 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 (handicap)

Guide Dog means a dog trained as a guide for an individual who is blind or who has low vision.

Handler refers to the individual trained by an Accredited Training Organization who is managing the Guide Dog/Service Dog. In most cases, the handler is the person for whom the dog is provided (the student) or if the student is too young to be the handler, the Educational Assistant working with the student will be the “handler”.

Service Animal for the purpose of this procedure includes a therapy dog, companion animal, comfort animal and 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 for a student with a disability-related mental health and/or psychological need and/or comfort during a difficult period.

Service Dog means a dog that provides support relating to a student’s disability to assist that student in meaningfully accessing education. Service Dogs must be registered in Canada and successfully complete a training program provided by an Accredited Training Organization.

### 3. Roles and Responsibilities

#### Principals:

- 3.1 School Principals are responsible for the management of the school premises, the staff providing educational programs and the safety of all students.
  - (a) A school Principal has authority to exclude any animal, including Guide Dogs/Service Dogs and Service Animals, from entry onto school premises and school building(s), 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.
  - (b) School Principals, before admitting a Guide Dog/Service Dog into the school or on school related activities with the student, shall require a parent/guardian to submit **Form A** with all requested documentation.
  - (c) Before admitting a Service Animal, the school Principal shall require the parent/guardian to submit **Form B** with all requested documentation.
- 3.2 On receipt of an application for a Guide Dog/Service Dog or Service Animal, the school Principal shall:

- (a) inform the Superintendent of Education responsible for Special Education;
- (b) review the application for completeness;
- (c) request any additional information or clarification necessary to assess the request for accommodation.

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

**3.4** Where a student supported by a Guide Dog/Service Dog/Service Animal, whose parent is the Handler, seeks only to attend a school excursion with the Guide Dog/Service Dog/Service Animal, which is at a location where the public is customarily admitted, efforts will be made to facilitate the student's participation with the Guide Dog/Service Dog/Service Animal and parent as the Handler.

- (a) Inquiries may need to be made regarding competing rights and transportation arrangements.

**Parents/Guardians:**

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

- (a) submission of **Form A or B**;
- (b) all costs related to the dog, food, grooming, harness, crate and/or mat and veterinary care;
- (c) obtaining training and maintaining the Guide Dog/Service Dog/Service Animal training to provide the accommodation in a safe manner that does not disrupt student learning;
- (d) providing confirmation of municipal license for the dog (to be updated annually),
- (e) providing confirmation of certificates of training not older than 6 months from an Accredited Training Organization attesting that the dog and Handler have successfully completed training and may safely engage in a public setting without creating a risk of safety or a risk of disruption within a school setting.
- (f) documentation of a professional diagnosis of a disability which can be ameliorated through the use of a Guide Dog/Service Dog/Service Animal.
- (g) providing a current letter from a member of the College of Physicians and Surgeons or the College of Psychologists confirming the diagnosis and recommendation for Guide Dog/Service Dog/Service Animal support.
- (h) A written request from the parent/guardian outlining the benefits and services provided by the Guide Dog/Service Dog/Service Animal 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 goals of daily living while at school
- (i) 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)

- (j) Proof of general liability insurance providing coverage in the event of an injury or death as a result of the Guide Dog/Service Dog/Service Animal's attendance on school property or on a school-related activity (to be updated annually). This requirement may be waived on the basis of equity in the event that it causes financial hardship for a family.

### **Students and Handlers**

3.6 The student and/or Handler must:

- (a) Demonstrate the ability to control the Guide Dog/Service Dog/Service Animal in accordance with the training received;
- (b) ensure that the Guide Dog/Service Dog/Service Animal is always wearing a vest and leash or harness when the dog is not in its crate.
- (c) 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;
- (d) ensure that the Guide Dog/Service Dog/Service Animal's biological needs are addressed;
- (e) transition and maintain at all times the Guide Dog/Service Dog/Service Animal on a leash, harness, mat and/or crate;
- (f) comply with an accommodation plan that addresses the competing rights of others.

### **Guide Dog/Service Dog**

3.7 The Guide Dog/Service Dog:

- (a) shall be highly trained and certified by an Accredited Training Organization
- (b) must be groomed and clean;
- (c) must at all times while on school property be responsive to commands and demonstrate that it can perform the necessary tasks or accommodation;
- (d) must **not** engage in behaviour that puts the safety of others at risk, or that creates disruption or distraction in the learning environment. Such behaviour includes, but is not limited to, growling, nipping, barking, attention seeking, and eating.
- (e) must have control of its biological functions such that it will only relieve itself in a designated area apart from the school yard.
- (f) 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.

#### 4. Assessment of the Accommodation Request

- 4.1 Once the application and all necessary documentation is received by the school Principal, a meeting will be scheduled with the school team and a Board representative to review the accommodation request. Every effort will be made to review the documentation and schedule a meeting in a reasonable timeframe. The team may choose to consult with parents, the student (as appropriate), the health practitioner recommending the Guide Dog/Service Dog/Service Animal, the trainer of the Guide Dog/Service Dog/Service Animal, and any other individuals who may contribute information to help the team review the request for accommodation.
- 4.2 Each request for a Guide Dog/Service Dog/Service Animal will be addressed on an individual basis giving consideration to:
- (a) the individual learning strengths and needs of the student, the student's IEP goals, Behaviour Plan, Safety Plan and/or Medical Care Plan (if any);
    - i. supporting documents such as psychological assessments, occupational or physical therapy assessments, functional behaviour assessments, etc.
  - (b) evidence of how the Guide Dog/Service Dog/Service Animal's attendance at school might provide accommodation for a demonstrated disability-related learning need and/or act of daily living 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 and certification of the Guide Dog/Service Dog/Service Animal and student as 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 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;
  - (j) any competing human rights of students, staff, and community members using the school pursuant to a permit;
    - i. recommendations for accommodation plans to reconcile competing rights.
- 4.3 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 and/or needs of daily living.
- 4.4 Where the student is not the primary Handler, Board 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 resources required, alternative accommodations that might meet the student's demonstrated disability-related learning needs and the impact on the staff and other students.

- 4.5 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 of the student. Parents must complete an Application for a Service Animal included in **Form B** of the Procedure.
- (a) 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, the ability to control necessary biological functions, the capacity for the animal to respond to commands, whether the animal may be kept on a leash/harness/crate/mat and how such restrictions might impact accommodation.
- 4.6 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. Sample letters for accepting or denying requests are found in **Appendix 1 and 2**.

## 5. Implementing the Accommodation

- 5.1 Where approval is granted, the school Principal will schedule a Team Meeting with parent/guardian, the Handler (student or Educational Assistant), Classroom Teacher, Educational Assistant(s), Special Education Resource Teacher, Coordinator of Student Services and Superintendent of Education responsible for Special Education (or designate) and other support staff as deemed appropriate by the Principal to discuss:
- (a) The type of support that the animal will provide (purpose and function);
- (b) Consistency of the use of Guide Dog/Service Dog/Service Animal with the needs statements outlined in the student's Individual Education Plan (IEP);
- i. The team 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 begins.
- (c) The impact of the involvement of the Guide Dog/Service Dog/Service Animal on the classroom and school community; including reaction of peers, interference with the delivery of academic programs, possible changes to in-class routines and procedures, increased demands on resource staff and teachers, other children who may be allergic to dogs, recognition of children with fear of dogs, and cultural sensitivity to groups that will not share living space with an animal;
- (d) Concerns that must be addressed and procedures that must be followed before the dog can begin attending with the student;
- (e) 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

the day, including but not limited to, where exclusion is required pursuant to the Health Protection and Promotion Act of the Food Safety and Quality Act 2001, which prohibit Service Animals from being in places where food is prepared, processed, or handled

- ii. Assessment may be required by the Health and Safety Officer to determine health and safety issues applicable to different areas/activities in the school;
  - iii. This timetable will be shared with employees and service providers.
- (f) A review of seating plan and discussion of how the Guide Dog/Service Dog/Service Animal will be accommodated in the classroom space;
- (g) Emergency procedures, including a fire exit plan, lockdown plan, and evacuation plan;
- (h) Protocol for others in the classroom/school to observe with the working dog;
- (i) Arrangements for transportation of the Guide Dog/Service Dog/Service Animal to and from the school and on school related trips; the Human Rights Code and the Blind Persons' Rights Act allow the service/guide dog to accompany the student/ handler on the bus;
- i. If the Guide Dog/Service Dog/Service Animal will be accompanying the student on a school bus, inquiries must be made regarding competing rights, the transportation plan must specify where the Guide Dog/Service Dog/Service Animal and student will be located; the vehicle shall have a sticker/sign identifying that a Guide Dog/Service Dog/Service Animal is on board.
  - ii. Documentation about the Guide Dog/Service Dog/Service Animal will be included with the route information so that new or substitute bus drivers are aware of the Guide Dog/Service Dog/Service Animal's presence.
  - iii. If the bus carrier transports students from other Boards, on the same bus while the dog is present, then the other Board must be notified so that the parents/guardians of the other students may be notified.
  - iv. Specialized transportation shall **not** be provided solely for the purpose of enabling the Guide Dog/Service Dog/Service Animal to travel to and from school with the student

**5.2 Additional Guiding Questions for the Team Meeting may include:**

- Who will accompany the handler/ student and dog outside?
- Where is the safest/ most environmentally sound place for the dog to relieve itself?
- Is there a suitable disposal container that the handler can reach?
- How will the handler "clean up" after the animal?
- What considerations have been made for winter conditions?
- Where is the dog's water bowl kept?
- Who will fill the water bowl?
- Who is responsible for the food and medical health care of the dog?
- Where / how will the dog be accessed by the handler / student in the classroom?
- What is the protocol in the event the handler is absent?

(Site specific questions may be added during the Team Meeting to ensure the development of an effective implementation plan.)



## 6. Development of the Plan

- 6.1 Based on the discussions of the Team Meeting, the Principal shall develop a written understanding and management plan, see **Form C and D**, with the parent/guardian that includes:
- (a) The dog's care and training is the financial responsibility of the parent/guardian;
  - (b) Liability associated with the dog's behaviour is assumed by the parent/guardian;
  - (c) The fully trained handler will provide for the personal care for the dog including:
    - i. Walking the dog;
    - ii. Providing and handling water and cleaning up the drinking area as needed;
    - iii. Allowing the dog to relieve itself in a designated area, cleaning up feces and disposing in appropriate containers (feces/urine should not be deposited in any potential play area of the schoolyard. A designated location in a non-play area should be identified);
- 6.2 Sample agreements have been included as **Form C, "Acceptance of Responsibility for Guide Dog/Service Dog" and Form D, "Management for Daily Care Plan for Guide Dogs/Service Dogs"**;
- 6.3 The parent and Principal will coordinate training from the service/guide dog organization for the school team that includes Principal, Classroom Teacher, Special Education Resource Teacher and Educational Assistant(s).

## 7. Communication to the School Community

- 7.1 Following the team meeting, the Principal will provide communication as follows to inform staff, students, families, and the larger community.
- (a) The staff, by providing general information, at a general staff meeting. This meeting should include all support staff that may not ordinarily be included in "teachers" staff meetings. Note particularly that the union representatives/branch presidents are aware of the information;
  - (b) The students and their parents/guardians in the school community via school newsletter or website article, or a letter such as **Appendix 4**. School culture, size and age of student will determine the most appropriate format;
  - (c) The students (and their parents/guardians) in the classes in which the dog will be working in case of allergies or phobias;
  - (d) Catholic School Community Council by providing general information at a council meeting;
  - (e) The Fire Department as to the presence of the service/guide dog in the school;
  - (f) The school community by posting a "Guide Dog/Service Dog/Service Animal on Duty" information poster on the main doors of the school and the specific classroom where the dog will be working. (This should be done the first day the dog arrives);

- (g) The student body through a student assembly with a presentation by the Guide Dog/Service Dog organization and possibly the handler, if appropriate, or other information session which will enable teaching of appropriate interactions with Guide Dogs/Service Dogs/Service Animals.
- (h) Communication to potential occasional staff accepting a position where the Guide Dog/Service Dog/Service Animal may be providing service to the student

## **8. Continuous Assessment**

- 8.1 A review of the effectiveness of the Guide Dog/Service Dog/Service Animal in supporting the student's learning goals shall be undertaken as deemed necessary by the Principal, and/or in the event of a Violent Incident Report.
- 8.2 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/guardian 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;
  - (d) The Board in its discretion determines that the accommodation is not effective for the student's demonstrated disability-related learning needs or acts of daily living.

## **9. Records**

- 9.1 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.
- 9.2 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/adult student. Efforts should be made to limit the personal information to only that which is necessary.
- 9.3 The Board is required pursuant to PPM 163 School Board Policies on Service Animals 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 requests are for elementary or secondary school students;
  - ii. The student's grade;
  - 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.

## 10. Food Areas

Regulation 493/17 of Ontario's *Health Protection and Promotion Act* allows Guide Dogs and Service Dogs in areas where food is served, sold, and offered for sale. Steps should be taken to ensure that Guide Dogs and Service Animals in school cafeterias, or areas where students are consuming food, are not disruptive and do not eat student food.

No animals are allowed in areas where food is prepared, processed, or handled such as the kitchen of the school cafeteria or the hospitality classroom.

## 11. Sources

*Human Rights Code, RSO 1990, c.H.19*  
*Education Act, RSO 1990, c.52, s.170(1), s.265(1); O. Reg. 298, s.11*  
*PPM 163 School Board Policies on Service Animals*  
*J.F. v. Waterloo Catholic District School Board, 2017 HRTO 1121 (CanLII)*  
*Accessibility for Ontarians with Disabilities Act, 2005, SO 2005, c. 11*  
*Blind Persons' Rights Act, RSO 1990, c.B7*  
*Dog Owners' Liability Act, RSO 1990, c.D16*  
*Health Protection and Promotion Act, RSO 1990, c.H7*

## 12. Related Documents

### **Protocol for Facilitation of Guide Dogs/Service Dogs in School – Principal's Checklist**

Form A – Application Request for Guide Dog/Service Dog  
 Form B – Application Request for Service Animal  
 Form C – Acceptance of Responsibility for Guide Dog/Service Dog  
 Form D – Management Plan for Care of Guide Dog/Service Dog

Appendix 1: Sample Letter Approving the Guide Dog/Service Dog/Service Animal  
 Appendix 2: Sample Letter Denying the Guide Dog/Service Dog/Service Animal  
 Appendix 3: Sample Letter to Employees & School Permit Holders  
 Appendix 4: Sample Letter to School Community

Appendix 5: Sample Letter to the Families of Students Sharing Transportation  
Appendix 6: Sample Letter to the Families of Students in the Class(es)

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