

## **Frequently Asked Questions – Service Dogs in Manitoba**

### ***What are Service/assistance animals?***

A Service animal is not a pet. A Service animal in schools is a guide dog or other animal that is specifically trained to do work or perform tasks for an individual with a disability that relates to that individual's disability. The use of specially trained Service animals is one strategy used to accommodate the special learning needs of some students.

Examples of work or tasks performed by Service animals in Manitoba include:

- guiding a person who is blind or visually impaired;
- alerting a person who is deaf or hearing impaired;
- pulling a wheelchair;
- alerting or protecting a person who is having a seizure;
- reminding a person to take their medication; or
- calming, and keeping safe, a child with Autism.

Service animals must wear a distinctive harness/saddlebag or vest. Service animals should be under control at all times. The animal should be harnessed, leashed or tethered unless these devices interfere with the work or task that they perform, or if the individual's disability prevents using these devices. In those instances, the individual relying on the animal must maintain control of the animal through voice, signal or other means.

### ***What about animals that provide comfort and Service?***

The Human Rights Code does not cover dogs and other animals whose sole function is to provide comfort or emotional support. Dogs that are in school for reasons other than those listed under Service dogs should be covered in local policy related to animals in schools.

### ***What does The Human Rights Code of Manitoba say about people with Service dogs?***

Under *The Human Rights Code* of Manitoba discrimination is prohibited against individuals or groups with: 9(2)l “physical or mental disability or related characteristics or circumstances, including reliance on a Service animal, a wheelchair, or any other remedial appliance or device;”

Discrimination is defined in *The Human Rights Code* as a failure to reasonably accommodate an individual who possesses a protected characteristic under *The Code*, such as a mental or physical disability. Public establishments therefore have a duty to accommodate individuals with disabilities and must allow Service animals to accompany individuals with disabilities in all areas generally accessible to the public, unless it would be an undue hardship for them to do so.

A public establishment that claims that it would be an undue hardship to provide accommodation to an individual who relies on a Service animal must be able to provide actual evidence that undue hardship exists. Efforts to search for, and consider, options for accommodation, and the substance of the accommodation offered to an individual as to its sufficiency may be reviewed.

### ***Can other students interact with Service dogs?***

Service dogs are working dogs and students, staff, or members of the public should not treat them as pets. Speaking to, petting, or feeding Service dogs without the permission of their owner/handler can disrupt their concentration, potentially causing harm to the student who the dog serves.

*The Service Animals Protection Act* makes it an offence to touch, feed, interfere with a Service animal, or allow another animal to do so.

### ***Are owners responsible for how their dog behaves and appears in public?***

Yes, owners are responsible to ensure the dog can be controlled in school. This means their dogs should not growl, bark aggressively, snap, bite, or lunge at anyone at any time. Owners can be asked to leave a public place, which includes a school, if they do not control the behaviour of their Service dogs. Owners are required to clean up or arrange to clean up if their dog voids in a public place.

In schools, the parents are the “owners”. Because parents do not go to school with the dogs, some of the responsibility for day-to-day management is with the “handler” in the school.

### ***Is the student considered the “handler” for the dog?***

Only if the student is old enough and has the ability to handle the dog. In most cases, the school division assigns the role of “handler” to an educational assistant.

### ***Who will act as the Service animal’s handler in school?***

Where possible and feasible, these responsibilities should be handled by the student in the same manner as at home. A school staff member should be designated as a school handler to ensure that the student performs these responsibilities properly or performs them when the student is unable to do so. The school handler need not be with the student at all times. An alternate staff member should be identified as well. The “handler” must be trained by the same organization that trained the dog.

### ***Who is responsible for any potential damages and/or injury that may be caused by a qualified Service dog?***

Owners are liable for the actions of their Service animals and responsible to address any damages caused by their Service dog.

### ***What about students who fear dogs or have allergies***

The rights of all students must be considered in a respectful and tolerant manner. Parents should be given notice of a dog in the school, it is their responsibility to make the allergy, fear, or concern known to the Principal, and arrangements should be explored to resolve the concerns.

### ***How is a Service dog trained?***

Service dogs are trained by a recognized Service dog training program. A Certificate of Training that states the Service for which the dog is trained must be available. After September 2013, only training programs that are members of Assistance Dogs International (ADI) or *International Guide Dog Federation (IGDF)* should be considered eligible for use in Manitoba schools.

Assistance Dogs International is a coalition of non-profit organizations that train and place Service animals. The purpose of ADI is to improve the areas of training, placement, and utilization of certified Service animals as well as staff and volunteer education.

For more information on ADI or for a listing of ADI accredited schools, please go to [www.assistancedogsinternational.org](http://www.assistancedogsinternational.org)

IGDF enables Guide Dog organizations around the world to join a community dedicated to serving people with vision impairment. The IGDF facilitates a sharing of knowledge, experience, highest quality standards, methodologies and help for new or existing schools wanting to improve the quality of their operations. All of this is focused on improving the safe independent mobility of blind and vision impaired people throughout the world. For more information on IGDF or for a listing of IGDF accredited schools, please go to <[www.igdf.org](http://www.igdf.org)>.

***Can Service animals be transported by school bus?***

Yes, the same laws apply. A personalized transportation plan should be developed as per "Policy Guidelines for Transportation of Students with Special Needs".

***Do school divisions receive additional funding from Manitoba Education for Service animals in schools?***

No, the presence of a Service animal does not entitle a school division to additional funding.