

Changes are in red, bolded and Strikethrough

Service and Non-Service Animals in Schools

1. GENERAL

The Pembina Trails School Division supports the use of a service animal in schools requested by a parent/caregiver or employee as long as the appropriate planning and preparation have taken place.

A service animal is not a pet. A service animal is a recognized working animal that has been trained to assist children and adults who have a physical, developmental or psychiatric disability with their daily living activities. There are strict guidelines that apply to their access, handling, and interaction.

Regardless of the type of disability, if the animal has been trained to assist a person with a disability related need, it is considered a service animal.

There is no standardized documentation, training program or certification of service animals in Manitoba. Any animal that has been trained, including self trained, to provide disability related tasks for a person with a disability may be considered a service animal under The Accessibility for Manitobans Act

Service animals must wear a distinctive harness/saddlebag or vest and should be always under control. 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.

This policy is developed and consistent with the following legislation:

- i. ***Canadian Charter of Rights and Freedoms (1982) 15(1)*** Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age, or mental or

Accomplish Anything

Adopted	Reviewed	Revised	Page
		BD20240125.1005	1 of 8

physical disability.

- ii. ***The Public Schools Act 41(1), (a.1)*** provide, as may be directed or prescribed by the minister, appropriate educational programming for every

(i) pupil enrolled as provided for in section 58.4, and

(ii) resident person who has the right to attend school as provided in section 259; and

Clause 41(1.1) The minister may make regulations respecting appropriate educational programming to be provided by school boards under clause (1)(a.1), including, but not limited to, establishing

(a) programming standards respecting resources and other support services to be provided by school boards;

(b) a dispute resolution process to be followed if there is a disagreement about the appropriateness of the educational programming being provided to a pupil by the school board.

(iii) **The Accessibility for Manitobans Act**

This policy is also developed and consistent with Discrimination Against Persons with Disabilities who use Service Animals guidelines.

iii. ***Appropriate Educational Programming***

Policy

Manitoba school divisions review local policy regularly. It is important that changes in legislation, regulation, and government policy or guidelines are reflected in revisions to existing policy and the development of new policy.

School divisions must

1. ensure that local written policies and procedures are developed, kept current, implemented, made available to the public, and in compliance with constitutional and provincial human rights legislation, provincial legislation, regulation, standards, policy, and guidelines
2. make available to the public written descriptions of supports and services and local educational placement and programming options for students with special learning needs and abilities
3. ensure that Manitoba's Philosophy of Inclusion and appropriate educational programming principles are explicit when revising or creating new policy, so that the policy

— *Accomplish Anything* —

Adopted	Reviewed	Revised	Page
		BD20240125.1005	2 of 8

- is inclusive of all persons
- respects the rights and needs of all persons
- avoids unintended negative outcomes
- reflects the goals of equity and fairness for all

iv. [The Human Rights Code](#) 9(2) Discrimination is prohibited for any individual with the characteristic of

- (I) physical or mental disability or related characteristics or circumstances, including reliance on a service animal, a wheelchair, or any other remedial appliance or device.

There is no standardized indemnification or certification of service animals in Manitoba. Therefore, any animal that is identified as having been trained, including self-trained to provide assistance to someone with a disability, may be a service animal under [The Human Rights Code](#).

v. ***The Service Animals Protection Act (Manitoba) 1(a)***In this Act, "service animal" means an animal

- (a) trained to be used by a person with a disability for reasons relating to their disability;

- (b) [Accessibility for Manitobans Act](#) January 2022

If you aren't sure if an animal is a service animal, you can ask "Has this animal been trained to help with a disability-related need?" Schools are entitled to ask the person if their animal is trained to assist them with a disability.

- (c) A person with a service animal has the responsibility to always keep the animal under their care and control.

- (d) If the person with the service animal is not able to effectively control the animal's behaviour, they may be refused access or asked to leave.

2. DEFINITIONS

Service animals are recognized working animals that have been trained to assist children and adults who have a physical, developmental or psychiatric disability with their daily living activities. The adult/parent/caregiver and school must follow strict guidelines that apply to their access, handling, and interaction. The use of service animals is an intervention strategy that is recognized as an aid to the learning and social/emotional/behavioural needs of students with additional needs.

Regardless of the type of disability, if the animal has been trained to assist a person with a disability related need, it is considered a service animal.

There is no standardized documentation, training program or certification of service animals in Manitoba. Any animal that has been trained, including self trained, to provide

Accomplish Anything

Adopted	Reviewed	Revised	Page
		BD20240125.1005	3 of 8

disability related tasks for a person with a disability may be considered a service animal under The Accessibility for Manitobans Act.

Guide Dogs for the Blind & Visually Impaired focus on increased independent travel for the individual. The guide dog is trained for safe street crossings, using public transportation, and exposure to all environments. Users of guide dogs will have previous mobility training in the school system or adult agencies for blind and visually impaired.

Psychiatric Service Dogs (PSD) is a dog that is individually trained for individuals with an emotional or psychiatric disability so severe that it substantially limits their ability to perform at least one major life task.

[The Human Rights Code](#) does not cover animals whose sole function is to provide comfort or emotional support. Animals in the school for reasons other than those listed under Service Animal are covered under Policy IMG *Animals in the School*. Animals that provide comfort or companionship and that are not trained to assist with a person's disability-related needs are not service animals.

Non-Service Animals:

Pets/comfort animals that provide emotional/social support to individuals are not service animals. [Winnipeg Regional Health Authority](#), WRHA 2015.

Therapy Dogs are trained to provide affection and comfort to people in hospitals, retirement homes, and schools. The therapy dog and the trained handler have been certified by St. John Ambulance. The dog must be under the direction of an adult who is authorized and has liability insurance to be in the setting. Therapy dogs are not considered service animals and not guaranteed access.

Companion Animals is an emerging support for students. These animals may be present to assist a child in feeling comfortable or less anxious in the school environment. A companion animal is not necessarily professionally trained. A companion animal does not have designated responsibilities and provides companionship only. Companion animals are not considered service animals and are not guaranteed access to public spaces.

3. ROLES AND RESPONSIBILITIES

A. Parent/Caregiver Responsibilities

- i. To initiate the process of having a service animal assist a student in school, speak with the Principal. The Principal will provide a copy to parents/caregivers of *IMG-E-1 Information for Parents/Caregivers Requesting a Service Animal in a School* and *IMG-E-2: Request for a Service Animal in a School*.
- ii. Make the request in writing using *IMG-E-2: Request for a Service Animal in a School*.
- iii. Provide the school with proof of up-to-date vaccinations, a municipal license, if required, and confirmation the service animal is in good health.

— *Accomplish Anything* —

Adopted	Reviewed	Revised	Page
		BD20240125.1005	4 of 8

- iv. Assume financial responsibility relating to the use and care of the service animal.

B. Principal's Responsibilities for Service Dogs:

- i. Consult with the Assistant Superintendent of **Inclusive Support Curriculum & Learning Services** prior to planning the school entry process.
- ii. Upon receipt of *IMG-E-2: Request for a Service Animal in a School*, notify all school staff members (i.e. teaching staff, educational support staff, secretarial staff, custodial staff, etc.) of the request to have a service animal in the school. Their input and information will assist the Principal in the school entry process.
- iii. Schedule and chair a meeting with the adult/parents/caregivers, and the student support team which may include the classroom teacher(s), the resource teacher, the Assistant Superintendent of **Inclusive Support Curriculum & Learning Services**, Coordinator of Clinical Services, and the support staff who work with the student. The purpose of the meeting is to review the student's Student-Specific Plan (SSP), description of strengths, challenges, behaviours, mental health needs, and required accommodations including the type of support the service animal will provide. The services provided by the service animal should be, or become, part of the goals of the SSP.
- iv. Discussions may include other relevant information such as:
 - health and safety considerations (including severe allergies and staff or students with asthma),
 - the potential impact of the involvement of the service animal on the school community,
 - animal care requirements,
 - handling routines and responsibilities,
 - guidelines for staff and students, other student issues,
 - transportation to and from school,
 - the role of and communication with parents/caregivers, and
 - designation of a staff who will be the handler and an alternate in the school.
- v. If a decision to approve the request is made, attention to awareness, consistency, routines, communication, staff training, school assemblies, and community notification are required. Please refer and complete *Exhibit IMG-E-3 Management Plan for the Care of the Services Animal*.

An information session for interested school community members may be held to inform them, and to receive feedback or relevant information. The Principal may invite the adult or parents/caregivers of the student requiring the service animal to participate in the information session.

- vi. School division administration may inform relevant employee groups and/or the Workplace Safety & Health Committee that a service animal will be in the school.
- vii. If applicable, contact the Transportation Department regarding transportation. A personalized transportation plan should be developed.

Accomplish Anything

Adopted	Reviewed	Revised	Page
		BD20240125.1005	5 of 8

- viii. Place signs on entrance doors to inform school visitors of the presence of a service animal.
- iv. Review the school Emergency Response Plan. Notify the local fire department of the existence of a service animal.
- v. Arrange for demonstrations from the training facility and/or parents/caregivers on the rules of conduct around service animals.
- vi. Arrange a planning meeting with parents/caregivers, classroom teacher(s), appropriate Student Service staff, a representative from the animal training centre **(if available)**, the student when appropriate, and the Student Service Consultant to discuss and develop a plan to determine:
- the purpose and function of the service animal;
 - who will accompany and handle the service animal during non-service times,
 - personal care and physical needs of the service animal,
 - location for breaks for the animal,
 - location of water bowl for the animal,
 - safest and most environmentally sound place for the service animal to relieve itself,
 - removal and disposal of animal waste,
 - provision of a suitable container for waste that the animal handler can access,
 - considerations for seasonal changes and inclement weather, and
 - classroom considerations such as seating arrangements.

If the need for a service animal is not obvious, employers and schools can request that the individual or guardians provide evidence that the service animal is required because of a disability related need. It is not, however, appropriate to require medical information that includes the individual's diagnosis, nor is it appropriate to request that the animal demonstrate the task for which it is trained.

- vii. Develop a transition plan for the service animal and the student that includes:
- any necessary changes in routine and procedures, and program changes,
 - arrangements for the service animal to visit the school without students present in order to familiarize it with the school site,
 - a timetable for the introduction of the service animal to the school and class, and for the training of the student's school team (Principal, Teacher(s), Education Assistant(s), etc.), and
 - preparing staff and students with allergies/fears, cultural sensitivity.
- viii. Designate a staff member as the handler for the animal, along with an alternate.
- ix. Arrange training for staff and students, perhaps through an assembly, regarding requirements for conduct around the service animal for students.

Accomplish Anything

Adopted	Reviewed	Revised	Page
		BD20240125.1005	6 of 8

- x. Retain all letters regarding the service animal in the student's cumulative file for the period of applicable time.
- xi. Liaise with the Student Service Consultant to resolve any specific concerns or issues raised regarding the presence of a service animal.
- xii. Monitor the entry of the service animal regularly and review on an annual basis.

C. Principal's Responsibilities for Non-Service Animals:

Animal Assisted Therapy is a research-based practice to support students who have a variety of needs. Research shows that Animal Assisted Therapy can benefit students psychologically and physiologically. Trained facilitators and their animals such as dogs can reduce anxiety in students as well as build their confidence and empathy.

- i. Administrators are involved in the Student-Specific Plan and approve the use of Animal Assisted Therapy in classroom-based program. Other team members involved in the planning may include parents/legal guardians, resource teacher, guidance counselor, classroom teacher and clinicians.
- ii. Administrators will contact the Animal Assisted Therapy Professional or [St. John Ambulance Association](#) (if applicable) to arrange for a program in the school community and ensure they have liability insurance.
- iii. Administrators will obtain written permission from parents/caregivers for all students who are involved in Animal Assisted Therapy.
- iv. Administrators will inform staff if a therapy dog will be present in the school.
- v. Administrators will notify staff and students with allergies that the therapy dog will be in a specific room.
- vi. Administrators will inform the Assistant Superintendent of Curriculum & Learning of all Animal Assisted Therapy programs.
- vii. Administrators will establish a location where Animal Assisted Therapy can take place.
- viii. Administrators will create a plan for managing the therapy dog or other animals before and after the program.

D. Role of Trained Facilitator/Animal Handler for Therapy Dogs:

All programs using therapy dogs must be arranged with a credited association such as St. John Ambulance Association. The facilitator and the dog shall be trained and regulated by the association.

- i. The trained facilitator/animal handler must be an individual who has completed

Accomplish Anything

Adopted	Reviewed	Revised	Page
		BD20240125.1005	7 of 8

- certification through the Association for dog therapy or has been accredited as a Certified Animal Assisted Therapy Professional and has liability insurance.
- ii. The trained facilitator will have experience in providing positive behaviour support to students.
 - iii. The trained facilitator and school teams will collaborate in regard to the student or classroom-based program.
 - iv. The animal is to be always under the care of the trained facilitator during the program.
 - v. **Service animals are not to be interacted with unless otherwise indicated by the handler. Service animals must always be under the control of their handler. Part of the training of service animals supports them to maintain control of unwanted behaviours. An organization may ask the handler to remove the animal from the premise if the animal is misbehaving, not under the control of its handler or demonstrating aggressive behaviour.**
 - vi. After the program is complete, the trained facilitator is responsible for following the plan as outlined by the administrator.
 - vii. The trained facilitator will ensure that supplies for hand washing are available.
 - viii. The trained facilitator will control the animal so that the animal will not lick individuals, touch any toys or supplies.
 - ix. For Equine Therapy, the program must be provided by the Canadian Therapeutic Riding Association or Equine Facilitated Wellness Canada.

E. Employees

Staff who require service animals must meet the requirements as outlined in this Regulation IMG-R and provide the necessary documentation to the Human Resources Department.

F. Exclusions

An animal may be excluded from access to the premises only where:

- exclusion is required by a statute.
- the service animal is of a breed that is prohibited by law or municipal bylaw e.g., Pit Bull Terriers, Staffordshire Bull Terriers
- there is a risk to the health, safety, and post-trauma of another person as a result of the presence of the service animal. Consideration should be given to options available prior to exclusion of the animal. An example would be a situation where an individual has a severe allergy to the service animal. The situation should be fully analyzed and all measures to eliminate the risk should be considered.

Accomplish Anything

Adopted	Reviewed	Revised	Page
		BD20240125.1005	8 of 8