

 <p> <small>DIVISION SCOLAIRE</small> LOUIS RIEL <small>SCHOOL DIVISION</small> </p>	<p style="text-align: center;">Use of Service Animals by the General Public</p>
<p>ADMINISTRATIVE PROTOCOL</p>	<p style="text-align: center;">Supporting Policy ACE</p>

1. OBJECTIVE

To establish protocols that will welcome all members of the school and broader community to our facilities by committing our staff and volunteers to providing services that respect the independence and dignity of people with disabilities, including, but not limited to the use of service animals.

2. DEFINITIONS

School Division Property is any real estate or asset owned and/or operated by the Division including schools, offices, storage facilities, etc.

Readily Apparent is when it is obvious that an animal is a service animal by its appearance or by what it is doing. For example, it may be readily apparent that an animal is a service animal if it is wearing a harness, saddle bags, a sign that identifies it as a service animal or has a certificate or identification card from a service animal training school. It may also be readily apparent if a person is using the animal to assist him or her in doing things, such as opening doors or retrieving items.

Service Animal is an animal that is being used because of a person’s disability and this is either readily apparent (definition above) or is supported by a letter from a medical practitioner but only if voluntarily provided by the person. Examples of service animals include dogs used by people who have vision loss, hearing alert animals for people who are deaf, deafened or hard of hearing, and animals trained to alert an individual to an oncoming seizure and lead them to safety. The customer service standard’s provision also applies to animals providing other services to people with disabilities. Service animals may not necessarily be dogs.

3. DIRECTIONS

Training

- a) Supervisors, Principals and Managers will ensure that all staff, volunteers and others dealing with the public are properly trained in how to interact with people with disabilities who are accompanied by a service animal.

Access to School Division Property

- b) Any person with a disability who is accompanied by a service animal will be welcomed on Board property with his or her service animal and will be accompanied by the service animal while on the premises. Access will be in accordance with the normal security procedures.
- c) This requirement applies only to those areas of the premises where the public or third parties customarily have access and does not include places or areas of the Division property where the public does not have access.
- d) This procedure deals solely with the individual's right to be accompanied by a service animal. Access to classrooms for service animals used by students and staff is covered under separate procedures.

Control of Service Animals

- e) The care and control of the service animal is the sole responsibility of the individual using the service animal. Animals that are not controlled, become aggressive or are ill will not be permitted on the premises. The service animal must remain leashed or tethered at all times.

Exclusion of Service Animals

- f) A service animal can only be excluded from access to the premises where this is required by another law, such as those relating to food safety that prohibit service animals in places where food is prepared, processed, or handled (e.g., kitchen or cafeteria or culinary arts classroom) although service animals are permitted where food is served and sold, e.g., school cafeteria or lunchroom.
- g) Where there is a risk to the health and safety of another person as a result of the presence of a service animal, consideration must be given to option available prior to the exclusion of a service animal. An example would be a situation where an individual has a severe allergy to the service animals. It is the Division's expectation that the situation be fully analyzed and all measures to eliminate the risk be considered, for example creating distance between the two individuals concerned, making reasonable alteration to schedules, etc.
- h) A service animal can be excluded if it is a breed that is prohibited by law. An example would be the City of Winnipeg by-law which places restrictions on pit bull terriers.

Alternative Measures if Service Animal Must be Excluded

- i) In the rare instance where a service animal must be excluded, the Division must make every offer to put alternative arrangements in place or provide the services required by the person with a disability. This could involve leaving the animal in a secure area where it is permitted by law and discussing with the person how best to serve them, for example, a person with a vision disability might need someone (a member of staff or volunteer) to guide them.

When it is Necessary to Confirm an Animal is a Service Animal

- j) Where an animal is not a trained guide dog and it is not readily apparent that the animal is a service animal, the school or Division staff members may ask the person using the service animal to explain what work or tasks the service animal will perform. It is not acceptable to request proof of certification or proof of training unless there is a reasonable basis to believe the animal is not a service animal.

Staff Protocols

- k) Staff shall not touch, pet, speak to, distract, deliberately startle, feed, impede or interfere, nor provide care for (e.g., toileting, exercising) the service animal without first asking and receiving consent from the individual.
- l) Staff shall not, under any circumstances, ask about the nature of the individual's disability
- m) Staff shall not request that the individual produce certification or proof of training for the service animal unless there is a reasonable basis to believe the animal is not a service animal
- n) Staff shall not refuse access to service animals accompanied by individuals to non-restricted areas.

REFERENCES:

- Manitoba Human Rights Code:
<http://manitobahumanrights.ca/v1/education-resources/resources/policies-pages/policies-i-9.html>
- Manitoba Human Rights Code – Fact Sheet:
<http://manitobahumanrights.ca/v1/education-resources/resources/fact-sheet-pages/fact-sheet-service-animals.html>
- Toronto District School Board:
<http://ppf.tdsb.on.ca/uploads/files/live/88/1759.pdf>
- Winnipeg Regional Health Authority:
<https://wrha.mb.ca/files/wrha-policy-10-60-010.pdf>