3.0. Student Services
3.B.

3.B. USE OF CERTIFIED SERVICE ANIMALS IN SCHOOL

Adopted: January 24, 2020

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Policy Reference: EL-1.1

POLICY

Lakeshore School Division recognizes that a certified service animal, when well trained and supported, not only demonstrates its trained tasks but can also support increased safety, independence, social bonding, and self control for individuals with a disability.

Lakeshore School Division supports the use of a certified service animal in schools as long as the appropriate planning and preparation has taken place prior to the implementation of the program.

GUIDELINES

1. Lakeshore School Division will not assume responsibility for, or take custody or control of, the care or feeding of any certified service animal. The parent/guardian of a student that requires the use of a certified service animal assumes custody and control of the animal and shall be liable for any damage to persons, premises, property, or facilities caused by the service animal, including, but not limited to, clean up and stain removal.

2. A certified service animal is not the same as a companion animal, therapy animal, educational presentation or pets in the classroom (see attached appendix for provincial guidelines)**.** A certified service animal is a recognized working animal and strict guidelines apply for the access, handling, and interaction with these animals. It is important to differentiate between a certified service animal and a companion animal, therapy animal, educational presentation or pets in the classroom. A request for general animals in the classroom falls under the above guidelines can be refused or accepted by the school administration and a "service animal" cannot be refused unless the proper authorization, planning and preparation are not done in advance.

3. Approval for the use of a certified service animal in Lakeshore School Division can only be granted by the Lakeshore School Division Board of Trustees.

4. Application for use of a certified service animal must be submitted to the Board for approval a minimum of six months prior to the implementation of a program. Students who are transferring into the division that already have a certified service animal in place as part of an IEP, are required to provide the division with a minimum of one month notice prior to registering in the division.

5. The following documentation must be completed and in place prior to accepting a certified service animal into the division.

    5.1. Request for Approval for the Use of a Service Animal.

5.2. Service Animal Registration Agreement.

5.3. A letter from a member of the College of Physicians and Surgeons or the College of Psychologists of Manitoba (or similar provincial organization) confirming the diagnosis of an accepted exceptionality and the recommendation for the use of a certified service animal.

5.4. A letter from the service that trains the animal stating a certified service animal has been placed with the child and the date of formal certified service animal team recognition.

5.5. A certificate of training for the animal and current documentation that states the animal is in good health, properly licensed and has an up-to-date record of all vaccinations.

6. Parent(s)/Guardian(s) Responsibilities:

6.1. Parent(s)/Guardian(s) must make a formal request to the school principal outlining the needs of their child and the benefits of using a certified service animal as part of their child's programming requirements. (Request For Approval for the Use of a Certified Service Animal)

6.2. Parent(s)/Guardian(s) requesting the use of a certified service animal must provide a letter from a member of the College of Physicians and Surgeons or the College of Psychologists of Manitoba confirming the diagnosis of an accepted exceptionality and the recommendation for the use of a certified service animal.

6.3. Parent(s)/Guardian(s) must provide a letter from the service that trains the animal stating a certified service animal has been placed with the child and the date of formal certified service animal team recognition. 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 Lakeshore School Division schools.

6.4. Parent(s)/Guardian(s) are to be informed in advance that the provision of the certified service animal is the sole financial responsibility of the parent. Parents must provide a certificate of training for the animal from the service that trains the animal and proof that the animal is in good health, properly licensed and has an up-to-date record of all vaccinations.

6.5. The parent/guardian is also informed that the provision of a fully-trained animal handler to help with the initial implementation or any re-training sessions (for a defined period) that may be required is the financial responsibility of the parent / guardian. This also includes students with a certified service animal already in place who transfers into the division.

6.6. The Student Services Administrator may contact the service that trains the animal for further information about placement and information regarding the certified service animal in the school setting.

6.7. The child cares for the animal and it is expected that the animal will be with the child during the school day.

6.8. Parent(s)/Guardian(s) must complete and sign the Lakeshore School Division Service Animal Registration Agreement Form acknowledging that they have read and understood the division's Use of a Certified Service Animal in a School regulations and procedures.

7. Principal Responsibilities

7.1 Upon receipt of all required parental information, consult with the Student Services Administrator to gain Board Consultation and Approval

7.2 Upon Receipt of Request For Approval for the Use of a Certified Service Animal, share with parents the Information for Parents Requesting a Service Dog document.

7.3 Upon Receipt of Request For Approval for the Use of a Certified Service Animal, inform 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.

7.4 Schedule and chair a meeting with the parents, a representative from the animal training facility, the classroom teacher(s), the resource teacher, the Student Services Administrator, and the support staff who work with the student. The purpose of the meeting is to review the student's Individual Education Plan (IEP) description of strengths, needs and required accommodations including the type of service the service animal will provide. The services provided by the service animal should be, or become, part of the goals of the IEP.

7.5 Discussions will 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,
- the designation of a staff dog handler/alternate in the school.

7.6 If a decision to approve the request is made, attention to awareness, consistency, routines, communication, staff training, school assemblies, and community notification are required.

7.7 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 parents of the student requiring the service animal to participate in the information session.

7.8 Prior to any information session *Sample Letter to School Community and Sample Letter to Families with Children in the Classroom/on the School Bus* should be shared with parents of the student requiring the use of a service animal.

7.9 School division administration may inform relevant employee groups and/or the Workplace Safety & Health Committee that a service animal will be in the school.

7.10 Place signs on entrance doors to inform school visitors of the presence of a service animal.

7.11 Review the school Emergency Response Plan. Notify the local fire department of the existence of a service animal.

7.12 Arrange for training of staff by the dog training facility

7.13 Arrange for demonstrations from the dog training facility on the rules of conduct around service dogs.

7.14 Monitor the entry of the service animal regularly and review on an annual basis.

8. Transportation of a Certified Service Animal

8.1. Parent(s)/Guardian(s) are responsible for transporting the animal to and from school, or walking with the animal unless it is determined that the division will transport the child and the certified service animal.

8.2. If the animal is going to be transported on the bus a Personal Transportation Plan must be submitted for approval by the Director of Transportation.

8.3. A protocol is developed for handling the certified service animal on the bus and will be collaborative developed and implemented with the certified animal's trainer/handler.

8.4. Appropriate training will then be provided for all Lakeshore School Division staff involved in the transportation of the student and service animal.

8.5. The certified service animal must be under control at all times when on the bus, including entering and exiting the bus.

8.6. The other students transported in the bus shall receive training from the driver to ensure that they are informed and fully aware of the role and function of the certified service animal and the appropriate behaviour required when on the vehicle/bus.

8.7. An evacuation plan for the bus is developed and practiced.

9. Lakeshore School Division retains discretion to exclude or remove the certified service animal from the school or school property if:

9.1. The presence of the certified service animal poses a direct threat to the health and safety of others;

9.2. The certified service animal significantly disrupts or interferes with the instruction program, school activities, or student;

9.3. The presence of the certified service animal would require a fundamental alteration of any school program;

9.4. The student or handler is unable to fully control the animal;

9.5. The student or handler fails to appropriately care for the animal;

9.6. The parents fail to provide the required documentation;

9.7. The certified service animal fails to consistently perform the function(s)/service(s) for which it has been trained and brought to school.

10. The Use of a Companion Animal in a School

10.1. The use of a companion animal is not implemented in the school without extensive Board consultation and approval. Implementation of the use of a companion animal will be made on a case by case situation and not automatically implemented.
All circumstances of a particular request, including the individual needs of the student being assisted by the animal and the needs of other students and staff, will be considered. Where necessary in the decision making process, the rights and needs of one person may have to be balanced against the rights and needs of another.

11. Exclusions

Where the use of a service animal in a school has been approved, the 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 and safety 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, e.g. creating distance between the individuals concerned, making reasonable alterations to schedules, etc.; or
- there has been a material change in the circumstances that led to the original approval of the use of the animal in school.

12. Denial of the Use of a Service Animal

12.1. If a parent/guardian, or a student over the age of 18, wishes to appeal the decision of the Board, the following appeal process shall be followed:

12.1.1. All normal dispute resolution procedures or formal channels must first have been exhausted.
12.1.2. A written request outlining the specifics of the appeal must be given to the Superintendent twenty-four (24) hours prior to a scheduled Board meeting.
12.1.3. The presentation would occur before the start of the Committee of the Whole In-Camera Meeting.
12.1.4. One spokesperson shall be identified as the person presenting.
12.1.5. The maximum time allotted per presentation is 15 minutes.

12.2. No decision will be made at the meeting where the presentation occurs. It will be carried forward to the next official meeting.

References:

Canadian Charter of Rights and Freedoms (1982) 15(1)

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 physical disability.

The Public Schools Act 41(1), 41(1.1)

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;

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.

Appropriate Educational Programming (MR 155/2005) 2(2), 3, 5(1), 5(2), 7(2)

2(2) A school board must ensure that, as far as reasonably practicable, appropriate educational programming is available to a pupil in a regular class of his or her peers at

(a) the school whose catchment area includes his or her residence; or

(b) another school that provides the program, as designated by the board, that the pupil is to be enrolled in, if the school described in clause (a) does not provide that program.

3 A school board must ensure that school-related activities such as assemblies, sports days and field trips reasonably accommodate the needs of all students.

5(1) A principal must ensure that an individual education plan is prepared for a pupil who has requirements identified under clause 4(5)(b). The plan must identify

(a) how the pupil's requirements for meeting or approximating the expected learning outcomes are to be addressed, where it is reasonable to expect the pupil to meet or approximate those outcomes; or

(b) where it is not reasonable to expect the pupil to meet or approximate the expected learning outcomes,

(i) the learning outcomes the pupil can reasonably be expected to meet, and

(ii) how the pupil's requirements for meeting those learning outcomes are to be addressed.

5(2) The principal must ensure that a pupil's individual education plan

(a) is prepared with the assistance of the pupil's teacher and other in-school personnel, as directed by the principal;

(b) takes into account a pupil's behavioural or health care needs, if any;

(c) is consistent with provincial protocols respecting a pupil's transition to and from school; and

(d) is updated annually or sooner if required by a change in a pupil's behaviour or needs.

7(2) A school board's obligation to provide educational programming under clause (1)(a) does not limit or restrict it from taking reasonable steps to address any significant risks to safety which a pupil may present to himself or herself, or to others.

The Human Rights Code (Manitoba) 9(2)

9(2) Discrimination is prohibited for any individual with the characteristic of:

(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;

- Guide Dogs & Service Animals under *The Human Rights Code* (Guidelines)
- Policy L-24 Guide Dogs & Service Animals
- Fact Sheet: Persons with Service Dogs and *The Human Rights Code*

The Service Animals Protection Act (Manitoba) 1(a)

> 1 In this Act, "service animal" means an animal
>
> (a) trained to be used by a person with a disability for reasons relating to his or her disability; ...

Appendix

Excerpt from: “Appendix C: PETS IN THE CLASSROOM”, Province of Manitoba Curriculum

When we think of classroom pets, we often imagine small mammals such as gerbils, hamsters, or guinea pigs. While these are interesting creatures to observe, hamsters and gerbils are nocturnal animals and, as such, tend to be rather sleepy during the day. In fact, one group of Grade 1 students once questioned whether or not there was a real animal in the hamster cage. The children would occasionally annoy the hamster into activity, but for the most part, he remained an unseen fixture of the classroom.

Generally speaking, most animals in the classroom are best left as visitors, rather than residents. It is expected that students will have opportunities to observe living creatures, but this can be accomplished by having animals as special visitors for a period of time. Of course, teachers should outline strict guidelines for the safety of the animals, ensuring that they undergo as little stress as possible. Teachers must also be aware of allergies the students might have, especially to fur-bearing animals.

Teachers who are planning to maintain a “classroom pet” for any period of time need to recognize that all vertebrate animals have important dietary and housing concerns that require time, expertise, and care to address. Birds, for the most part, do not make good classroom pets. Some, like the budgie or any member of the parrot family, can be carriers of parrot fever and should not be housed in a school or classroom. Other birds, such as finches, canaries, or pin quail, are sensitive to temperature changes and require large flight pens to move around comfortably.

Reptiles and amphibians require very specific environments and carefully designed diets. Being cold-blooded, these animals will endure a slow death of starvation if their dietary needs are not met. Turtles, of course, must be avoided in classrooms, due to concerns regarding salmonella. Amphibians, such as frogs, are sensitive to temperature and humidity changes and require large environments so that they have suitable ranges for movement.

Exotic pets of all types need not be resident in schools or classrooms. Large and small snakes, tropical birds, monkeys, and reptiles are interesting creatures for students to observe. However, with the availability of media today, there is no reason for these animals to be long-term “classroom pets.”

Wild animals may carry potentially dangerous pathogens, and must not be brought into classrooms unless under the care of a knowledgeable expert. Animals found by students and brought into school (such as raccoon babies, injured squirrels, small snakes, and other creatures) should be directed to a local humane shelter or wildlife rescue organization.

Small fish make good classroom pets. With proper housing, feeding schedules, and cleaning, an aquarium can house a collection of small fish, readily available from most pet stores. Teachers should avoid keeping fancy tropical fish in their classrooms. Fish can be sensitive to light and temperature changes — some schools turn down their heating over the weekends in wintertime, making heaters essential for aquaria. Feeding schedules must be maintained. While it may seem that classroom fish can make it through a holiday weekend without being fed such fasting periods put undue stress on the fish and make them far more susceptible to diseases.

*Source: Adapted from "Keeping Animals in the Classroom: A Guide." Implementation Planning Workshop for The Ontario Curriculum, Grades 1-8: Science and Technology. © Queen's Printer for Ontario, 1998. Adapted with permission. Grades 5 to 8 Science: A Foundation for Implementation 8 Invertebrates can make good classroom pets. These pets are relatively easy to maintain. They require minimal amounts of space and small quantities of food. Of course, teachers have to be aware of their environmental and dietary needs. The following guide provides some general classroom care information regarding the needs of a variety of living things. This guide should be used prior to having animals in the school.