



**REGULATION: CERTIFIED SERVICE ANIMALS FOR STUDENTS**

REFERENCE NO: R-AD-31

1. This Regulation sets out the procedure for evaluating requests from parents/guardians that students with disabilities be accompanied by Certified Service Animals on school property during the school day as an accommodation to enable the student to access the Ontario Curriculum. Accommodations are specialized supports that enable a student to learn and to demonstrate learning (Special Education in Ontario, Kindergarten to Grade 12, Policy and Resource Guide, 2017)
2. For the purpose of the Board's policy and regulation trained service animals will be referred to as "Certified Service Animals".
3. When parent(s)/guardian(s) request the use of an animal in school, the Board will follow the process set out herein to determine whether to grant the request in the circumstances.
4. The parent(s)/guardian(s) will be required to:
  - (a) review "Information for Parent(s)/Guardian(s) Requesting a Certified Service Animal";
  - (b) complete and submit a Request for a Certified Service Animal to the principal;
  - (c) provide documentation from a regulated health professional<sup>1</sup>, confirming that the student requires the Certified Service Animal for reasons related to the disability;
  - (d) provide formal documentation acceptable to the Board, including a written certificate of training that meets the requirements of the Assistance Dog Public Access Certification Test or an equivalent test and/or any other Canadian or Ontario service dog standard in effect from time to time. The certificate of training will confirm that the service dog/animal and its handler (the student) have been trained by a professional service dog trainer or a recognized service animal training centre with service dog training experience for the kind of disability to be accommodated;
  - (e) provide formal documentation confirming that the Certified Service Animal has had its annual vaccines, is in good health to attend a school and has its city/county license;

<sup>1</sup> A regulated health professional is defined in the Integrated Accessibility Standards, O. Reg. 11/11, s. 80.45(4)(b) as "(i) A member of the College of Audiologists and Speech-Language Pathologists of Ontario. (ii) A member of the College of Chiropractors of Ontario. (iii) A member of the College of Nurses of Ontario. (iv) A member of the College of Occupational Therapists of Ontario. (v) A member of the College of Optometrists of Ontario. (vi) A member of the College of Physicians and Surgeons of Ontario. (vii) A member of the College of Physiotherapists of Ontario. (viii) A member of the College of Psychologists of Ontario. (ix) A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario."

- (f) provide formal documentation confirming that all financial costs associated with the Certified Service Animal, its documentation, certificates, and care are the responsibility of the parent/guardian, including any requirement for documentation to be provided on an annual basis;
- (g) the Board may request additional information at its discretion;
- (h) additional information provided by the parent/guardian may also be considered.

All Forms are available at the School upon request to the Principal.

5. The Board and the principal shall preserve the confidentiality of the medical and other information received from the parent(s)/guardian(s), and shall not use or disclose the medical or other information except in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, the *Personal Health Information Privacy Act*, the *Education Act* or as otherwise required by law. The parent(s)/guardian(s) will consent to the use and disclosure of the information by the principal to such other Board personnel and/or third parties as may be required for the performance of their duties, for example, providers of student transportation services.
6. Upon receipt of all necessary documentation, the principal will hold a pre-meeting with the parent/guardian and appropriate school staff to discuss the application.
7. The request will be reviewed by the Principal of the School, the School Superintendent, the Superintendent of Special Education Programs and Services and/or the Supervising Principal of Special Education Programs and Services, and other Board personnel as deemed appropriate. All circumstances of a particular case will be considered and assessed, including the disability-related needs of the student requesting the assistance of the Certified Service Animal, the supports and strategies already in place to accommodate the student, and other potential supports and strategies that could be in place for the student to assess a meaningful education.
8. The needs or interests of the other students and staff and other members of the school community will be considered. In some circumstances, it may be necessary to balance the rights of the student with the rights of others, in accordance with the Ontario *Human Rights Code*. Measures to provide reasonable accommodations for affected individuals will be considered, e.g. creating distance between the two individuals concerned, making reasonable alterations to schedules, etc. The decision of the board is final.
9. The Board will determine whether the use of a Certified Service Animal at school during the school day to assess the curriculum is consistent with the strengths, needs and/or accommodations identified in the student's Individual Education Plan.

10. If the request is approved, the principal will schedule a school case conference meeting with the parent/guardian and the student, where appropriate, and school and Board personnel. The parent(s)/guardian(s) are expected to attend the meeting and will be consulted in the creation of the Certified Service Animal Accommodation Plan and Certified Service Animal Safety Plan.
  - a. The Certified Service Animal Accommodation Plan and Safety Plan will address such matters as toileting and hygiene, feeding and watering the animal, grooming, emergency procedures and integration of the Certified Service Animal in the school with staff and with students. The Certified Service Animal Accommodation Plan and Safety Plan will be reviewed on an annual basis, at a minimum. Each year, a re-assessment will occur, to determine whether the Certified Service Animal continues to be a required accommodation.
  - b. The Principal shall amend the student's Individual Education Plan to reflect the accommodation of the Certified Service Animal attending the school with the student.
11. If the Board approves the request for the Certified Service Animal to be in the school during the instructional school day, the Certified Service Animal will wear a distinctive harness/saddlebag or vest and will always be on a leash or otherwise contained at all times.
12. The parent/guardian and student shall undertake to disclose to the principal any incident of aggressive behavior displayed by the Certified Service Animal, whether the incident occurs on or off school property. The parent/guardian will confirm that they understand that an act of aggression or other behavior that results in a safety risk that is displayed by the Certified Service Animal will result in the exclusion of the Certified Service Animal pending appropriate revisions to the Certified Service Animal Accommodation Plan and/or Safety Plan and/or further training, if necessary. If no such steps are appropriate, the Certified Service Animal may be permanently excluded from the School.
13. The parent/guardian shall recognize that the Certified Service Animal Accommodation Plan and/or Safety Plan may be subject to amendment to address issues that may arise when the Certified Service Animal is in the school, such as excessive or distracting vocalizations or other behaviours.
14. It is recommended that parent(s)/guardian(s) refer to their home or tenant insurance policy to determine whether it covers any liability in the event of a claim pertaining to the certified service animal. If no such coverage exists, consideration should be given to amending the policy.
15. The parent/guardian shall agree to provide on an annual basis, formal documentation confirming that the Certified Service Animal has had its annual vaccines, is in good health to attend a school, and has its city/county license, at the parent/guardian's cost.

16. A Certified Service Animal may be excluded from access to the premises or parts of the premises where:

- Exclusion is required by another statute, such as *the Health Protection and Promotion Act* and/or the *Food Safety and Quality Act*. The former Act prohibits service animals in places where food is prepared, processed or handled (e.g., kitchen of school cafeteria or culinary arts classroom) although service animals are permitted where food is served and sold (e.g. school cafeteria or lunchroom);
- The Certified Service Animal is of a breed that is prohibited by law. An example would be the Ontario Dog Owner's Liability Act, which places restrictions on pit bull terriers;
- Where there is a risk to the health and safety of another person as a result of the presence of the Certified Service Animal that cannot be addressed by providing reasonable accommodations to the point of undue hardship;
- There has been a material change in the circumstances that led to the original approval of the use of the Certified Service Animal in school; or
- Exclusion is otherwise required by law.

17. When a request for a Certified Service Animal to accompany a student to school is not approved, the Board will continue to provide reasonable and appropriate accommodations to the student in accordance with the student's Individual Education Plan.