



# Use of a Certified Service Animal in a School

Section E:

Student Services

Code: EAA

## POLICY

The Hanover School Division Board of Trustees 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. Research has demonstrated that an animal can be a significant intervention in a student's life.

Hanover 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. Hanover 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 or therapy animal. 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 (animal) that is being requested. A request for a "companion" animal can be refused and a "service animal" cannot unless the proper authorization, planning and preparation are not done in advance.
3. Approval for the use of a certified service animal in Hanover School Division can only be granted by the Hanover 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. Form EAA-1: Request for Approval for the Use of a Service Animal.
  - 5.2. Form EAA-2: Hanover School Division: 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, as an example, National Association of Service Dogs, 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 from National Association of Service Dogs and current documentation that states the animal is in good health, properly licensed and has an up-to-date record of all vaccinations.



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## 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. (Form EAA-1 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 (or similar provincial organization) 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, as an example, National Association of Services Dogs, stating a certified service animal has been placed with the child and the date of formal certified service animal team recognition.
- 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 National Association of Service Dogs 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. This also includes students with a certified service animal already in place who transfers into the division.
- 6.6. The Assistant Superintendent of Student Services may contact the animal certification agency, for example, National Association of Service Dogs, for further information about placement and information regarding the certified service animal in the school setting. If National Association of Service Dogs does not feel the environment for placement in the school setting is suitable, the placement must be reviewed and/or revised.
- 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 Hanover 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 Policy.

## 7. Transportation of a Certified Service Animal

- 7.1. 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.
- 7.2. 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.
- 7.3. A protocol is developed for handling the certified service animal on the bus and has been collaborative developed and implemented with the certified animal's trainer/handler.
- 7.4. Appropriate training will then be provided for all HSD staff involved in the transportation of the student and service animal.



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- 7.5. The certified service animal must be under the control at all times when on the bus, including entering and exiting the bus.
- 7.6. The other students transported in the bus shall receive training from the driver and/or parent 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.
- 7.7. An evacuation plan for the bus is developed and practiced.
8. Hanover School Division retains discretion to exclude or remove the certified service animal from the school or school property if:
  - 8.1. The presence of the certified service animal poses a direct threat to the health and safety of others;
  - 8.2. The certified service animal significantly disrupts or interferes with the instruction program, school activities, or student;
  - 8.3. The presence of the certified service animal would require a fundamental alteration of any school program;
  - 8.4. The student or handler is unable to fully control the animal;
  - 8.5. The student or handler fails to appropriately care for the animal;
  - 8.6. The parents fail to provide the required documentation;
  - 8.7. The certified service animal fails to consistently perform the function(s)/service(s) for which it has been trained and brought to school.
9. The Use of a Companion Animal in a School
  - 9.1. 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.
10. Denial of the Use of a Service Animal
  - 10.1. 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:
    - 10.1.1. All normal dispute resolution procedures or formal channels must first have been exhausted.
    - 10.1.2. 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.
    - 10.1.3. The presentation would occur before the start of the Committee of the Whole In-Camera Meeting.
    - 10.1.4. One spokesperson shall be identified as the person presenting.
    - 10.1.5. The maximum time allotted per presentation is 10 minutes.
  - 10.2. No decision will be made at the meeting where the presentation occurs. It will be carried forward to the next official meeting.



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## Legal References:

- The Disabilities Rights Act,
- The Public Access Law, and
- The Human Rights Code,
- Freedom of Information and Protection of Privacy Act,
- Public Schools Act, 1, 41(1) (a), 58.9(1), 259 (1) – MB Administrative Handbook Topic R4: Right to Attend School
- Appropriate Education Regulations 72

## Related Forms:

- Form EAA-1 Request For Approval for the Use of a Certified Service Animal
- Form EAA-2 Hanover School Division Certified Service Animal Registration Agreement Form