



2019 11 12 Operational Procedures - Guide Dogs and Service Animals GAP F.docx

Guide Dogs/Service Dogs and
Service Animals



Operational Procedures – Guide Dogs/Service Dogs and Service Animals



1.0 Purpose

1.1 The Toronto Catholic District School Board (TCDSB) is committed to the learning of all students and provides a range of differentiated placements, programs, and interventions to support student success. It is the policy of the Toronto Catholic District School Board, in accordance with its obligations pursuant to the Ontario *Human Rights Code*, to provide individualized accommodations to students with disabilities to enable them to have meaningful access to education services.

1.2 Guide Dogs/Service Dogs or Service Animals are trained to provide assistance to children and adults with disabilities. Guide Dogs/Service Dogs or Service Animals can allow an individual to attain greater independence in his/her daily tasks and assist with safety, mental well-being, and learning.

1.3 This operational procedure identifies the individualized process to be followed when a parent (on behalf of a student) or an adult student applies to the TCDSB to have a Guide Dog/ Service Dog or Service Animal accompany the student while the student is attending school or a school-related event.

1.4 These procedures and the attendant policy - Policy S.12: Guide Dogs/Service Dogs and Service Animals - will be posted on the TCDSB website in order to inform the school community about how parents or adult students can apply to have a service animal in the school and how the TCDSB will inform the school community of the presence of any service animals at the school.

1.5 The following are important considerations for the adult student or parent who may apply to the TCDSB to have a Guide Dog/ Service Dog or Service Animal accompany the student:

- (a) The TCDSB utilizes a variety of placements, differentiated programming, and evidence-based interventions and strategies to provide meaningful access to education for students who have disability-related needs that impact their learning;
- (b) The TCDSB does not provide Guide Dogs/Service Dogs or Service Animals to students; and
- (c) The TCDSB encourages any family considering the purchase of a Guide Dog/ Service Dog or Service Animal to meet with the school principal before making a commitment.



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1.6 Pursuant to the *Education Act* and regulations, a school building is not a place to which the public is customarily admitted. Pursuant to the *Education Act* and Ontario Regulation 474/00 *Access to School Premises*, the TCDSB requires each school to have a process for visitors.

1.7 Any determination of whether a Guide Dog/ Service Dog or Service Animal is an appropriate accommodation for a student while receiving education services is a decision of the TCDSB. A regulated health professional cannot unilaterally prescribe that a Guide Dog/ Service Dog or Service Animal be a specific accommodation while the student is receiving education services at school.

1.8 When an adult student or a parent (on behalf of a student) seeks to have a Guide Dog/Service Dog attend school and school-related events, both the Guide Dog/Service Dog **and** the Handler must be certified as having been successfully trained by an accredited training facility.

1.9 Only in exceptional circumstances subject to the standard of undue hardship pursuant to the *Human Rights Code*, will the TCDSB consider an application for a student who will not be acting as the primary trained Handler of the Guide Dog/ Service Dog.

1.10 Only in exceptional circumstances subject to the standard of undue hardship pursuant the *Human Rights Code*, will the TCDSB consider service animals, other than dogs, as an accommodation for a student **and only** if other reasonable methods of accommodation in the school setting have been unsuccessful in meeting the demonstrated disability-related learning needs of the student. In all cases, however, the TCDSB will comply with applicable legislation.

2.0 Background

2.1 Service animals have traditionally been highly trained dogs that assist individuals with various tasks of daily living.

2.2 As outlined in Policy S.12, a Service Dog means a dog which has been certified after successfully completing a training program provided by an Accredited Training Organization.

2.3 In most circumstances, a Guide Dog will be a highly trained dog provided to support the orientation and mobility needs of a student Handler who has a diagnosis of blindness/low vision, and the Guide Dog will provide the student Handler with



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greater independence, dignity, and opportunity for integration. As outlined in Policy S. 12, a Guide Dog has the qualifications prescribed by the regulations pursuant to the *Blind Persons' Rights Act*.

2.4 The term Service Animal is used in the *Accessibility Standards for Customer Service* made under the *Accessibility for Ontarians with Disabilities Act* (AODA), to describe an animal that assists an individual with a disability to be able to access goods and services available to the public. **A school is not a public space and is not generally accessible to the public. Therefore, the AODA does *not* apply to a student's use of a Service Dog or Service Animal when accessing education services in school buildings.**

- a) The determination of whether an animal, other than a dog, is an appropriate accommodation in the school setting, to accommodate a demonstrated disability-related learning need, is a decision of the TCDSB.
 - i) Such a decision will consider that animals, other than dogs, are not trained by an Accredited Training Organization and may pose a risk to the safety of students and staff and/or may be disruptive to the learning environment and/or may act as a distraction in the learning environment.

2.5 Due to risks to safety, and risks of disruption and distraction in the learning environment, the TCDSB does ***not*** permit training of potential Guide Dogs/Service Dogs in the school setting or during school activities.

2.6 A Service Dog or Service Animal may be excluded if it is of a breed that is prohibited by law.

3.0 Accreditation and Expectations of Guide Dogs/Service Dogs

3.1 An Accredited Training Organization is a Guide Dog/Service Dog trainer that is accredited by:

- a) *International Guide Dog Federation* (IGDF) which develops and ensures compliance with the standards by which Guide Dogs for the blind/low vision are trained by its member organizations; or



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- b) *Assistance Dogs International* (ADI) which develops and ensures compliance with the standards by which Guide, Hearing, and Service Dogs are trained by its member organizations; or

3.2 All Guide Dog/Service Dogs must:

- a) be highly trained and certified by an Accredited Training Organization;
 - have evidence of training or re-certification confirming compliance with training requirements within the last 6 months;
- b) be groomed and clean;
- c) at all times while on school property be responsive to commands and demonstrate that it can perform the necessary tasks or accommodation;
- d) **not** engage in behaviour that puts at risk the safety of others, including other animals, or that creates disruption or distraction in the learning environment;
 - such behaviour includes, but is not limited to, growling, nipping, barking, attention seeking, eating;
 - any such behaviour may be grounds to prohibit the Guide Dog/Service Dog's attendance on school property and in the school building,
- e) have control of its biological functions so as not to soil the inside of buildings, or require feeding during the school day;
- f) demonstrate continuous appropriate behaviour with its Handler/Alternative Handler and others in the school environment to remain eligible for entry in school buildings or school-related events.

4.0 How to Make a Request for a Student to be Accompanied by a Guide Dog/Service Dog or Service Animal

4.1 A person who wishes to make an accommodation request for a student to be accompanied by a Guide Dog/Service, must complete an application as outlined in **Appendix A** (for a Guide Dog/Service Dog) or **Appendix B** (for a Service Animal) of these Operational Procedures.



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4.2 The primary point of contact for the person making the accommodation request is the principal at the school where the student attends.

5.0 Roles and Responsibilities of Principals

5.1 School principals are responsible for the management of the school premises, the staff providing educational programs, and the safety of all students.

- a) A school principal has authority to exclude a Guide Dog/Service Dog or Service Animal from entry onto school premises, as an accommodation for a student, provided that the student is offered an appropriate alternative accommodation to meet the student's demonstrated disability-related learning needs.
- b) Before admitting a Guide Dog/Service Dog or Service Animal into the school or into school-related activities, with the Student Handler or Alternative Handler, the school principal shall require the parent/adult student to submit a completed application as outlined in Appendix A (for a Guide Dog/Service Dog) or Appendix B (for a Service Animal) of these Operational Procedures. This is the formal accommodation request.

Receiving an Application for a Guide Dog/Service Dog or Service Animal

5.2 On receipt of an application for a Guide Dog/Service Dog or Service Animal, the school principal shall proceed with the following steps:

- a) Review the application for completeness and request any additional information or clarification that is necessary to assess the request for accommodation.
- b) Inform and consult with the Superintendent of Schools and Superintendent of Special Services about the application.
- c) Organize a review of the application by the SBSLT. Every effort will be made to review the documentation and schedule a meeting in a reasonable timeframe. A meeting with the SBSLT can include the parent/adult student

and student (as appropriate), the health practitioner recommending the Guide Dog/Service Dog or Service Animal for the student, the trainer of the Guide Dog/ Service Dog, the trainer of the Handler, and any other individuals who may contribute to the accommodation process.

- d) Consider the application on an individual basis giving consideration to all relevant factors (see sections 4.3 and 4.4 below)
- e) Communicate the Board's determination with respect to the application for a Guide Dog/Service Dog or Service Animal to the parent/adult student in writing in accordance with either **Appendix D** or **Appendix E**.

5.3 Each application for a Guide Dog/Service Dog or Service Animal will be addressed on an individual basis giving consideration to all relevant factors, including but not limited to:

- a) the individual learning strengths and needs of the student, the student's IEP goals, safety plan, behaviour plan and/or student's medical plan of care (if any);
- b) supporting documents such as psychological assessments, occupational or physical therapy assessments, functional behaviour assessments, or other relevant supporting documents;
- c) evidence of how the Guide Dog/Service Dog or Service Animal's attendance at school might provide accommodation for a demonstrated disability-related learning need and/or act of daily living necessary while at school;
- d) assessment information provided by a regulated health professional with expertise regarding the student's disability-related needs;
- e) the training and certification of the Guide Dog/Service Dog
- f) the training and certification of the student as Handler and/or the Alternative Handler;



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- g) the impact of the accommodation on the student's dignity, integration, and independence;
- h) other accommodations available and whether one or more alternative accommodations can meet the needs of the student;
- i) whether the student's attendance with a Guide Dog/Service Dog or Service Animal might require an increase in the level of staff support provided to the student;
- j) whether training will be required for staff and/or the student;
- k) the effect of the Guide Dog/Service Dog or Service Animal on the learning environment, including the impact on staff, other students and the impact on the student for whom the animal is provided, including matters such as health and safety, disruption, and distraction;
- l) with respect to an application for the admission of a Service Animal (other than a dog), the TCDSB will consider the features of the animal, such as its the ability to be trained, necessary biological functions, the capacity for the animal to respond to commands, whether the animal may be kept on a leash/harness/crate/mat and how such restrictions might impact accommodation;
- m) any competing human rights of students, staff, and community members using the school pursuant to a permit;
- n) possible solutions for accommodation plans to reconcile competing rights; and
- o) any factors which could lead to undue hardship.

5.4 The process of accommodation, including making inquiries about competing rights and providing notice to the school community, shall respect the student's right to privacy. The TCDSB will not provide information about a student's disability, diagnosis, or specific learning needs and/or needs of daily living unless appropriate consent is obtained.



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5.5 The school principal shall be responsible for communication with the parent/adult student with respect to the accommodation process, and where approved the implementation and management of the accommodation.

5.6 Where a student supported by a Guide Dog/Service Dog or Service Animal, whose parent is the Handler, seeks only to attend a school excursion with the Guide Dog/Service Dog or Service Animal, which is at a location where the public is customarily admitted, efforts will be made to facilitate the student's participation with the Guide Dog/Service Dog or Service Animal and parent as the Handler.

- a) Inquiries may need to be made regarding competing rights and transportation arrangements.

Implementing the Accommodation

5.7 Where the application is granted, the school principal, in consultation with the SBSLT, will do the following:

- a) refer to the Principal's Checklist (**Appendix C**);
- b) ensure that all staff are informed about the presence of a Guide Dog/Service Dog or Service Animal in the school;
- c) consider any necessary change in routine and procedures, as well as any programming changes that might be required;
- d) forward the following letters as appropriate:
 - Entry of A Guide Dog/Service Dog/Service Animal into the School (**Appendix F**);
 - Guide Dog/Service Dog/Service Animal in Classes (**Appendix G**);
 - Guide Dog/Service Dog/Service Animal for School Employees and Permit Holders (**Appendix H**);
 - Guide Dog/Service Dog/Service Animal on School Bus (**Appendix I**);
- e) make changes to the student's IEP goals and/or student's medical plan of care to document the type of support the animal will provide to the student;



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- the accommodation may be provided on an interim trial basis, in which case the indicators of success or lack of success for this form of accommodation will be identified before the trial period begins.
- f) organize an orientation session for school staff, students, and the Handler;
- g) create a timeline for the introduction of the Guide Dog/Service Dog or Service Animal to the school and to the class;
- h) create a timetable for reviewing the Guide Dog/Service Dog or Service Animal's updated records when required;
- i) develop a timetable identifying a bio-break, water break, location/process to be followed during instructional and non-instructional times;
- access may be limited to certain activities, areas of the school, or certain times of the day, including but not limited to, where exclusion is required pursuant to the *Health Protection and Promotion Act, 1990*, or the *Food Safety and Quality Act 2001*, which prohibit Service Animals from being in places where food is prepared, processed or handled.
- assessment may be required by the TCDSB's Health and Safety Officer regarding health and safety issues applicable to different areas/activities in the school;
- j) Consider and discuss the personal care of the animal, which may include:
- An indication of the person (Handler) responsible for the animal;
 - Identification of the Alternative Handler if the student for whom the Guide Dog/Service Dog or Service Animal is provided is not the Handler;
 - The backup procedure if the Alternative Handler is not available;



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- The safest and most environmentally-sound place for the animal to relieve itself;
 - If the student is able to maintain the personal care of the Guide Dog/Service Dog or Service Animal, the individual who will accompany the student outside, if needed;
 - A suitable disposal container that the Handler can reach;
 - The manner of “clean up” after the animal by the Handler;
 - Considerations for winter conditions and inclement weather;
 - Placement and filling of the animal’s water bowl;
- k) develop emergency procedures, to include a fire exit plan, lockdown plan, evacuation plan;
- l) revise Student School Emergency Evacuation Response Plan to include the Guide Dog/Service Dog or Service Animal (**Appendix K**);
- m) organize a presentation by the Trainer of the Guide Dog/Service Dog during a Catholic School Parent Council (CSPC) meeting or association supporting the use of the Service Animal; signage on the school’s front door, gymnasium and library doors; communication to potential occasional staff accepting a position where the Guide Dog/Service Dog or Service Animal may be providing service to the student;
- n) schedule a student assembly for introduction and orientation regarding the Guide Dog/ Service Dog or Service Animal;
- o) make arrangements for transportation of the Guide Dog/Service Dog or Service Animal to and from school, if necessary:
- a. If the Guide Dog/Service Dog or Service Animal will be accompanying the student on a school vehicle, inquiries must be made regarding competing rights, and the transportation plan must specify where the Guide Dog / Service Dog or Service Animal and student will be located;



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the vehicle shall have a sticker/sign identifying the presence of a Guide Dog/Service Dog or Service Animal;

- b. Review the Protocol for the Transportation of Service Animals on Bus Routes; (Refer to **Appendix J**);
- c. If the bus carrier is transporting students from other boards on the same bus while the animal is present, then the other board must be notified so that they can in turn notify the Parent(s) of that child/those children riding on that bus;
- d. Documentation about the Guide Dog/ Service Dog or Service Animal will be included with the route information so that new or substitute bus drivers are aware of the Guide Dog/Service Dog's or Service Animal's presence; and
- e. Specialized transportation shall **not** be provided solely for the purpose enabling the Guide Dog/ Service Dog or Service Animal to travel to and from school with the student.

5.8 TCDSB will make best efforts to implement the accommodation within a reasonable timeframe.

Continuous Assessment

5.9 A review of the effectiveness of the Guide Dog/Service Dog or Service Animal in supporting the student's learning goals shall be undertaken as part of each review of the student's IEP, in the event of a Violent Incident Report, and as otherwise deemed necessary by the Principal.

5.10 Approval may be revoked at any time by the principal if:

- a) there are any concerns for the health and safety of students, staff or the Guide Dog/Service Dog or Service Animal;
- b) there is behaviour that is distracting, disruptive or aggressive, including: making noise, failing to follow commands, growling, or nipping. In the event that this behaviour occurs, the Handler will be required to remove

the Guide Dog/Service Dog or Service Animal from the classroom immediately and the student's parent will be called to pick up the Guide Dog/Service Dog or Service Animal from the school. Alternative options for accommodation will be discussed;

- c) there has been a change to the student's circumstances or disability-related needs, which had supported the original approval, or a change to the needs of students/staff such that there is a new competing right; and
- d) the TCDSB in its discretion determines that the accommodation is not effective for the student's demonstrated disability-related learning needs or acts of daily living.

5.11 In all cases, however, the TCDSB will comply with its duty to accommodate and the *Human Rights Code*.

6.0 Responsibilities of Adult Students or Parents of Students with Guide Dogs/Service Dogs or Service Animals

6.1 Parents or adult students are required to provide all necessary documentation and engage in the consultation process for the purpose of considering and implementing, if appropriate, the request that a Guide Dog/ Service Dog accompany the student at school and/or on school-related activities.

6.2 The parent or adult student shall be responsible for:

1. submission of **Appendix A/Appendix B**;
2. all costs related to the dog, food, grooming, harness, crate and/or mat and veterinary care;
3. obtaining training and maintaining the Guide Dog/Service Dog training to provide the accommodation in a safe manner that does not disrupt student learning;
4. providing confirmation of municipal license for the dog (to be updated annually);



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5. providing confirmation of certificates of training, not older than 6 months, from an Accredited Training Organization attesting that the dog and Student Handler have successfully completed training and may safely engage in a public setting without creating a risk of safety or a risk of disruption within a school setting; and that appropriate training has been provided to the staff person who might serve as Alternative Handler;
6. a diagnosis from a registered pediatrician, psychologist, psychiatrist (or other regulated health professional) with a recommendation for the use of a Guide Dog/Service Dog;
7. a description of the services provided by the Guide Dog/Service Dog to the student, and how those services will accommodate the student's disability-related needs and assist the student in achieving their learning goals and/or goals of daily living while at school;
8. a certificate not greater than three (3) months old from a veterinarian qualified to practice veterinary medicine in the Province of Ontario identifying the age and breed of the dog and attesting that the dog:
 - a. is an adult,
 - b. does not have a disease or illness that might pose a risk to humans,
 - c. has received all required vaccinations, and
 - d. that the dog is in good health to assist the student; and
 - e. is updated annually;
9. general liability insurance providing coverage in an amount specified by the Board in the event of an injury or death as a result of the Guide Dog/Service Dog's attendance on school property or on a school-related activity (to be updated annually).

7.0 Responsibilities of the Handler/Alternative Handler

7.1 The Handler is the individual who has received training by the Accredited Training Organization and who is managing the Guide Dog/Service Dog. The Handler guides, instructs, and looks after the animal. In most cases, the Handler will be the student for whom the Guide Dog/Service Dog is provided. In the situation where the student is unable to manage the animal due to physical and/or cognitive challenges, a second individual is required and that person is deemed to be the Alternative Handler.

7.2 Where the student is not the primary Handler, TCDSB staff must be trained as the Alternative Handler(s) and accompany the student and animal at all times. As a result, such requests will be individually considered, in accordance with the duty to accommodate to the point of undue hardship, including but not limited to consideration of the resources required, alternative accommodations that might meet the student's demonstrated disability-related learning needs, and the impact on staff and other students.

7.3 The Student Handler or Alternative Handler of the Guide Dog/Service Dog or Service Animal must adhere to the following:

- a. demonstrate the ability to control the Guide Dog/Service Dog or Service Animal in accordance with the training received;
- b. ensure the Guide Dog/Service Dog or Service Animal will be readily identifiable
- c. ensure that the Guide Dog/Service Dog or Service Animal is always wearing a vest and leash or harness when the dog is not in its crate
- d. ensure the Guide Dog/Service Dog or Service Animal does not disrupt the learning of others with unnecessary movement, vocalization or other behaviour, including aggressive or threatening behaviour;
- e. ensure that the Guide Dog/Service Dog or Service Animal's biological needs are addressed;
- f. transition and maintain at all times the Guide Dog/Service Dog or Service Animal on a leash, harness, mat and/or crate; and



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- g. comply with an accommodation plan that addresses the competing rights of others.

Note: Guide Dog and Service Dog Handlers are responsible for caring for their dogs. Guide Dog Handlers are responsible for having the dog with them at all times for navigational purposes. Most Guide Dog schools have a minimum age requirement of 16 or 18 years of age, therefore it would be rare for a student to have a Guide Dog at school.

8.0 Records

- 8.1 A copy of the application and the decision approving or denying the accommodation request, as well as any other relevant documents supporting the accommodation, shall be retained in the student's Ontario Student Record (OSR).
- 8.2 The TCDSB shall be required to collect, use and disclose the personal information of the student in order to fulfill the accommodation process. Notice of the collection, use, and disclosure must be provided to the parent/adult student. Efforts should be made to limit the personal information to only that which is necessary.
- 8.3 The TCDSB is required pursuant to PPM 163: School Board Policies on Service Animals to collect certain information regarding the implementation of the policy and procedure regarding Guide Dogs/Service Dogs and Service Animals. The TCDSB will be collecting data on:
 - a. Total number of requests for students to be accompanied by Guide Dogs/Service Dogs or Service Animals;
 - i. Whether requests are for elementary or secondary school students;
 - ii. The student's grade; and
 - iii. Whether the student is the Handler.
 - b. The number of requests approved and denied;
 - i. If denied, the rationale for the decision, including a description of other supports and/or services provided to the student to support their access to the Ontario Curriculum;
 - ii. Species of Service Animals requested and approved; and



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- iii. Types of needs being supported: emotional, social, psychological, or physical.

9.0 Food Areas

9.1 Regulation 493/17 of Ontario's *Health Protection and Promotion Act*, 1990 allows Guide Dogs/Service Dogs and Service Animals in areas where food is served, sold, and offered for sale. Steps should be taken to ensure that Guide Dogs/Service Dogs and Service Animals in school cafeterias, or areas where students are consuming food, are not disruptive and do not eat student food.

9.2 No animals are allowed in areas where food is prepared, processed, or handled such as the kitchen of the school cafeteria or the hospitality classroom.

10.0 Health, Safety and Other Concerns

If a student, parent of a student, or staff member has a concern around a Guide Dog/Service Dog or Service Animal they may come in contact with, including health and safety concerns such as allergies or fear or anxiety associated with the animal, this person should identify themselves and outline their concern in writing to the principal of the school where the animal attends.

11.0 Cross References:

Bill 48, Safe and Supportive Classrooms Act, 2019

PPM 163: School Board Policies on Service Animals, 2019

OHRC Policy on Accessible Education for Students with Disabilities, 2018

J.F. v. Waterloo Catholic District School Board, 2017 HRTO 1121 (CanLII)

Special Education in Ontario K-12 Policy and Resource Guide, 2017

Learning for All, 2013

PPM 119: Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools, 2013

Accessibility for Ontarians with Disabilities Act (AODA), 2005

Blind Persons' Rights Act, R.S.O. 1990

Dog Owners' Liability Act R.S.O. 1990

Education Act R.S.O. 1990



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Health Protection and Promotion Act, R.S.O.1990

Food Safety and Quality Act 2001, S.O. 2001

Ontario Human Rights Code, R.S.O. 1990

12.0 Attachments:

- Appendix A:** Application for Guide Dog/Service Dog
- Appendix B:** Application for Service Animal
- Appendix C:** Principal's Checklist for Guide Dog/Service Dog
- Appendix D:** Sample Decision Letter Approving Guide Dog/Service Dog/Service Animal
- Appendix E:** Sample Decision Letter Declining Guide Dog/Service Dog or Service Animal
- Appendix F:** Sample Letter to the School Community
- Appendix G:** Sample Letter to the Parent of Students in Class(es)
- Appendix H:** Sample Letter to Employees and School Permit Holders
- Appendix I:** Sample Letter to the Parent(s) of Students on School Bus
- Appendix J:** Protocol: Transportation of Service Animals
- Appendix K:** Student School Emergency Evacuation Response Plan