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**SUBJECT: USE OF SERVICE ANIMALS BY GENERAL PUBLIC**

*Legal References:* Canadian Charter of Rights and Freedoms, Ontario Human Rights Code, Ontarians with Disabilities Act, 2005 (AODA), Accessibility Standards for Customer Service, Blind Persons' Rights Act R.R.O. 1990, REGULATION 58

*Related References:* Avon Maitland District School Board Annual Accessibility Plan 2009-10, Equity and Inclusive Education in Ontario Schools, Ministry of Education, 2009, Annual Accessibility Plan – Avon Maitland District School Board, AP No.143 Use of Assistive Devices by the General Public, AP No. 144 Notification of Disruption of Service, AP No.145 Use of Support Person by the General Public, AP No. 147 Monitoring and Feedback on Accessible Customer Service, AP142 Racism and Ethnocultural Equity

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**1.0 Background and Expectations**

The Avon Maitland District School Board makes all reasonable efforts to ensure that all practices and procedures are consistent with the principles of independence, dignity, integration and equality of opportunity for all, with particular attention to persons with disabilities. The Board 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. Such service incorporates measures that include but are not limited to the use of service animals

To ensure greater awareness and responsiveness to the needs of a person with disabilities, the Avon Maitland District School Board provides appropriate training for all staff who deal with the public or other third parties on behalf of the Board. This training is provided to all staff and when appropriate, to volunteers. Training is also a component of the orientation of new staff within a reasonable timeframe as they are hired.

All administrative procedures, and particularly those related to the Accessibility for Ontarians with Disabilities Act, 2005, are available to the public and in a format that takes into account a person's disability.

**2.0 Definition/Explanation of Service Animal:**

A service animal is an animal that is being used because of a person's disability and this is either readily apparent or is supported by a letter from a physician or nurse.

**3.0 Additional Information:**

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 provisions also apply to animals providing other services to people with disabilities.

It is "readily apparent" that an animal is a service animal when it is obvious 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 or a sign that identifies it as a service animal or has a certificate

or identification card from a service animal training school or an identification card from the Attorney General of Ontario. 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.

#### **4.0 Responsibility**

4.1 Supervisory Officers, Principals and Departmental 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. Training applies as well to student volunteers in positions where they would be working with the public. It must also be communicated to the school community that service animals are permitted into the school. Parents are responsible, on receiving such notification, to provide relevant health information to the school.

#### **5.0 Access to Board Premises**

5.1 Any person with a disability who is accompanied by a service animal will be welcomed on Board and/or school premises with his or her service animal and will be accompanied by the service animal while on the premises. Access will be in accordance with normal security procedures.

5.2 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 school or board offices where the public does not have access.

5.3 Community Use of School agreements will note that service animals are permitted and standard practices regarding additional custodial requirements will apply.

5.4 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.

#### **6.0 Exclusion of Service Animal**

6.1 A service animal can only be excluded from access to the premises where this is required by another law. Examples include the *Health Protection and Promotion Act* and 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 dogs are permitted where food is served and sold (e.g. school cafeteria or lunchroom).

6.2 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 options available prior to exclusion of a service animal. An example would be a situation where an individual has a severe allergy or phobia to the service animal. It is the Board's expectation that the situation be fully analyzed and all measures to eliminate the risk be considered, e.g. creating distance between the two individuals concerned, making reasonable alterations to schedules, etc.

6.3 A service animal can be excluded if it is of a breed that is prohibited by law. An example would be the Ontario *Dog Owners' Liability Act* which places restrictions on pit bull terriers.

## **7.0 Alternative Measures if Service Animal Must Be Excluded**

- 7.1 In the rare instance where a service animal must be excluded, the Board must make every effort to put alternative arrangements in place to 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, e.g., a person with a vision disability might need someone (a member of staff or volunteer) to guide them. There is no expectation on the school to provide any care (feeding, toileting) for the service animal during the exclusion.
- 7.2 When it is necessary to confirm an animal is a Service Animal
- 7.2.1 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 board staff member may ask the person using the service animal for a letter from a physician or nurse confirming that the animal is needed because of a disability. The letter does not need to identify the disability, why the animal is needed or how it is used.
- 7.2.2 Where the person using the service animal regularly attends at the school or board facility, the principal or departmental manager may request to keep a copy of the letter on file but only as long as required by the circumstances. Alternatively, the person using the service animal may be asked to bring a letter with them on occasions when they visit the premises. The principal or departmental manager shall preserve the confidentiality of the letter and information contained in the letter, and shall not use or disclose the letter or information except as provided for in the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, cM56, or as otherwise required by law.