

Believing, Achieving, Serving

# Hamilton-Wentworth Catholic District School Board

**Administrative Procedures for Student** 

Use of Certified Service Animals in

**Schools** 

**September 2022** 

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## Mission

The mission of Catholic Education in Hamilton-Wentworth, in union with our Bishop, is to enable all learners to realize the fullness of humanity of which Our Lord Jesus Christ is the model.

The Catholic Community of Hamilton-Wentworth believes the learner will realize this fullness of humanity

If the learning process

- begins at home and is part of family life
- is nurtured within the Parish
- is anchored in the Catholic Faith
- takes place within the context of worship, sacraments, and the life of the Church
- is enhanced by the school community
- is embraced by the learner as a personal responsibility for life

If learning takes place in an appropriate and challenging environment

- in which members of the school community exemplify the teachings of Jesus Christ
- which reflects Gospel values and responsible use of human, financial and natural resources
- which promotes academic excellence and clear indicators of achievement.

## Vision

Learners from Hamilton-Wentworth Catholic Schools will demonstrate

- knowledge and practice of their Catholic Faith
- the capability of nurturing a strong family unit
- esteem, respect and responsibility for self and others
- academic competence
- the ability to listen accurately and express knowledge clearly
- independence, critical thinking and effective problem solving
- proficiency with technology in order to adapt to a challenging world
- the values, attitudes and skills for effective partnerships
- the ability to transform our society.

To enable learners to achieve this vision, the faith community of the Hamilton-Wentworth Catholic District School Board will reflect

- the centrality of Jesus Christ in our lives
- the teachings of the Catholic Church
- exemplary role models
- social justice, respect and fairness for all
- a dedicated staff
- a curriculum that is dynamic, practical and relevant
- high standards
- an environment conducive to learning
- effective partnerships
- accountability at all levels.

# Acknowledgements

This policy and accompanying Administrative Procedures for Student Use of Certified Service Animals in Schools is the result of the dedication, perseverance and expertise of many staff members of the Board.

We recognize the following for their work on developing the

# **HWCDSB Policy/Administrative Procedures For Student Use of Certified Animals in Schools**

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## **ADMINISTRATIVE PROCEDURE**

#### 1. PURPOSE

- 1.1 It is the policy of the Hamilton-Wentworth Catholic District School Board (HWCDSB) in accordance with its obligations pursuant to the Ontario *Human Rights Code* to provide individualized accommodation to students with disabilities to enable them to have meaningful access to education services in a manner that respects their dignity, maximizes integration and facilitates the development of independence.
  - (a) The HWCDSB 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 HWCDSB does not provide Guide Dogs, Service Dogs or Service Animals to students.
  - (c) The HWCDSB encourages any family considering the purchase of a Guide Dog, Service Dog or Service Animal to meet with the school principal and/or Superintendent of Education, Special Education Programs and Services before making a commitment.
- 1.2 This Administrative Procedure identifies the individualized process to be followed when a parent/guardian or adult student applies to the HWCDSB to have a Guide Dog, Service Dog or Service Animal accompany the student while the student is attending school or a school-related event.
- 1.3 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 HWCDSB requires each school to have a process for visitors.
- 1.4 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 HWCDSB. 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.
- 1.5 When an adult student or parent/guardian seeks to have their child attend school or school related events with a Guide Dog / Service Dog, both the Guide Dog / Service Dog and the student handler must be certified as having been successfully trained by an accredited training facility recognized by the HWCDSB.
  - (a) Only in exceptional circumstances subject to the standards of undue hardship pursuant the *Human Rights Code*, will the HWCDSB consider an application for a student who will not be acting as the primary trained Handler of the Guide Dog / Service Dog.

1.6 Only in exceptional circumstances subject to the standards of undue hardship pursuant the *Human Rights Code*, will the HWCDSB 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.

#### 2. BACKGROUND

- 2.1 Service animals have traditionally been highly trained dogs that assist individuals with various tasks of daily living (Guide Dog, Hearing and Signal Dogs, Mobility Assistance Dogs, Seizure Response Dogs).
- 2.2 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 greater independence, dignity and opportunity for integration.
- 2.3 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. The AODA does **not** apply to a student's use of a Service Dog / Service Animal when accessing education services in school buildings.
  - (a) Pursuant to the *Code* it is possible that a Service Animal might include different species that provide a therapeutic function (horses), emotional support, sensory function, companionship and/or comfort.
  - (b) The determination of whether the animal is an appropriate accommodation in the school setting to accommodate a demonstrated disability-related learning need is a decision of the HWCDSB.
    - (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.
- 2.4 Due to risks to safety, and risks of disruption and distraction in the learning environment, the HWCDSB does **not** permit training of potential guide dogs and service dogs in the school setting or during school activities.

#### 3. **DEFINITIONS**

3.1 For the purpose of this Procedure the following definitions apply:

**Accredited training organization** is a guide dog or service dog trainer that is accredited by:

U	with the standards by which Guide Dogs for the blind/low vision are trained by its member organizations; or
	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.

**Adult student** shall be defined to mean a student who is 18 years of age or older or 16 or 17 years of age and has removed him/her/themselves from the care and control of their custodial parent.

**Disability**: The Ontario Human Rights Code, Section 10 (1) and Accessibility for Ontarians with Disability Act define "disability" as follows:

- (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- (b) a condition of mental impairment or a developmental disability,
- (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- (d) a mental disorder, or
- (e) an injury or disability for which benefits were claimed or received under the insurance plan established under the <u>Workplace Safety and Insurance Act, 1997</u>.

**Guide Dog** means a dog trained as a guide for a blind person and having the qualifications prescribed by the regulations pursuant to the *Blind Persons' Rights Act*.

**Handler** refers to the individual trained by an Accredited Training Organization who is managing the Guide Dog / Service Dog and in most cases will be the student for whom the Guide Dog / Service Dog is provided;

**Parent** shall be defined to mean a custodial parent of the student or a guardian pursuant to the *Education Act*;

**Service Dog** means a dog which has been certified after successfully completing a training program provided by an Accredited Training Organization.

**Service Animal** for the purpose of this Procedure includes a therapy dog, companion animal, comfort animal and emotional support animal and includes a dog or other domesticated animal that may legally reside in an urban, residential home, that is not highly trained to perform particular tasks to assist with a student's disability-related needs, but provides emotional support (and/or companionship, calming influence) for a student with a disability-related mental health and/or psychological need and/or comfort during a difficult period.

#### 4. ROLES AND RESPONSIBILITIES

#### **Principals**

- 4.1 School principals are responsible for the management of the school premises, the staff providing educational programs and the safety of all students.
  - (a) School principals will need to make inquiries regarding competing rights and transportation arrangements (Appendix A) when considering an application for a Guide Dog/Service Dog or Service animal.
  - (b) A school principal has authority to exclude any animal, including Guide Dogs/Service Dogs and Service Animals, from entry onto school premises and school building(s), as an accommodation for a student, provided that the student is offered appropriate alternative accommodation to meet the student's demonstrated disability-related learning needs.
  - (c) School principals, before admitting a Guide Dog/Service Dog into the school or on school related activities with the student handler, shall require a parent/adult student to submit a completed application, included in Appendix B. of the Procedure.
  - (d) Before admitting a Service Animal, the school principal shall require the parent/adult student to submit a completed application, included in Appendix C.
- 4.2 On receipt of an application for a Guide Dog/Service Dog or Service Animal, the school principal shall review the application for completeness and may request any additional information or clarification necessary to assess the request for accommodation (Appendix D).
- 4.3 If the request is approved, the principal will schedule a school case conference meeting with the parent/adult student and the student, where appropriate, and school and Board personnel as deemed appropriate. The parent/adult student is expected to attend the meeting and will be consulted in the creation of the Certified Service Animal Accommodation Plan (Appendix E). Other attendees at the meeting <u>may</u> include:
  - i. the classroom teacher;
  - ii. the Special Education Resource Teacher;
  - iii. educational support staff who are working with the student;
  - iv. Assistant/Superintendent of Special Education Programs and Services;

- v. Student Services Support staff;
- vi. the Board's Manager Health and Safety or designate;
- vii. Manager of Real Estate, Community Partnerships and Transportation or Hamilton-Wentworth Student Transportation Services (HWSTS) or designate;
- viii. Senior Facilities Manager;
- ix. Certified Service Animal's trainer; and,
- x. An advocate chosen by the parent/guardian/adult student.
- (a) This plan shall be reviewed after a three month trial period.
- (b) The Certified Service Animal Accommodation Plan (Appendix E) will address such matters as bio breaks, hygiene, feeding, hydrating, grooming, emergency procedures and integration of the Certified Service Animal in the school with staff and with students. The Certified Service Animal Accommodation Plan will be reviewed each school year in elementary, and each semester in secondary by the principal/designate. A re-assessment will occur, to determine whether the Certified Service Animal continues to be a required accommodation to access the Ontario Curriculum.
- (c) The principal/designate shall develop and/or amend the student's Individual Education Plan (i.e., exceptional and non exceptional) to reflect the accommodation of the Certified Service Animal attending the school with the student on school premises including the school parking lot, also out of school learning experiences and other school or Board sanctioned activities or events.
- 4.4 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 plan (refer to Appendix E).
- 4.5 Where a student supported by a Guide Dog/Service Dog/Service Animal, whose parent is the Handler, seeks only to attend a school excursion with the Guide Dog/Service Dog/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/Service Animal and parent as the handler.
  - a. Inquiries will need to be made regarding competing rights and transportation arrangements (refer to Appendix A).

#### **Parents/Adult Students**

4.6 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,

including the parking lot, and/or on school-related activities. The parent or adult student shall be responsible for:

- (a) submission of Appendix B;
- (b) all costs related to the dog, food, grooming, harness, crate and/or mat and veterinary care;
- (c) obtaining training and maintaining the Guide Dog/Service Dog training to provide the accommodation in a safe manner that does not disrupt student learning;
- (d) providing confirmation of municipal license for the dog (to be updated annually),
- (e) providing confirmation of certificates of training not older than six 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;
- (f) providing a letter of diagnosis from a registered pediatrician, psychologist, psychiatrist (or other regulated health professional as determined by the HWCDSB) with a recommendation for the use of a Guide Dog/Service Dog;
- (g) 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;
- (h) a certificate not greater than three months old from a veterinarian qualified to practice veterinary medicine in the Province of Ontario attesting that, the dog is an adult; identifying the age and breed; does not have a disease or illness that might pose a risk to humans; has received all required vaccinations; and is in good health to assist the student (to be updated annually);
- (i) 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).

#### Students

- 4.7 Students will be expected to act as the Guide Dog/Service Dog's primary handler. The student handler must:
  - (a) demonstrate the ability to control the Guide Dog/Service Dog in accordance with the training received;
  - (b) ensure that the Guide Dog/Service Dog is always wearing a vest and leash or harness when the dog is not in its crate, on school board premises including the parking lot, or other board-related events;

- (c) ensure the Guide Dog/Service Dog does not disrupt the learning of others with unnecessary movement, vocalization or other behaviour, including aggressive or threatening behaviour;
- (d) ensure that the Guide Dog/Service Dog's biological needs are addressed;
- (e) transition and maintain at all times the Guide Dog/Service Dog on a leash, harness, mat and/or crate; and,
- (f) comply with an accommodation plan that addresses the competing rights of others (Refer to Appendices A and E).

#### **Guide Dog/Service Dog**

- 4.8 The Guide Dog/Service Dog:
  - (a) shall be highly trained and certified by Accredited Training Organization with evidence of training or re-certification confirming compliance with training requirements within the last 6 months;
  - (b) must be groomed and clean;
  - (c) must at all times while on school property be responsive to commands and demonstrate that it can perform the necessary tasks or accommodation;
  - (d) must **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 is grounds to prohibit the Guide Dog / Service Dog's attendance on school property and in the school building;
  - (e) must have control of its biological functions so as not to soil the inside of buildings, or require feeding during the school day; and,
  - (f) must demonstrate continuous appropriate behaviour with its Handler and others in the school environment to remain eligible for entry in school buildings or school-related events.

#### 5. ASSESSMENT OF THE ACCOMMODATION REQUEST

- Once the application and all necessary documentation is received by the school principal, a review will take place by the HWCDSB and a meeting shall be scheduled to review the accommodation request. Every effort will be made to review the documentation and schedule a meeting in a reasonable timeframe.
- 5.2 A meeting with the Board team supporting the student, the parent/adult student and student (as appropriate), the health practitioner recommending the Guide Dog/Service Dog/Service Animal for the student, the trainer of the Guide Dog/Service Dog and of the Handler, and any other individuals who may contribute to the accommodation process may be scheduled to review the request for accommodation. (Refer to 4.3 for a list of possible attendees).
- 5.3 Each request for a Guide Dog/Service Dog/Service Animal will be addressed on an individual basis giving consideration 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) as well as supporting documents such as psychological assessments, occupational or physical therapy assessments, functional behaviour assessments, etc.;
  - (b) 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;
  - (c) assessment information provided by a regulated health professional with expertise regarding the student's disability-related needs supporting the request for a Guide Dog/Service Dog or Service Animal;
  - (d) the training and certification of the Guide Dog/Service Dog and student as handler;
  - (e) the impact of the accommodation on the student's dignity, integration and independence;
  - (f) whether one or more alternative accommodations can meet the needs of the student;
  - (g) 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;
  - (h) whether training will be required for staff and/or the student;
  - (i) the impact of the accommodation on the learning environment for the student, other students, including, health, safety, disruption and distraction; and, any competing human rights of students, staff, and community members using the school pursuant to a permit with recommendations for accommodation plans to reconcile competing rights; and,

- (j) any competing human rights of students, staff, and community members using the school pursuant to a permit with recommendations for accommodation plans to reconcile competing rights.
- 5.4 The process of accommodation, including inquiries regarding competing rights and notice to the school community, shall respect the student's right to privacy regarding their disability and specific learning needs and/or needs of daily living.
- 5.5 Where the student is not the primary handler, HWCDSB staff must be trained as the handler(s) and accompany the student and dog 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 consideration of the resources required, alternative accommodations that might meet the student's demonstrated disability-related learning needs and the impact on the staff and other students.
- 5.6 Service Animals shall only be considered when reasonable methods of accommodation in the school setting have been unsuccessful in meeting the demonstrated disability-related learning needs of the student. Parents must complete an application for a Service Animal (Appendix C).
  - (a) The accommodation process following a request by a parent/adult student for a Service Animal shall be consistent with the process noted above, but shall also include any special considerations that may arise if an animal is a species other than a dog, including 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.
- 5.7 The determination with respect to the application for a Guide Dog / Service Dog / Service Animal shall be communicated to the parent/adult student in writing in accordance with Appendix J or K.

#### 6. IMPLEMENTING THE ACCOMMODATION

- 6.1 Where approval is granted, the school principal in consultation with the student's educational team, will do the following:
  - (a) make changes to the student's IEP goals and/or student's medical plan of care and may provide for the accommodation on a 3 month 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;
  - (b) organize an orientation session for school staff, students and the student handler;
  - (c) develop a timetable identifying a bio-break, water break, location/process to be followed during instructional and non-instructional times;

- (i) 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 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 HWCDSB's Health and Safety Officer with health and safety issues applicable to different areas/activities in the school;
- (d) develop emergency procedures, to include a fire exit plan, lockdown plan, evacuation plan;
- (e) provide notice to the community via a letter to parents; posting on the school's website/social media; presentation by the trainer of the Guide Dog/Service Dog during a school council meeting or association supporting the use of the Service Animal; signage on the school's front door, gymnasium and learning commons 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 (Refer to Appendices F, G, H, I and M);
- (f) convene a student assembly for introduction and orientation regarding the Guide Dog/Service Dog or Service Animal;
- (g) arrange for transportation of the Guide Dog/Service Dog or Service Animal to and from school, if necessary and communicated to HWSTS;
  - (i) If the Guide Dog/Service Dog/Service Animal will be accompanying the student on a school vehicle, inquiries must be made regarding competing rights, the transportation plan must specify where the Guide Dog/Service Dog/Service Animal and student will be located; and, the vehicle shall have a sticker/sign identifying the presence of a Guide Dog/Service Dog/Service Animal is on board (Appendix A, E and M);
  - (ii) Documentation about the Guide Dog/Service Dog/Service Animal will be included with the route information so that new or substitute bus drivers are aware of the Guide Dog/Service Dog/Service Animal's presence.
  - (iii) Specialized transportation shall **not** be provided solely for the purpose of enabling the Guide Dog/Service Dog/Service Animal to travel to and from school with the student.

#### 7. CONTINUOUS ASSESSMENT

- 7.1 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 (Appendix L).
- 7.2 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/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/Service Animal from the classroom immediately and the student's parent will be called to pick up the Guide Dog/Service Dog/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 Board in its discretion determines that the accommodation is not effective for the student's demonstrated disability-related learning needs or acts of daily living.

#### 8. RECORDS

- 8.1 A copy of the application and confirmation of approval, as well as any other relevant documents supporting the accommodation shall be retained in the student's Ontario Student Record (OSR).
- 8.2 The HWCDSB 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 collection of personal information to only that which is necessary, while being mindful of protecting the privacy and dignity of the student who has requested the use of the Certified Service Animal.
- 8.3 The HWCDSB is required pursuant to *PPM 163 School Board Policies on Service Animals* to collect information regarding the implementation of the policy and procedure regarding Guide Dogs/Service Dogs/Service Animals, including.;
  - (a) Total number of requests for students to be accompanied by Guide Dogs/Service Dogs/Service Animals;
    - (i) Whether requests are for elementary or secondary school students;
    - (ii) The student's grade;
    - (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

(iii) Types of needs being supported: emotional, social, psychological, physical.

This data is designated to be sent by the principal to the Superintendent of Education, Special Education Programs and Services who is designated to collate system data.

#### 9. FOOD AREAS

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

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.

# **Appendices:**

This protocol includes the following appendices for reference.

Appendix A: Competing Rights – Questions and Answers

Appendix B: Application for Guide Dog/Service Dog

Appendix C: Application for Service Animal

Appendix D: Principal Checklist for Guide Dog/Service Dog/Service Animal

Appendix E: Certified Service Animal Accommodation Plan

Appendix F: Sample Letter to Employees & School Permit Holders

Appendix G: Sample Letter to the School Community

Appendix H: Sample Letter to the Parents of Students on School Bus

Appendix I: Sample Letter to the Parents of Students in Class(es)

Appendix J: Sample Letter Decision Letter Approving Guide Dog/Service Dog/Service Animal

Appendix K: Sample Letter Decision Letter Declining Guide Dog/Service Dog/Service Animal

Appendix L: Yearly Review for a Certified Guide Dog/Service Dog/Service Animal

Appendix M: Entry Notice Sign – Working Service Dog (Sample)

### **Appendix A: Competing Rights - Questions and Answers**

The rights and needs of students with disabilities and the safety of the Certified Service Animal and of other animals that are part of educational programs or visiting schools must be considered.

#### Q: What happens if a school member is fearful of animals or is allergic?

**A:** Common allergic reactions and fear of animals are not **automatic** grounds for prohibiting Certified Service Animals from the premises. If staff or students are afraid or allergic to the animal accommodations for all parties should be considered such as keeping the student or others as far apart from the animal as reasonably possible. Accommodations should be made in a timely manner.

#### Q: What happens if there are competing rights under the Ontario Human Rights Code?

**A:** Situations may arise where one individual's rights under the Code (e.g., a Certified Service Animal for a person with a disability) may clash with another individual's rights under the Code.

For example, there may be circumstances in which another member of the school community (staff or student) has a severe allergy to a Certified Service Animal causing respiratory distress or anaphylaxis or a specific phobia to animals. It is the HWCDSB's expectation that the situation be fully analyzed and all options discussed to try to find a satisfactory resolution for both parties, e.g., creating distance between the two individuals concerned, making reasonable alterations to schedules, suggesting that one party return at another time if possible, etc. The students are expected to keep their Certified Service Animal regularly bathed and groomed to help reduce allergens.

Another example may be a situation where an individual states that the presence of a Certified Service Animal interferes with the practice/tenets of his/her religion (creed). In such cases, it is important to remember that rights under the Code are not absolute and no one right is more important than another. Consequently, each situation should be addressed on its own merits and the parties concerned should undergo a case- by- case basis analysis to search for solutions to reconcile such competing rights if possible. Resolution may result in making reasonable efforts to maintain distance between the Certified Service Animal and the other party, making reasonable adjustments to schedules, or other forms of accommodation.

Moreover, members of the Special Education Support Services Department and the Human Resources Department are available to support schools as partners in the collaborative problem solving process.

#### Q: What happens if there is an incident with the Certified Service Animal?

**A:** In the case of injurious or threatening behaviour caused by the Certified Service Animal, staff will:

Immediately notify the principal or their designate;

- Complete an accident report;
- Notify the parent(s) of the student with the Certified Service Animal;
- Notify parent(s) of students affected by the incident, if applicable;
- Remove the Certified Service Animal from the school pending review of the situation.
- Hold a meeting to review reinstatement of the Certified Service Animal. until a meeting is held. Attendees should include the following: the parent of the student/adult student with the Certified Service Animal, principal or viceprincipal, teacher, Superintendent of Education, service animal organization (where applicable);
- Notify the Assistant-Superintendent, Special Education Programs and Services.

#### Q: What happens if there are other animals at the school?

A: Certified Service Animals should be kept a safe distance away from each other. Some animals may become agitated by the presence of other animals which may result in harm to staff, students or animals. If a concern exists, Certified Service Animals may be kept at a safe distance, in opposite areas of a classroom, in separate areas considered reasonable under the circumstances, or another reasonable form of accommodation may be attempted.

**Advanced Notice of Other Animals at the School**. If arrangements have been made for other animals to be on school premises, the principal or their designate should discuss the matter with students who require Certified Service Animals, their parents/guardians and the organization or individual bringing animals to the school.

Advanced notice should be given to all parties to inform them that other animals may be present in the school as part of educational programs. Advanced notice should be sufficient to permit all parties time to determine if a concern for the health and safety of any person or animal exists and to make alternative arrangements, if necessary.

Notice should include the following information:

- Type of animal;
- Date of the animal's arrival;
- Duration of the animal's stay; and,
- School programs/classes involved.

#### Q: May anyone bring a Certified Service Animal into a school building?

**A:** While the Accessibility for Ontarians with Disabilities Act (2005, the Blind Persons' Rights Act (1990) and the Ontario Human Rights Code (1990) provided authority for Certified Service Animals to accompany their handlers in all <u>public places and spaces</u> accessible to third parties, **school buildings are NOT public places pursuant to the Education Act.** 

Certified Service Animals may, however, be recognized as an accommodation strategy that assists a student with disability-related needs to access the Ontario Curriculum or perform daily living activities as the health and safety of the school community.

HWCDSB Administrative Procedures for Student Use of Certified Service Animals in Schools

# **Appendix B: Application Form for Guide Dog/Service Dog**

#### Insert School Letterhead

Demographic Information	
Name of Student:	Date of Birth:
Ontario Education Number (O.E.N.):	
(0.2).	
Home Address:	
Parent/Guardian Name:	
Telephone Numbers	
Home:Cell:	<u>:</u>
Parent/Guardian Name:	
Telephone Numbers	
Home:Cell:	·
School:	
Reason for requesting a Guide Dog/Service Dog	
Length of time the student and Guide Dog/Serv	ice Dog have worked together:
yearsmonths	

I/We have read and understand our roles and responsibilities under Section 4.6 of this Administrative Procedure and are providing the following supporting documentation for this application:

#### Insurance

Pursuant to *Dog Owners' Liability Act,* RSO 1990, c.D16, the owner of a dog is responsible for any injury or death caused by the dog. Please attach a certificate of home or contents insurance.

Where the dog is owned by a registered charity, please provide a letter from the registered charity confirming their ownership of the dog. A minimum of two million dollars of coverage will be required.

I/We understand that if the Guide Dog/Service Dog exhibits any behaviours (e.g., growling, scratching, nipping, biting, etc.) it will be removed until the Certified Service Animal Accommodation Plan and/or Safety Plan is re-evaluated to ensure the safety of staff, students and visitors.

I/We give permission for information to be shared with the school community and agree to the delivery of letters to the community Appendices F, G and H (attached).

I/We understand that the principal shall preserve the confidentiality of all information received from the parent/adult student and shall not use or disclose the information except in accordance with the Municipal Freedom of Information and Protection of Privacy Act, the Personal Health Information Protection Act, the Education Act or as otherwise required by law.

I/We consent to the use and disclosure of the information by the principal to such other Board personnel and third parties as may be required for the performance of their duties.

I/We acknowledge having received and read a copy of the Competing Rights- Questions and Answers (Appendix A).

Name of Parent/Adult Student Please Print	Signature of Parent/Adult Student	Date
Name of Parent/Adult Student Please Print	Signature of Parent/Adult Student	 Date

For Office Use Only:	
Request for Guide Dog/Service Dog: Approved Denied	
Signature of Principal:	Date:
cc: School Superintendent of Education Superintendent of Education, Special Education Programs and Services	

HWCDSB Administrative Procedures for Student Use of Certified Service Animals in Schools

Personal information of the student and parent/guardian is being collected by the Hamilton-Wentworth Catholic District School Board in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* to be used to provide education services pursuant to the *Education Act* s.170(1)7 and PPM 163 and the *Human Rights Code*, s.1.

Tive CD3D Administrative Procedures for Student Ose of Certified Service Aminials in Schools

# **Appendix C: Application Form for Service Animal**

#### Insert School Letterhead

Demographic Information	
Name of Student:	Date of Birth:
Ontario Education Number (O.E.N.):	
Home Address:	
Parent/Guardian Name:	
Telephone Numbers Home: Cell:	
Parent/Guardian Name:	
Telephone Numbers  Home: Cell: School:	
Reason for requesting a Service Animal	
	·
Length of time the student and Service Animal have wo	orked together:
yearsmonths	
I/We have read and understand our roles and res Administrative Procedure and are providing the follo application:	•
Disability-Related Needs to be accommodated by Service  Please attach a letter of diagnosis from a registered (or other regulated health professional as recommendation for the use of a Guide Dog/Service)	ed pediatrician, psychologist, psychiatrist determined by the HWCDSB) with a
Veterinary Certificate  ☐ Please attach a certificate from a veterinarian qu	alified to practice veterinary medicine in

the Province of Ontario (confirmation to be updated annually) attesting to:

- Species of animal, age and confirmation that the animal is an adult;
- the animal does not have a disease or illness that might pose a risk to humans;
- > the animal has received all required vaccinations;
- the animal is in good health to assist the student.

### **Information regarding the Service Animal**

> Describe the biological needs of the animal.

- Describe in detail the tasks or services performed by the animal;
- Identify the oral commands or visual signs to which the animal responds;
- Attestation will be required confirming that the animal does not make vocal noises, does not engage in distracting behaviour, does not exhibit aggression;
- Identify whether the animal will be on a leash/harness or in a crate;


#### Student

- > Can the student independently manage the animal?
- Describe in detail where, when and how the student currently utilizes the animal's services in public spaces for accommodation purposes.
- Please describe below what, if any, responsibilities the student is capable of performing independently.

>	Please describe below the responsibilities you wish to have assumed by a school staff member.

#### Insurance

A parent/adult student must provide an insurance certificate identifying that the HWCDSB is insured in the event that the animal causes damage to the school or its contents, or causes injury or death to any person accessing the school building or the school grounds. A minimum of two million dollars of coverage will be required.

HWCDSB Administrative Procedures for Student Use of Certified Service Animals in Schools				
I/We understand that if the Certified Service Animal exhibits any behaviours (e.g., aggression, vocal noises, distracting behaviour, etc.) it will be removed until the Certified Service Animal Accommodation Plan and/or Safety Plan is re-evaluated to ensure the safety of staff, students and visitors.				
I/We give permission for information to be delivery of letters to the community Appe	-	lagree to the		
I/We understand that the principal shall preserve the confidentiality of all information received from the parent/adult student and shall not use or disclose the information except in accordance with the Municipal Freedom of Information and Protection of Privacy Act, the Personal Health Information Protection Act, the Education Act or as otherwise required by law.				
I/We consent to the use and disclosure of the information by the principal to such other Board personnel and third parties as may be required for the performance of their duties.				
I/We acknowledge having received and read a copy of the Competing Rights- Questions and Answers (Appendix A).				
Name of Parent/Adult Student Please Print	Signature of Parent/Adult Student	 Date		
Name of Parent/Adult Student Please Print	Signature of Parent/Adult Student	Date		
For Office Use Only:				

For Office Use Only:  Request for Certified Service Animal: Approved Denied	
Signature of Principal:	Date:
cc: School Superintendent of Education Superintendent of Education, Special Education Programs and Service Assistant Superintendent of Education, Special Education Programs are	

Personal information of the student and parent/guardian is being collected by the Hamilton-Wentworth Catholic District School Board in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* to be used to provide education services pursuant to the *Education Act* s.170(1)7 and PPM 163 and the *Human Rights Code*, s.1.

Appe	ndix D: Principal's Checklist for Guide Dog/Service Dog/Service Animal
Schoo	ol:
Stude	ent Name: Grade
	ation Requirements for Guide Dog/Service Dog/Service Animal Assessment report from a regulated health professional with diagnosis and accommodation to be provided
	Supporting documents (IEP, psychological, occupational therapy, physical therapy, functional behaviour, and/or orientation and mobility assessments)
	Certificate of training or attestation for Guide Dog/Service Dog/Service Animal [within 6 months]
	Certificate of training or attestation for student handler [within 6 months]
	Letter of confirmation that the trainer will present to Catholic School Council, school assembly and classroom
	Certificate of liability insurance with a minimum of two million dollars of coverage [within 3 months] or letter from the registered charity which owns the dog
	Letter of inquiry with school staff and community using the school pursuant to permit regarding allergies, phobia/fear or cultural sensitivity
	Assessment by Health and Safety Officer
	Review of competing rights document.
•	nentation Requirements  Accommodation plan where there are competing rights (may include restriction of access to areas of school, change in classroom etc.)
	Timetable identifying bio breaks, when accompanying student, when in crate
	Emergency procedures (fire exit plan, lockdown plan, evacuation plan)
	Letter to parents that Guide Dog/Service Dog/Service Animal will be accompanying a student within the school community.
	Information session during to school council meeting
	Posting on school website that Guide Dog/Service Dog/Service Animal will be accompanying a student within the school community.

☐ Signage for front door, gymnasium door and learning commons door advising of Guide

Dog/Service Dog/Service Animal

HWCDS	B Administrative Procedures for Student Use of Certified Service Animals in Schools
	Contact General Manager of Hamilton-Wentworth School Transportation Services (if required)
	Orientation for school staff and students
	Training for staff member acting as handler (if required)
	Identification of benchmarks for assessment of effectiveness (to be reviewed with IEP), after three month trial, and reviewed at least annually thereafter.

# **Appendix E: Certified Guide Dog/Service Dog/Service Animal Meeting Template**

The Certified Service Animal Accommodation Plan is completed after Appendix C has been approved by the principal in consultation with other Board personnel as deemed appropriate and appropriate documentation for parent/adult student has been submitted.

#### **Meeting Attendees**

Name	Affiliation/Position	Contact Information
Student Name:		_
Student Date of Birth:		<u> </u>
Grade:		
Ontario Education Number (O.E.N.):		
Parent/Adult Student:		
Parent/Adult Student:		
Address:		
Type/Breed of Animal:		
Age of Animal:		<u> </u>
Meeting Date:		<u> </u>
Completed By:		<u></u>

Agenda Items		Discussion/Action	Person Responsible/Timeline
1. Completion Checklist			
	Assurance Certified Service Animal is suitable for educational setting and will not pose a risk to health and safety has been provided		
	Approval for Certified Service Animal has been granted		
	Review of Competing Rights		
	Discuss timelines for entry of service animal		
	Parent(s)/Guardian(s) Responsibilities, all required documentation has been provided, e.g., health information, license, training		
2. Dai	ily Planning Items		
	Identify purpose/function of the Certified Service Animal		
	Seating arrangements in classroom		
	Privacy - where information is stored		
	Delivery of academic programs		
	Any changes to in- class routines and procedures		
	Responsibilities of resource staff, if any		

Agenda Items	Discussion/Action	Person Responsible/Timeline
☐ How animal will be identified as a service animal.		
☐ Animal waste plan – bio break plan		
☐ Any seasonal changes? Salt pads, coat?		
☐ Feeding and water plan		
<ul><li>Leash or other containment</li></ul>		
□ Dog will sit on: mat/soft crate		
3. Safety		
☐ Safety Plan Required		
☐ Use of distinctive harness/saddlebag or vest		
<ul> <li>Emergency plans and school drills for exiting building, bomb threat protocols, etc.</li> </ul>		
4. Entry/Exit		
☐ Scheduling		
☐ Parent drop off?		
☐ Nutrition breaks		
5. Medical		
☐ Medical Plan Required Yes N/A ☐ Medical and Safety consideration		
6. Communication		
☐ School Community Plan		
☐ Staff Plan		
☐ Social stories for students		

Agenda Items	Discussion/Action	Person Responsible/Timeline
☐ Letters (Home)		
7. Individual Education Plan (IEP)		
☐ Review		
☐ Addition of Certified Service Animal		
8. Behaviour		
☐ Notification of incident on or off school property		
9. Programming		
☐ Timeline for entry		
☐ Schedule		
☐ Review all areas service animal will access		
10. Bus Transportation		
☐ Special Education/regular bus – seatbelt/vest		
☐ Pick up/Drop off location and times		
☐ Seating Arrangements		
<ul><li>Accommodation for other students/driver</li></ul>		
☐ Responsibilities of Resource Staff, if any		
☐ Responsibilities of bus driver		
☐ Transportation for out of school learning experiences		
☐ Animal waste plan		
☐ Bus letter Appendix H (joint with public school board)		
11. Other		

HWCDSB Administrative Procedures for Student Use of Certified Service Animals in Schools

	Signature
Parent/Adult Student	
Parent/Adult Student	
Date:	

#### Original to OSR

Copy to: Parent/Adult Student, Teacher(s), Principal, Family of Schools Superintendent of Education and Assistant/Superintendent, Special Education Programs and Services.

This information is collected, used and disclosed pursuant to the Hamilton-Wentworth Catholic District School Board's Privacy Policy, the *Education Act* and its regulations, the *Municipal Freedom of Information and Protection of Privacy Act*, and the *Personal Health Information Protection Act* for education, transportation and safety purposes. This information will become part of the Ontario Student Record (OSR). Any questions with respect to this information should be directed to the Principal of the school.

# **Appendix F: Sample Letter to Employees & School Permit Holders**

Insert School Letter Head
Date
To Employees and Permit Holders
This letter is to advise that the school is in the process of planning for a Guide Dog/Service Dog /Service Animal to attend [school] with a student in order to accommodate the student's needs pursuant to the <i>Ontario Human Right Code</i> .
The Guide Dog/Service Dog/Service Animal is trained to provide service in a manner that does not disrupt the learning environment for others and is identifiable by its vest or harness.
A specific timetable will be created, which identifies where and when the Guide Dog/Service Dog/Service Animal will be at different periods of the school day, and will be shared with you.
We respect the needs of all staff and our community partners in providing a safe and inclusive workplace and environment.
Should you have any questions, concerns, and/or feedback regarding the health or safety of your child or yourself (e.g., allergies, fear or anxiety of the animal), please address these concerns, in written form, to the Principal within two weeks of receiving this letter.
Thank you for your on-going cooperation and support.
Sincerely,
Principal

# **Appendix G: Sample Letter to the School Community**

Insert School Letter Head
Date
Dear Parents/Guardians:
This letter is to advise that a Guide Dog/Service Dog/Service Animal will be attending [school] with a student in order to accommodate the student's needs pursuant to the <i>Ontario Human Right Code</i> .
The Guide Dog/Service Dog/Service Animal is trained to provide service in a manner that does not disrupt the learning environment for others and is identifiable by its vest or harness.
An information session has been scheduled to take place following the school council meeting on [insert date]. A trainer from [insert] will be present to answer any questions that you might have about the training of Guide Dogs/Service Dogs/Service Animals.
An orientation session will be provided for all students, to explain the role of Guide Dogs/Service Dogs/Service Animals as working animals, not pets, and to identify how the Guide Dog/Service Dog/Service Animal will be integrated into our school community.
We respect the needs of all students in providing a safe and inclusive learning environment. Please let us know if you have any specific concerns regarding the presence of a Guide Dog/Service Dog/Service Animal in our school.
Thank you for your on-going support.
Sincerely,
Principal

### Appendix H: Sample Letter to the Parents of Students on School Bus



Date:

Dear Parents/Guardians:

This letter is to inform you that there will be a Certified Service Animal travelling on your child's school bus effective (date).

This Certified Service Animal is trained and certified by a recognized training facility. The right to have a Certified Service Animal is protected under the Ontario Human Rights legislation and Accessibility for Ontarians with Disability Act, (2005), and HWCDSB policy.

The Guide Dog/Service Dog/Service Animal and student will be assigned a specific seating area on the bus, and the Guide Dog/Service Dog/Service Animal is trained not to be disruptive while riding on school transportation. It will be identifiable by its vest or harness.

Your child will be participating in an orientation session to explain the role of Guide Dogs/Service Dogs/Service Animals as working animals, not pets, and to identify how the Guide Dog/Service Dog will be integrated into our school community.

Thank you for your anticipated understanding and support. Should you have any questions or concerns, please contact the Hamilton-Wentworth Student Transportation Services office at (905) 523-2318 extension 3280.

Sincerely,

David Colley General Manager, HWSTS

cc: School Principal, Family of Schools Superintendent of Education, Superintendent of Education, Program and Services, Manager of Real Estate, Community Partnership & Transportation, Classroom teacher(s), OSR

# Appendix I: Sample Letter to the Parents of Students in Class(es)

Appendix i. Sample Letter to the Parents of Students in Class(es)
Insert School Letterhead
Date
Dear Parents/Guardians:
On [date] the school forwarded a letter home to all parents advising that a Guide Dog/Service Dog/Service Animal would be introduced to our school community.
This letter is to advise that a Guide Dog/Service Dog/Service Animal will be attending [school] with a student in your child's class / [insert course] in order to accommodate the student's needs pursuant to the <i>Ontario Human Rights Code</i> beginning [insert date].
The Guide Dog/Service Dog/Service Animal is trained to provide service in a manner that does not disrupt the learning environment for others and is identifiable by its vest or harness.
Your child has participated in an orientation session to explain the role of Guide Dogs/Service Dogs/Service Animals as working animals, not pets, and to identify how the Guide Dog/Service Dog/Service Animal will be integrated into our school community.
If you have any questions or concerns, please do not hesitate to contact your child's teacher or me.
Thank you for your on-going support.
Sincerely,
Principal

## Appendix J: Sample Decision Letter Approving Guide Dog/Service Dog/Service Animal

Insert School Letterhead

Date

#### Dear Parent/Adult Student:

I am writing to communicate the decision regarding your request that your child/you attend school with a Guide Dog/Service Dog/Service Animal to provide accommodation for disability-related learning needs/acts of daily living.

I wish to confirm approval of your request.

As we have discussed, your/your child's ability to perform the responsibilities of a handler, and assessment of benchmarks established for evaluating the effectiveness of the Guide Dog/Service Dog/Service Animal in meeting your/your child's accommodation needs will take place on a regular basis.

You will be responsible for ensuring that the Guide Dog/Service Dog/Service Animal is groomed, has a vest or harness and crate [if necessary], as well as a water bowl. All costs associated will be your responsibility.

If concerns arise regarding the integration of the Guide Dog/Service Dog into the school community and your/your child's class(es), a meeting will be scheduled to review how the issues might be resolved.

In the event that the Guide Dog/Service Dog/Service Animal engages in behaviour that is distracting, disruptive or aggressive, including making noise, failing to follow commands, growling or nipping, you/your child/the handler will be required to remove the Guide Dog/Service Dog/Service Animal from the classroom immediately and you will be required to arrange for the Guide Dog/Service Dog/Service Animal to be removed from the school. In such a case, alternative options for accommodation will be reviewed.

Sincerely,

#### Principal

Cc: Family of Schools Superintendent of Education, Superintendent of Education, Special Education Programs and Services, Classroom Teachers(s), OSR

# Appendix K: Sample Decision Letter Declining Guide Dog/Service Dog/Service Animal

Insert School Letterhead
Date
Dear Parent/Adult Student
I am writing to communicate the decision regarding your request that your child attend school with a Guide Dog/Service Dog/Service Animal to provide accommodation for disability-related learning needs/acts of daily living.
I wish to communicate that your request is being denied.
As we have discussed, your child is not able to perform the responsibilities of a handler [and/or the Service Animal is not trained and may be disruptive or a distraction in the school environment], and reasonable alternative accommodations that respect your child's dignity, encourage independence and facilitate integration are available to support your child's learning needs and access to meaningful educational services.
This decision is not subject to appeal; however, if you wish to discuss the alternative accommodation measures available to support your child while at school, please contact me to arrange for a meeting.
Sincerely,
Principal
Cc: Family of Schools Superintendent of Education, Superintendent of Education, Special

Education Programs and Services, Classroom Teachers(s), OSR

### Appendix L: Yearly Review for a Certified Guide Dog/Service Dog/Service Animal

Date of Review:	
Ontario Education Number (O.E.N.):	
Address:	
School:	
Name(s) of Parent(s)/Adult Student: _	
-	
Telephone number(s): home:	mobile:

I/We have:

- a) Reviewed the existing documentation and practice from the past year with Certified Service Animal (accommodation plan, safety plan) and agree with the changes for the upcoming year (if any).
- b) Verified that all documentation is still current and applicable (recommendation from regulated health professional, Certified Service Animal training certification, vaccinations and other health information).
- c) Understood that if the Certified Service Animal exhibits any unprovoked behaviours (e.g. growling, scratching, nipping, biting etc.) it will be removed until the plan is re-evaluated to ensure the safety of staff, students and visitors.

I/we understand that the principal shall preserve the confidentiality of all information received from me/us, and shall not use or disclose the information except in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, the *Personal Health* \ *Information Protection Act*, and the *Education Act* or as otherwise required by law. I/we consent to the use and disclosure of the information by the principal to such other Board personnel and third parties as may be required for the performance of their duties.

HWCDSB Administrative Procedures for Student Use of Certified Service Animals in School	S
Signature of Parent/Adult Student:	
Date:	
Signature of Principal:	
Date:	
Signature of Family of Schools Superintendent:	
Date:	

cc: O.S.R.

Appendix M: Entry Notice Sign – Working Service Dog (Sample)



# **NOTICE:**

There is a working SERVICE DOG in this school.

Please do <u>not</u> touch or pet the dog.

