# Ministry Introduces Requirement for School Boards to Develop Service Animal Policies

**October 22, 2019**

The new Ministry of Education Policy/Program Memorandum No. 163 (PPM 163) requires all Ontario school boards to implement service animal policies by January 1, 2020. PPM 163 also outlines what the service animal policies must contain.

## Background

Prior to this year, educators, students, and parents had very little access to guidance on the safe and inclusive introduction of service animals into the school environment. There was no provincial legislation on the matter specifically aimed at schools and, as recently as early September 2019, just over half of all Ontario school boards had implemented service animal policies.

The Ontario Government decided to remedy this deficiency on April 13, 2019, passing Bill 48, *Safe and Supportive Classrooms Act, 2018*. Among other things, this bill amends the *Education Act*, authorizing the Minister of Education to establish policies and guidelines respecting service animals in schools.

After circulating a draft policy/program memorandum in April, the final version of PPM 163 was published on September 9, 2019. Ontario school boards are now required to comply with PPM 163 through their own policies respecting student use of service animals in schools by January 1, 2020.

## What is a Service Animal?

The term “service animal” refers to any animal that provides support to a person with a disability. Traditionally, service animals have been dogs, but other species may also provide services to individuals with disabilities. The types of functions performed by service animals are diverse and may include sensory, medical, therapeutic and emotional support services. In the context of PPM 163, service animals are animals that provide support relating to a student’s disability, to assist that student in meaningfully accessing education.

School boards must determine on a case-by-case basis whether a service animal may accompany a student, taking into account all the circumstances. School boards should allow a student to be accompanied by a service animal when doing so would be an appropriate accommodation to support the student's learning needs and would meet the school board's duty to accommodate students with disabilities under the Ontario *Human Rights Code*.

# Content of PPM 163

At minimum, each service animal policy must contain:

1. A communication plan to inform parents about the requests process for allowing their child's service animal in the school; and
2. A clear requests process laying out how applications for students to be accompanied by service animals in schools can be made and the steps in the school board decision-making process.

In addition, the service animal policy should include:

1. A clearly articulated process for parents to follow when making requests for students to be accompanied by service animals in school;
2. A clear outline of the roles and responsibilities of students, parents, and school staff regarding service animals at school;
3. Information about how the school board will document its decision making process;
4. A written response to the family that made the request in a timely manner, if the school board denies a request for a service animal;
5. A process for developing a plan that addresses the ongoing documentation required for the animal, the type of support the service animal will provide, who the handler of the service animal will be, a care plan for the animal, how the animal will be identifiable, transportation for the animal and a timeline for implementation;
6. Strategies for sharing information with members of the broader school community who may be impacted by the decision, while considering the students' privacy;
7. A protocol for the board to hear and address concerns from other students, staff, and parents, including health and safety concerns such as allergies and fear or anxiety. Wherever possible, school boards should take steps to minimize conflict through cooperative problem-solving, and/or other supports which may include training for staff and students.

Service animal policies should be reviewed by school boards on a regular basis and school boards are expected to develop a process for data collection and to collect information regarding the use of service animals in schools.

# Comment

Wherever possible, and depending on a student's cognitive, emotional, social and physical stage of development, policies should encourage students to actively support

the development and implementation of their service animal plan and participate in meetings regarding their service animal plan.

Ontario school boards should implement service animal policies as soon as possible ahead of the January 1 deadline. Independent schools would also be wise to consider adopting service animal policies in order to stay abreast of their obligations under the *Accessibility for Ontarians with Disabilities Act* and the *Human Rights Code*.

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