



Students with Service Animals

A service animal is an animal trained to assist a person with a disability. The assistance provided by the animal must be directly related to the person's physical or mental disability.

There is no standardized identification or certification of service animals in Manitoba. It may be obvious that the animal is trained to assist with a disability that is visible (the person is blind or Deaf). It is often less obvious that the animal is trained to assist with a disability because the disability is invisible (the person has post-traumatic stress disorder or diabetes).

The school is always entitled to ask if the animal is trained to assist the student with a disability. While an animal may not have received formal training, if the person relying on the animal can demonstrate that it is an integral part of their disability related treatment program, the animal may be considered a "service animal."

The school is also always entitled to ask for more information to clarify the disability-related need. However, those enquiries should be made only when it is believed that more information is needed to assess the school's obligations to the student. Enquiries should always be made with respect and understanding.

A person who uses a service animal has the right to access any area that is generally accessible to the public.

- The student has the right to bring their service animal to school and on school-related activities.
- The school may in some situations deny or limit access to the student with a service animal where it can be shown that allowing access would cause an unreasonable risk to the health and safety of others (for example when the student is involved in particular sporting activities).
- The student has the responsibility to ensure their service animal is under their care and control at all times.
- The school may ask to remove the animal from the school environment if the animal's behaviour is disruptive, such as if the animal consistently displays inappropriate behaviour like barking, whining, defecating or snapping.
- No one should interact with or feed a service animal unless they are given permission by the animal's owner to do so.

- The school should review their environment and policies to reduce barriers for students with service animals.
- The preference of other students, parents or members of the school community about possible damage to the premises or of potentially disruptive or dangerous conduct are not valid reasons to refuse access to the student with a service animal.
- If another person in the school environment can substantiate a need that restricts them from being around the student with a service animal, the school must make every effort to balance the needs of both individuals. How this is done will vary based on the needs being balanced, but may include implementing measures to keep the service animal at a distance from the other person. Schools should be cautious however not to segregate or isolate students with service animals.

This information is subject to the specific language of *The Human Rights Code* and to the interpretation of adjudicators and courts.

Know Your Code!

The Human Rights Code is the provincial human rights law that protects individuals and groups in Manitoba from discrimination. It is administered by The Manitoba Human Rights Commission. There is no charge for filing a human rights complaint or for seeking advice about a human rights concern. *The Code* has special status over all other laws of the Province of Manitoba.

This information is a simplified description of provisions under *The Code*.

For more information:

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