

Service animals, especially dogs, are increasingly being relied upon to meet the specialized needs of persons with disabilities. Assiniboine Community College is committed to ensuring that its staff and students are informed about the evolving role of service animals and the rights of individuals who rely on service animals to meet their disability related needs, with the goal of ensuring a welcoming and inclusive environment.

This Policy will provide guidance to staff, instructors and students with respect to what a service animal is; the rights afforded to those who rely on service animals with respect to access to equal opportunity; how to respectfully inquire about and determine if an animal is a service animal if it is not obvious; and etiquette that should be observed in order to allow a service animal to work uninterrupted.

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### **1. Policy Statement:**

Assiniboine recognizes that individuals who rely on service animals to assist with disability related needs have an automatic right of access to public areas, with very few exceptional circumstances. In some instances, where access may be reasonably limited, the College will employ a reasonable accommodation process to assess the needs and the barriers so that it can present reasonable accommodation options when there is no undue hardship to do so.

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### **2. Definitions:**

**Service Animal:** An animal trained or being trained for a person with a disability to assist with needs relating to his or her physical or mental disability; or that has been trained to be used by a peace officer or person authorized by a peace officer in the execution/assistance of the peace officer's duties.

Service animals are working animals.

NOTE:

- While most service animals are dogs, there are other types of animals that assist persons with disabilities in their day-to-day activities as service animals.
- Personal pets/comfort animals and therapy animals are not service animals and are not permitted at the College.

**The Partner:** An individual who maintains sole care and control over the service animal at all times. The person with a disability who uses a service animal to assist with disability related needs. This person may also be referred to as the handler.

**The Team:** The Partner and service animal are the team and work together to perform certain tasks. In cases where the service animal is assisting with a disability related need, they work together to accomplish life's everyday functions.

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### **3. Application:**

This Policy applies to all staff, instructors and visitors of the College. While the College recognizes that the team has an immediate right of access, it encourages students and staff who rely on service animals to speak to their manager or student success advisor prior to bringing their service animal to work/class. This will help ensure a barrier free experience and will allow for the College to consider any accommodations that may also be necessary for the individual. In all cases, service animals should be visually identifiable, usually with the service animal wearing a clearly marked vest.

**Students** who rely on a service animal to assist with disability related needs are encouraged to speak to a Student Success Advisor prior to the start of their program and/or before they bringing their service animal with them to class. Medical documentation to support to support the need of the service animal may be required, if it is not obvious what the disability related need is that the service animal is trained to assist. The Student Success Advisor will work with them to determine if any accommodations are required, such as an initial orientation to the campus. For some programs, there could be legitimate health and safety concerns with respect to bringing a service animal. In those rare cases, it may be required for an accommodations to be assessed. Accommodations will be done on a case by case basis, according to Policy A03 Academic Accommodations.

**Staff** who rely on service animals to assist with disability related needs are encouraged to speak to Human Resources prior to bringing their service animal with them to work. Medical documentation to support the need of the service animal may be required, if it is not obvious what the disability related need is that the service animal is trained to assist. Human Resources will work with them to determine if any accommodations are required, such as an initial orientation to the campus. A conversation with Human Resources prior to bringing your service animal with you may assist with a seamless integration for the team to the college community. In some instances, there could be legitimate health and safety concerns with respect to bringing a service animal to work. In those rare cases, it may be required for an accommodations to be assessed. Accommodations will be done on a case by case basis, according to Policy HRG-1 Reasonable Accommodation Policy.

**Visitors** who rely on service animals to assist with disability related needs are welcomed to the College's campuses. If there is question with respect to whether or not an animal is a service animal, a visitor may be questioned by College staff so that a determination can be made. Staff will follow respectful processes as outlined in this Policy.

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#### **4. Types of Service Animals:**

A dog is the most common form of service animal. Today service animals are being trained to meet an extensive and growing list of disability related needs that extend far beyond a visual guide dog. For example, while not exhaustive, service animals today may assist by:

- Guiding a person who is blind or visually impaired
- Alerting a person who is Deaf or hearing impaired
- Pulling a wheelchair
- Alerting or protecting a person who is having a seizure
- Reminding a person to take their medication
- Calming or addressing other disability related needs of a person with mental health issues that may relate to anxiety, depression, ability to focus or pay attention

Typically service animals are readily identified by wearing a special harness or a vest. A partner may offer papers that certify their animal as a service animal but it is possible that an individual may have trained their service animal independently to assist with a disability related need. In Manitoba there is no standard identification or certification of service animals.

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#### **5. Application/Implementation:**

Individuals with service animals will be granted access when the service animal is clearly identified through any of the following:

- (a) observation of a service animal harness or jacket;
- (b) where the partner indicates or claims the animal is a service animal; or
- (c) where the partner voluntarily offers to present identification verifying the certification of the service animal.

A partner should not be asked or required to present identification verifying the training or certification of a service animal, unless there is probable reason to question the validity of the service animal's training.

A partner may be asked to indicate what work or tasks the service animal will perform to meet their disability related needs if it is not apparent. Signs of a well trained service animal is that it is calm, relaxed, and rests at the partner's feet quietly when it is not performing its trained task.

#### **The Partner is responsible to:**

- provide all care and control of the service animal
- where possible, make reasonable efforts to provide Human Resources/Student Services Advisor with advance notice of the use of a service animal
- ensure the service animal is clearly identifiable
- keep the service animal leashed or tethered at all times unless this interferes with the animal's work or task, in which case, the partner must maintain care and control by voice signal or other means.

Once the work or task is complete, the service animal must be returned to a leashed or tethered status.

- attend to the service animal's basic needs (e.g. feeding, voiding, exercise)

While legal access rights are afforded to partners and their service animals, that access comes with the responsibility of ensuring that the animal behaves and responds appropriately at all times, and must adhere to the same socially accepted standards as any individual in the College community.

**Relief Areas:**

Relief areas will be designated on an individual basis for students and staff who require a service animal with the collaboration of Human Resources/Student Success Advisor and facilities staff. The areas will be included in mobility training and orientation of handlers and service animals that are new to the campuses. It is the handler's responsibility to be aware of their service animal's needs to relieve itself.

**Students, Faculty and Staff should:**

- not touch, pet, speak to distract, deliberately startle, feed, impede or interfere, nor provide care for (e.g. toileting, exercising) the service animal, without first asking and receiving consent from the Partner
- not, under any circumstances, ask about the nature of the Partner's disability
- not request that the partner produce certification or proof of training for the service animal unless there is a reasonable basis to believe the animal is not a service animal

**Human Resources/Student Success Advisor will:**

- assess competing rights and engage in reasonable accommodation process should another student or staff raise medically supported needs relating to a disability (allergies or phobia)
- assess other accommodation requests that may relate to the handler's need to have a service animal

**Removal or Exclusion of the Service Animal from the College:**

If there are concerns about a service animal's behaviour such as:

- the partner is unable to control the service animal
- the service animal is or becomes ill or aggressive
- excessive barking, whining, defecating or snapping

Inform the partner that the animal is misbehaving. In extreme cases and/or if the service animal's behaviour continues to be unreasonably disruptive the partner may be asked to remove the service animal.

## 6. Authority

The Accessibility for Manitobans Act  
*The Human Rights Code (Manitoba)*  
*The Service Animals Protection Act, (2015, C.C.S.M. c. S90).*  
Policy A03 Academic Accommodations  
Policy HRG-1 Reasonable Accommodation Policy

July 18, 2018

Date

Original signed by Mark Frison

President