

 BRANDON UNIVERSITY	Service Animal Procedure	First Approved: November 26, 2016
Board of Governors Procedure	Approved by Vice-President (Administration & Finance) and Vice-President (Academic & Provost) Administered by President & Vice-Chancellor through: Vice-President (Administration & Finance), Vice-President (Academic & Provost) and	Updated: Reviewed:

1.0 Scope

This policy applies to:

- All students (full-time, part-time), all employees (full-time, part-time, casual, contract) volunteers, and visitors to the campus.
- All other persons who provide goods, services or facilities on behalf of the university.

2.0 Reason for Procedure

To set out procedures secondary to the *Service Animal Policy* as Brandon University supports and promotes accessibility for all members of the University community, including persons with disabilities who require the assistance of a service animal.

3.0 Procedure(s)

3.1 Service Animal: *The Manitoba Human Rights Code* (“*The Code*”) defines a service animal to be an animal that has been trained to provide assistance to a person with a disability that is related to that person’s disability.

Service animals perform various tasks and provide services for people with disabilities.

For example, a service animal may do any of the following:

- Guide a person who is blind
- Alert a person who is deaf
- Pull a wheelchair
- Alert or protect a person who is having a seizure
- Remind a person with a mental illness to take their medication

Service animals are typically easy to identify (usually by a special harness or vest) and are under the care and control of their owner or partner (harnessed, leashed or tethered) when working, unless doing so interferes with the work or task they are to perform.

There is no standardized identification or certification of service animals in Manitoba. Therefore any animal that is identified as being trained, including self-trained, to provide assistance to someone with a disability, may be a service animal for the purposes of *The Code*.

4.0 Process

- 4.1 Visitors:** An individual with a disability, who uses a service animal and is a visitor at Brandon University, is welcome to request any specific accommodations related to their needs or the needs of the service animal. If additional information is needed, including information on individual accommodations, a visitor may contact the Human Resources Office or Student Accessibility Coordinator. No registration with the university is required.
- 4.2 Employees:** An employee with a disability who uses a service animal is requested to register with the Human Resources Office. If necessary, the person may need to establish that the animal meets the service animal definition above by providing the appropriate information within a reasonable amount of time.
- 4.3 Students:** A student with a disability who uses a service animal is requested to register with the Student Accessibility Office. If necessary, the person may need to establish that the animal meets the service animal definition above by providing the appropriate information within a reasonable amount of time.
- 4.4** The least intrusive approach must be used when determining the need for verification / documentation.
- 4.4.1** If the person's disability is known and the need for the service animal is also apparent, additional information about the disability or the need for the accommodation (i.e. a blind person with a dog) does not need to be requested.
- 4.4.2** If the disability is known, but the accommodation need is not apparent, the request requires only information necessary to evaluate the disability-related need for the accommodation (i.e. a person has mobility impairment and wants an assistance dog; request documentation or demonstration of the disability-related need for the animal).
- 4.4.3** When requested, documentation for students or employees with a disability who use a service animal may include the following:
- Name and credentials of professional where appropriate;
 - Description of the current functional limitations; and
 - Specific tasks the service animal will perform to meet the accommodation needs of the individual or assist with the functional limitations.
- 4.5** A service animal may be **excluded** only when any of the following conditions exist:
- 4.5.1** The service animal is disruptive and not in the care and control of its owner.
- 4.5.2** The presence of the service animal would fundamentally change the nature of the job, program, service or activity.
- 4.5.3** The service animal's presence, behavior or actions pose an unreasonable or direct threat to property or the health or safety of others. Risk may not be remote or speculative, such as thinking an animal may bite someone or will annoy others. Allergies or fear of animals are generally not sufficient conditions to exclude a service animal.
- 4.6** There may be rare cases where a person's allergy or fear may be so severe that the presence of a service animal prevents participation. In such situations, the affected person may also request an accommodation to the appropriate office.
- 4.7** Every effort will be made to provide reasonable accommodation to both parties.

4.8 Requirements of Service Animals and their partners:

- 4.8.1** Local ordinances regarding animals apply to service animals, including requirements for immunization, licensing, noise, at-large animals and dangerous animals. Dogs and cats must wear a license tag and have a current rabies vaccination tag.
- 4.8.2** The partner must be in full control of the animal at all times, including use of a leash, as appropriate for the disability.
- 4.8.3** The care and supervision of a service animal is solely the responsibility of its partner.
- 4.8.4** The partner is responsible for cleaning up the animal's waste. The partner should always carry equipment and bags sufficient to clean and properly dispose of the animal's waste. Partners who are not physically able to pick up and dispose of waste are responsible for making all necessary arrangements for assistance.
- 4.8.5** The partner is responsible for damage caused by the animal; however, the University can only charge for damages if a person without an animal would be charged for the same type of damage.

5.0 Accountability

The Vice-President (Administration & Finance) and the Vice-President (Academic & Provost) are responsible for the communication, administration and interpretation of this policy. Both are responsible for advising the President and Vice-Chancellor that a formal review of this policy and secondary documents is required.

All members of the University community are responsible for complying with this policy.

6.0 Secondary Documents

The Chief Human Resources Officer and Associate Vice President (Student Services & Enrollment Management) and University Registrar, or designate may approve procedures which are secondary to and comply with this policy.

7.0 Review

- 7.1** Formal review of the policy will be conducted every three (3) years. The next scheduled review date for this policy is January 2020.
- 7.2** In the interim, this policy may be revised or rescinded if the Board of Governors deems necessary or if there are changes within legislation which require such.
- 7.3** If this policy is revised or rescinded, all secondary documents will be reviewed as soon as reasonably possible to ensure that they:
 - Comply with the revised policy; or
 - Are in turn rescinded.

8.0 Cross Reference

8.1 Sources

- 8.1.1.** Manitoba Human Rights Commission
<http://www.manitobahumanrights.ca/index.html>
http://www.manitobahumanrights.ca/publications/guidelines/service_animals_and_the_code.html

- 8.1.2. Government of Manitoba
<http://web2.gov.mb.ca/laws/statutes/ccsm/s090e.php>
- 8.1.3. Manitoba Human Rights Code
<http://web2.gov.mb.ca/laws/statutes/ccsm/h175e.php>
- 8.1.4. The Accessibility for Manitobans Act
http://www.accessibilitymb.ca/pdf/accessibility_for_manitobans_act.pdf
- 8.1.5. Disability Issues Office
<http://www.gov.mb.ca/dio/>
- 8.1.6. Personal Information Protection and Electronic Documents Act (PIPEDA)
https://www.priv.gc.ca/leg_c/leg_c_p_e.asp
- 8.1.7. Freedom of Information and Protection of Privacy Act (FIPPA)
http://www.gov.mb.ca/chc/fippa/public_bodies/index.html
- 8.1.8. Personal Health Information Act (PHIA)
<http://web2.gov.mb.ca/laws/statutes/ccsm/p033-5e.php>
- 8.1.9. Queen's University
<http://www.queensu.ca/equity/accessibility/policystatements>
- 8.1.10. Ryerson University
<http://www.ryerson.ca/policies/administration/animalspolicy/>
<http://www.ryerson.ca/policies/administration/animalsprocedure/>

8.2 Documents

- 8.2.1 *Service Animal Policy*