

Administrative Procedures for the Use of Service Animals in Schools
(Attachment for Policy 718)

The following administrative procedures are meant to serve as guidelines to ensure that individuals with disabilities who require the presence of a service animal are permitted to participate in, and benefit from, district programs, activities and services and to ensure that the district does not discriminate on the basis of disability.

Admission of Service Animals on District Property

Admission of Service Animals to Public Events -

Individuals with disabilities may be accompanied by their service animals while on district property for events that are open to the general public. This right of access does not extend to the schools generally or to other activities that are not open to the general public. Individuals with disabilities shall not be required to present documentation or certification for their service animals for access to district property for events that are open to the general public.

Admission of Service Animals accompanying individuals who are not students or employees to Schools for occasions other than public events -

Before a service animal shall be allowed in a district building, or on district property or vehicles, for an event that is not open to the general public, the District shall request the following documentation from the owner or handler of the animal:

1. Verification of the need for a service animal.
2. Description of the function(s) the service animal is trained to perform in relation to the individual's disability.
3. Proof of current vaccinations and immunizations of the service animal.

Admission of Service Animals Accompanying Students and Employees -

A student or an employee with a disability may submit a request to bring a service animal to school for educational or employment purposes. A student or employee seeking to bring a service animal to school adhere to the requirements as set forth in district policy and pursuant to federal state and local law

Guidelines for Students With Disabilities:

A student with a disability, or a parent or guardian on behalf of the student, may request to bring a service animal to school for educational purposes. The building principal shall, in consultation with the student's IEP team, if applicable, or other appropriate school personnel, determine whether the animal meets the criteria for a service animal. For students with IEPs, the IEP team shall determine whether and to what extent the student needs District-provided support in fulfilling their responsibility as handler of the service animal. Student grievances should be addressed under Policy 103.1.

General Guidelines for Admission of Service Animals To Schools for Employees:

An employee with a disability may submit a prior written request to bring a service animal to school for employment purposes to the building principal or Director of Human Resources, together with supporting medical documentation. The request shall be handled in the same manner as any other request for accommodation under the Americans with Disabilities Act. Requirements may be imposed upon the employee similar in nature to those set forth below in the next section and shall be documented in writing to the employee. Employee grievances should be handled under Policy 104.

Definition of service animal

A dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability.

- The Americans with Disabilities Act revised the definition of service animal in to include miniature horses. Miniature horses generally range in height from 24 to 34 inches, measured to the shoulders and weigh between 70 and 100 lbs.
- Animals deemed as being for emotional support, well-being, comfort or companionship do not qualify as service animals.

Determination as to Whether Animal Qualifies as Service Animal

In situations where it is not obvious that the animal is a service animal, District staff may ask only two specific questions: (1) is the animal a service animal required because of a disability? and (2) what work or task has the animal been trained to perform?

Staff are not allowed to request any documentation for the animal, require that the animal demonstrate its task, or inquire about the nature of the person's disability. The applicable law makes a distinction between psychiatric service animals and emotional support animals. If an animal has been trained to sense that an anxiety attack is about to happen and take a specific action to help avoid the attack or lessen its impact, that would qualify as a service animal. However, if the animal's mere presence provides comfort, that would not be considered a service animal under the ADA.

Service-animals-in-training are not considered service animals unless required by law.

Responsibility for Service Animal

The owner or handler of a service animal shall be solely responsible for:

- A. Supervision and care of the animal, including any feeding, exercising, clean up and stain removal.
- B. Control of the animal at all times through the use of a harness, leash, tether or by other effective means.
- C. Damage to District buildings, property and vehicles caused by the animal.
- D. Injuries to students, employees, volunteers and visitors caused by the animal.
- E. Annual submission of documentation of vaccinations and immunizations.

The designated administrator shall ensure that all individuals involved in a situation where a service animal will regularly accompany an owner or handler in District buildings or on District property or vehicles are informed of the Board policy and administrative regulations governing this issue. Involved individuals can include administrators, appropriate employees, student and parent/guardian

District administrators may exclude a service animal from District buildings, property and vehicles under the following circumstances: A. Presence of the animal poses a direct threat to the health and safety of others. B. Owner or handler is unable to control the animal. C. Animal is not housebroken. D. Presence of the animal would require a fundamental alteration to the program.

Any individual with a service animal who is aggrieved by a decision to exclude, limit or remove a service animal may appeal that decision in accordance with applicable Board policy as cross referenced below.

Where are service animals allowed in the school building

Under the ADA, service animals must be allowed to accompany students with disabilities in all areas of the school where the other students are normally allowed to go.

Requirements for service animal presence on district property

- Service animals must be harnessed, leashed or tethered, unless these restraints interfere with the service animal's work or the individual's disability prevents using these devices. If so, the student is allowed to maintain control of the animal through voice, signal or other effective controls.
- The school may not ask for proof of the animal's certification, training or license as a service animal; nor may the school require the animal to wear a vest.
- The building principal shall receive and forward to the request to the appropriate Section 504 or IEP team.

Responsibility for service animal while in the school building

The student or handler of a service animal shall be solely responsible for:

1. Supervision and care of the animal, including any feeding, exercising, clean up and stain removal.

2. Control of the animal at all times through the use of a harness, leash, tether or other effective means.
3. Damages to district buildings, property and vehicles caused by the animal.
4. Injuries to students, employees, and volunteers.
5. Any student with a service animal who is aggrieved by a decision to exclude, limit or remove a service animal may appeal that decision in accordance with applicable SRC policy. The appeal must be in writing and provide detailed information regarding the basis of the appeal.
6. Annual submission of documentation of vaccinations.

Specific rules and exclusions related to service animal presence in the schools

1. Students with disabilities cannot be isolated from other students. This applies even in parts of the school where foods are prepared or eaten. A student with a service animal may sit in the cafeteria with their service animal.
2. Allergies and fear of dogs are not valid reasons for denying access to students with service animals. If another student or a staff member's allergy is of concern, the school may accommodate the student with the service animal and the allergic persons in different locations in the same room or different rooms in the facility.
3. A student with a disability cannot be asked to remove their service animal from the premises unless:
 - a. the animal is out of control and the student or handler does not take effective action to control it and consequently the animal poses a direct threat to the health and safety of others.
 - b. the animal is not housebroken.
 - c. the presence of the animal would require a fundamental alteration to the program.