

## **SERVICE ANIMALS**

The Board of Education adopts this policy to permit access and use of a service animal by an individual with a disability in all areas of the school building and facilities where the public is generally allowed to be present, including, the classroom, on school buses, and on school grounds.

### **A. Definitions**

1. "Service animal" means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.
  - a. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.
  - b. The work or tasks performed by a service animal must be directly related to the individual's disability.

Examples include, but are not limited to: assisting individuals with blind or low vision to navigate; alerting individuals who are deaf or hard of hearing to the presence of people or sounds; providing physical support and assistance with balance and stability to individuals with mobility disabilities; and preventing or interrupting impulsive or destructive behaviors of persons with psychiatric and neurological disabilities.

- c. The work or tasks for the purposes of this definition does not include the crime deterrent effects of an animal's presence, or the provision of emotional support, well-being, comfort, or companionship.
2. "Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; or record of such an impairment; or being regarded as having such an impairment.
3. "Handler" means the service animal's owner and/or the individual having control of the service animal.

### **B. Generally**

1. The District shall permit the use of a service animal by an individual with a disability and make reasonable accommodations.
2. A service animal shall be under the handler's control at all times by uses of a harness, leash, tether, voice control, or other suitable means.
3. The District may ask an individual with a disability to remove a service animal from the premises if:
  - a. The animal is out of control and the service animal's handler does not take effective action to control it; or

**B. Generally (continued)**

b. The animal is not housebroken.

4. If a service animal is properly excluded, the District shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises.
5. If an individual's disability and the work or tasks that the service animal will perform are not readily apparent, the District may inquire as to whether:
  - a. The service animal is required due to a disability; and
  - b. What task or work the service animal has been trained to perform.

The District may not, however, inquire about the nature or extent of a person's disability.

6. The District may also require:
  - a. Certification from a veterinarian that the service animal is properly vaccinated and does not have a contagious disease that may harm students or staff; and
  - b. Documentation that any license required by the municipality in which the student resides has been obtained for the service animal.

The District may not, however, require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.

**C. Liability and Responsibilities**

1. The District is not responsible or liable for the care or supervision of a service animal.
2. The District shall provide reasonable accommodations to allow the handler to care for the service animal, such as feeding, while on school grounds or at a school function.
3. Individuals who have service animals are not exempt from local animal control or public health requirements, and shall be responsible for ensuring compliance with the same.
4. Service animals must be licensed and/or registered in accordance with State and local laws, and such licensure and/or registration shall be the responsibility of the handler.
5. An individual with a service animal may be charged for damage caused by his or her service animal.
6. Individuals who have service animals must also maintain liability insurance for the service animal in the amount required by the Board.

**D. Notification and Accommodation**

1. The District will develop a comprehensive plan prior to the introduction of any service animals into the school, which will include, but will not be limited to, notification to all parents of students, especially those who may be in contact with the service animal, and awareness of appropriate etiquette regarding service animals.

**D. Notification and Accommodation (continued)**

2. The use of a service animal by a student shall be included in the student's Individualized Education Program ("IEP") or the student's Section 504 Accommodation Plan ("504 Plan").

**E. Miniature Horses**

1. The District shall permit the use of a miniature horse by an individual with a disability and make reasonable accommodations so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability.
2. Ponies and full size horses are not considered miniature horses.
3. The District shall consider the following factors to determine whether it can reasonably modify its policies, practices, and procedures to allow a miniature horse on its property, facilities, or vehicles:
  - a. The type, size, and weight of the miniature horse and whether the facility can accommodate those features;
  - b. Whether the handler has sufficient control of the miniature horse;
  - c. Whether the miniature horse is housebroken; and
  - d. Whether the miniature horse's presence compromises legitimate safety
  - e. requirements necessary for safe operation of the District.
4. All other requirements for the use of service animals also apply to the use of miniature horses.

**Legal References:**

**Cross References:**

|         |  |
|---------|--|
| 6163.3  | Live animals in the classroom                |
| *6171.4 | Special Education                            |
| 6171.5  | Student disabilities pursuant to Section 504 |

\*Indicates policy is included in the Critical Policy Reference Manual.

**Key Words**

Service Animal, Dog, Miniature Horses, Disability

Approved: March 28, 2016

Revised: