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| <b>School District</b> | <b>NEPN Code: EH</b> |
| <b>Policy Manual</b>   |                      |

## **SERVICE ANIMALS AT SCHOOL**

The following rules shall govern the use of service animals by persons in the schools.

### **A. General Conditions**

1. Qualified individuals with disabilities and service animal trainers are eligible to use service animals in school. A “service animal trainer” is any person who is employed by or volunteers for an organization generally recognized by agencies involved in assisting persons with disabilities as reputable and competent to provide service animals with training, and who is actively involved in the training process.
2. Use of a service animal by a person with a disability will be allowed in school when the animal is required to perform work or tasks directly related to the individual’s disability.
3. “Service animal” is a dog 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. Other species of animals, whether wild or domestic, trained or untrained, except miniature horses, are not service animals for purposes of this definition.
  - a) The work or tasks performed by a service animal must be directly related to the individual’s disability. Under state and federal law, work and tasks may include, but are not limited to: (1) assisting individuals who are blind or have low vision with navigation and other tasks; (2) alerting individuals who are deaf or hard of hearing to the presence of people or sounds; (3) providing nonviolent protection or rescue work; (4) pulling a wheelchair; (5) assisting an individual during a seizure; (6) alerting individuals to the presence of allergens; (7) retrieving items such as medicine or a telephone; (8) providing physical support and assistance with balance and stability to individuals with mobility disabilities; (9) helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.
  - b) Tasks performed by psychiatric service animals may include reminding individuals to take medicine, providing safety checks or room searches for individuals with PTSD, interrupting self-mutilation, and removing disoriented individuals from dangerous situations.
  - c) The crime deterrent effect of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of the Title II.
  - d) The District shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, a public entity shall consider (i) the type, size, and weight of the miniature

horse and whether the facility can accommodate these features; (ii) whether the handler has sufficient control of the miniature horse; (iii) whether the miniature horse is housebroken; and (iv) whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation. This entire policy, and all federal and state laws which apply to service animals, shall also apply to miniature horses.

4. The District is not responsible for the care or supervision of a service animal and will not be responsible for the training, feeding, grooming or care of any service animal permitted to attend school under this policy (except in the limited circumstances described in Section B.2.a). It shall be the responsibility of the individual with a disability or designated handler to ensure the proper care and supervision of the service animal.
5. A service animal shall be under the control of its handler. All service animals must be kept on a harness, leash or tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
6. The individual (in the case of a student, the student's parent(s)) is liable for any damage to school or personal property and any injuries to individuals caused by the service animal, consistent with any applicable laws.
7. Individuals with disabilities shall be permitted to be accompanied by their service animals on all property owned or leased by the school district where members of the public, participants in services, programs or activities, or invitees are allowed to go, subject to Section C.1 below.

## **B. Administrative Review of Service Animals**

1. Whenever a service animal is in the school or on school property (and it is not obvious that the dog qualifies as a service animal, e.g, guide dog for a blind person), a building administrator or other authorized school official may ask:
  - a) Whether the service animal is required because of a disability;
  - b) What work or task(s) the animal has been trained to perform;
  - c) In the case of a service animal trainer, documentation of the individual's affiliation with a recognized organization as described in Section A.1 above.
2. When it is anticipated that a service animal is going to be in the school on a regular basis with an employee, student, volunteer, service animal trainer or other frequent visitor to the school, the individual using the service animal (or in the case of a student, the student's parent/guardian(s)) are strongly encouraged to notify the building administrator in advance.
3. The school shall not provide staff support to care for or control a service animal, but may provide support to a student using a service animal as needed in a particular instance (i.e., accompanying a young student who takes a service animal outside to relieve him/herself).

4. Service animals must be properly licensed and vaccinated in accordance with State law.

**C. Removal or Exclusion of Service Animals from School**

1. A building administrator or other authorized school official may require that a service animal be removed from the school or other school property under any of the following circumstances:
  - a) The service animal; is out of control and the animal's handler does not take effective action to control it; or
  - b) The animal is not housebroken.
  - c) If the animal's presence would require a fundamental alteration to the school's service, program, or activity.
  - d) The service animal demonstrates that he/she is unable to perform reliably the work or tasks which he/she was represented as being able to perform (which is required to be defined as a service animal); and/or
  - e) The service animal is sick (i.e., vomiting, etc.), infested with parasites, has an infection of the skin, mouth or eyes, or otherwise presents a threat to the public health (applying the standard that would be applied to any other animal allowed on school premises.
2. If a service animal is removed or excluded, the individual with a disability shall still be provided the opportunity to participate in the service, program, or activity without having the service animal on the premises.

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