

## **Service Animals on District Premises**

A service animal is permitted to accompany an individual with a disability onto District premises, subject to this regulation, state and federal law. For purposes of this regulation, "District premises" refers to school buildings, vehicles, and all other District property.

The District shall comply with all state and federal laws, regulations and rules regarding the use of service animals by staff or students with a disability under appropriate circumstances.

### **DEFINITION OF SERVICE ANIMAL**

This regulation applies to any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability as defined by the Americans with Disabilities Act (ADA). Service animals are working animals, not pets. The work or task that a service animal has been trained to provide must be directly related to the person's disability. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

### **PROCEDURES/REQUIREMENTS**

Use of service animals by staff or students with a qualifying disability is subject to the following procedures and requirements:

- The Superintendent/designee may ask an individual with a disability or the parent/guardian of a student with a disability if the service animal is required because of a disability. Information about the nature or extent of the disability is not required. The District may request that the individual identify and describe the work or task that the animal has been trained to perform.
- The Superintendent/designee will require documentation that the service animal is properly licensed pursuant to local animal control licensure laws, rules, or regulations, to ensure current vaccinations.
- The use of a service animal on District premises may be subject to a plan designed to introduce the service animal to the school environment, any appropriate training for staff and students regarding interaction with the service animal, and other activities or conditions deemed necessary by the District. However, an individual with a disability who uses a service animal will not be restricted from entry onto District premises prior to completion of any training/familiarization deemed appropriate.
- Service animals must be under the control of their handlers at all times. Service animals must wear proper identification and always be on a leash or other form of restraint mechanism, unless the handler is unable because of a disability to use a harness, leash, or other tether, or the use of such mechanism would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must otherwise be under the handler's control (voice control, signals, or other effective means).
- It is the responsibility of the student (or, if the student is unable, the student's parent/guardian) or staff member with a disability to be the animal's handler. The handler must have the service animal utilize the animal waste and disposal area designated by the Superintendent/designee at all times.
- Service Animals will be allowed in District transportation vehicles only when the service animal is under the control of a properly trained handler, including while entering and exiting the vehicle.
- The District retains discretion to exclude or remove a service animal from its property if:
  - The animal is out of control and the animal's handler does not take effective action to control the animal's behavior.
  - The animal is not housebroken.
  - The animal's presence or behavior fundamentally interferes in the functions of the District.
  - The animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications.

LIABILITY

The student (parent/guardian) or staff member with a disability is liable for any damage to the District's property, personal property, and any injuries to individuals caused by their service animal to the same extent that a non-disabled individual who caused such damage would be held liable by the District. The student (parent/guardian) or staff member with a disability who uses a service animal on District property will indemnify and hold harmless the District and its officers, employees, agents, and assigns from any such damages.

Reference: Procedure 904b

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