

ANIMALS ON DISTRICT PROPERTY

The Board of Education recognizes that there are occasions when animals are present on District property and reasons for those animals' presence. For the safety and welfare of students, staff, and volunteers, domestic animals/pets are not allowed on school property unless the animal is part of a school program that has been approved by the building principal. Parents are asked not to bring pets onto school property when dropping off or picking up students or at any other time.

Additionally, employees, students, parents, vendors, and other members of the public may be accompanied at school by a service or therapy animal in accordance with Federal and State law and this policy.

The Board of Education shall comply with the provisions of the American with Disabilities Act (ADA), as amended, regarding an individual with a disability's use of a service animal.

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the District's facilities where members of the public, as participants or as invitees are allowed to go.

It is imperative that representatives of the Board do not ask about the nature or extent of a person's disability; however, they may make inquiries to determine whether an animal qualifies as a service animal. While the representatives of the Board cannot ask about the individual's disability, they may ask if the animal is required because of a disability and what tasks or work the animal can perform. When the work or tasks the service animal will perform is readily apparent, the representatives of the Board should not ask.

Under no circumstances should the representatives of the Board require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.

The Superintendent shall require owners of service animals that are regularly present on District property to provide current satisfactory health certificate or report of examination from a veterinarian for the service animal.

A. The definition of a service animal, as established by the ADA is as follows:

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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler's

disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purpose of this definition.

1. The ADA has also defined a miniature horse as an animal that can serve as a service animal, 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. To better determine whether the Board must allow for the use of a miniature horse or make modifications to buildings, the Board should refer to Section 35.136 © through (h) of the ADA.
2. A service animal that meets the above definition shall be under the control of its handler. A service animal shall have a harness, leash, or other 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).
3. Additionally, the Board is not responsible for the care or supervision of a service animal.

B. A service animal may be removed from the District premises if one (1) of the following exceptions apply:

1. The animal is out of control and the animal's handler does not take effective action to control it; or
2. The animal is not housebroken

C. If a service animal is properly excluded from the premises, the Board 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.

D. A representative of the Board shall not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people

without pets. If a public entity normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by his/her service animal.