

## **SERVICE ANIMALS ANIMALS IN SCHOOL**

### Purpose

The purpose of this policy is to establish procedures for the use of service animals in the district, including school buildings, school vehicles and other school property.

### Policy

The district acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a service animal in its facilities and programs and intends to comply with all state and federal laws, rules and regulations regarding the use of service animals by district employees and students with disabilities.

### Definitions

“Service animal” is defined by the Americans with Disabilities Act (ADA) as any service 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. The work or tasks performed by a service animal must be directly related to the individual’s disability. Service animal is limited to the animals defined under the ADA and does not include any other species of animal, wild or domestic, trained or untrained. Service animal does not include an animal used or relied upon for crime deterrence, emotional support, well-being, comfort, or companionship.

“Employee” is defined as a person who is employed by the district on a part or full-time basis, with or without compensation, and elected or appointed members of the district’s board of education.

“Student” means a child who is currently enrolled at the district, and includes the parents and guardians of a child who is (a) under the age of 18, or (b) otherwise unable to manage their own affairs.

### Procedures/Requirements

The use of service animals by employees and students with disabilities is subject to the following procedures and requirements:

- A. The employee or student will submit a notification of the intent to use a service animal to the district's Superintendent. The notification will identify whether the service animal is required because of the person’s disability, and, if so, identify and describe the manner in which the service animal will meet the individual’s particular need(s).
- B. Notifications for the use of service animals on district property will, whenever possible, be made at least one week prior to the proposed use of the service animal.
- C. As part of the district’s consideration of the use of a service animal, the district may require certification of proper vaccinations verified by a veterinarian.

- D. The district's review of use of a service animal may include consideration of a student's IEP or Section 504 records. The district may also request a meeting with the employee or student.
- E. The use of a service animal on district property may be subject to a plan that introduces 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. The district's approval of the use of a service animal on district property is subject to periodic review, revision, or revocation by district administration.
- F. Service animals will wear proper identification and will always be on a leash or other form of restraint mechanism. It is the responsibility of the employee or student who uses a service animal pursuant to this policy to serve as the handler or arrange for a third party handler to provide proper handling of the service animal. Any cost incurred to handle the service animal will be the responsibility of the employee or student who uses the service animal.
- G. Service animals will be allowed in district vehicles when:
  - 1. The inclusion of the service animal is documented as required on district transportation forms; and
  - 2. The service animal is under the control of the handler at all times, including entering and exiting the vehicle.
- H. The responsibility for the care and supervision of the service animal rests solely on the employee or student. The district is not responsible for providing any staff member to walk the service animal or provide any other care or assistance to the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis in the discretion of the building administrator.
- I. Pursuant to federal law, the district retains discretion to exclude or remove a service animal from district property and transportation if:
  - 1. The service animal is out of control and/or the service animal's handler does not effectively control the service animal's behavior;
  - 2. The service animal is not housebroken;
  - 3. The service animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications; or,
  - 4. Permitting the service animal would fundamentally alter the nature of the service, program, or activity.

### Liability

The employee or student will be responsible for any damage to district or personal property and any injuries to individuals caused by the service animal. The employee or student who uses a service animal on district property will hold the district harmless and indemnify the district from any such damages.

### Visitors

Any visitor requiring the accompaniment of a service animal for purposes of this policy is welcome in all areas of district facilities and programs that are open to the public (except in situations determined to apply under item I. in the Procedures/Requirements section, above).

### Appeals and Grievances

Any person dissatisfied with a decision concerning a service animal can file a grievance, using the district's grievance procedures.

### Requirements for Service Animals

**Vaccination:** Service animals must be immunized against diseases common to that type of animal. [Okla. Admin. Code 310:599-3-9.1] All vaccinations must be current. Dogs must wear a rabies vaccination tag.

**Licensing:** All service dogs must be licensed as may be required by state and/or local law.

**Owner ID and Other Tags:** Dogs may be required to wear a current dog license and rabies-vaccination tag, unless the dog is permanently and uniquely identified with a microchip implant or tattoo.

**Leash:** Service animals must be on a leash or tether at all times, unless impracticable or unfeasible due to the disability of the employee or student.

**Collar:** A service dog used by a person who is deaf or hard-of-hearing must wear an orange identifying collar. [Okla. Stat. tit. 7, § 19.1(C)]

**Under Control:** The owner/handler of a service animal must be in full control of the animal at all times. The care and supervision of a service animal is solely the responsibility of owner/handler.

**Cleanup Rule:** The handler of the service animal, whether it be the employee, student or a third party, must clean up after the animal defecates or urinates, as well as follow any municipal ordinance applicable thereto.

**Grooming:** All service animals must be treated for and kept free of fleas and ticks. All service animals must be kept clean and groomed to avoid shedding and dander.