

# SERVICE ANIMALS IN THE SCHOOL

The School District of Jefferson recognizes its responsibility to permit students and staff with disabilities to be accompanied by a “service animal” in its buildings, classrooms and at school functions as required by Title II of the Americans with Disabilities Act (ADA), its accompanying regulations and any other applicable laws.

The procedures and request form to allow a student’s service animal to accompany them at school are contained in this policy.

## DEFINITIONS

### *Service Animal*

A 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 physical, sensory, psychiatric, intellectual, or other mental disability. The service animal’s performance of such work or tasks must be directly related to the individual’s disability.

The animal must be “individually trained” to do something that qualifies as work or a task. An animal that is a “pet” or “support animal” is not a service animal.

For purposes of this definition, other species of animals, trained or untrained, are not service animals except for miniature guide horses.

Miniature guide horses that have been trained to do work or tasks directly related to the individual’s disability (delineated below) may be permitted under the terms of this policy, state and federal law. The district shall make reasonable accommodations to allow an individual with a disability to use a miniature guide horse as defined herein.

### *Work or Tasks Performed*

The work or tasks performed by the service animal must be directly related to the individual’s disability. The provision of emotional support, well-being, comfort or companionship or crime deterrent effects of an animal’s presence do not constitute work or tasks for the purposes of this definition.

#### I. Procedures

- A. A request for an individual with a disability to be accompanied by a service animal in school or at a school-related function must be made in writing to the Director of Special Education and Pupil Services and delivered to the director at least 30 days prior to the bringing the service animal to school or a school function.

- B. As part of the process of reviewing the request, the Director of Special Education and Pupil Services may ask for the following:
1. Whether the animal is required due to a disability, and
  2. What work or task the animal has been trained to perform.
- C. The student, parent, or guardian may not be asked about the nature or extent of his or her disability, nor is the student, parent, or guardian required to provide documentation that the animal is certified, trained, or licensed as a service animal.
- D. The individual requesting to be accompanied by a service animal is responsible for the following:
1. Providing annual proof of the following vaccinations for service dogs DHLPPC (Distemper, Hepatitis, Leptospirosis, Parainfluenza, Parvovirus, Coronavirus, Bordetella and Rabies).
  2. Treating for and keeping free from fleas and ticks.
  3. Housebreaking the animal.
  4. Cleaning and grooming to reduce shedding and dander.
  5. Any liability for any harm or injury caused by the animal to other students, staff, visitors, and/or property and must provide proof of current liability insurance coverage as required by the Board of Education.
  6. Using a harness, leash or other tether, unless either the handler is unable to because of the disability to use a tether, or the use of the 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.
  7. Caring for and supervising the service animal, including walking the animal or responding to the animal's need to relieve itself. If a student with a service animal is unable to care for or supervise the service animal, the parent or guardian is responsible for providing care and supervision of the animal.
- E. A service animal may be required to be removed from a school building, classroom, or school function under any of the following circumstances:
1. The animal is out of control and the animal's handler does not take effective action to control it.
  2. The animal is not housebroken.
  3. The animal provides a direct threat to the health or safety of others that cannot be terminated by reasonable modifications.

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

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 if the district has excluded the service animal in accordance with this policy and applicable law.

If a request for a service animal to accompany a student or adult with a disability in the school building, in school classrooms or at school activities is denied, that decision may be appealed to the Superintendent.

ADOPTED: February 23, 2015

REVISED:

LEGAL REFS.: Section 118.(1), Wisconsin Statutes  
Americans with Disabilities Act (ADA), 28 CFR Part 35, as amended in 2010  
20 U.S.C.s. 1412(a)  
20 U.S.C.s. 1401(a)(26)  
34 C.F.R.s. 104.33(a)-104.33(b)(1)  
Nondiscrimination on the basis of Disability in State and Local Government  
Services, 75 Fed. Reg. 56,164 (September 15, 2010)  
(codified at 28 C.F.R. pt.35)  
28 C.F.R. ss. 35.101 to 35.139 and Part 35

CROSS REFS.: Policy JB - Equal Educational Opportunities

REVIEW DATE: February 23, 2015

# REQUEST FORM FOR SERVICE ANIMALS IN THE SCHOOL

Parent/Guardian Name: \_\_\_\_\_

Date: \_\_\_\_\_

Student's Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Grade: \_\_\_\_\_

Is the animal required due to a disability? \_\_\_Yes \_\_\_ No

What specific tasks has the animal been trained to perform?

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Please attach the following:

\_\_\_ Documentation of proper vaccination

\_\_\_ Documentation from veterinarian that the animal is in good health

## ***Service Animal Agreement***

I have read and understand Board Policy IMG, Service Animals in the School. I understand that the district may ask an individual to remove a service animal from the premises if (1) the animal is out of control and the animal's handler does not take effective action to control it, (2) the animal is not housebroken, or (3) the animal provides a direct threat to the health or safety of others that cannot be terminated by reasonable modifications.

Parent/Guardian: \_\_\_\_\_

Signature

\_\_\_\_\_

Date

Received by: \_\_\_\_\_

Name and Title

\_\_\_\_\_

Date