

426 SERVICE ANIMALS IN THE SCHOOL DISTRICT

I. PURPOSE

The purpose of this policy is to establish procedures for the use of service animals in the Alexandria School District, including school buildings, vehicles and property. Pursuant to the Americans with Disabilities Act (ADA), a service animal may accompany a disabled individual on School District property, including school buildings, classrooms, and school sponsored activities and/or events, subject to the definitions, exceptions and requirements in this Policy.

II. GENERAL STATEMENT OF POLICY

Alexandria Public Schools shall comply with all state and federal laws, regulations and rules regarding the use of service animals by disabled individuals.

III. DEFINITIONS

A. **Service Animal**. A “service animal” is a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including an individual with a physical, sensory, psychiatric, intellectual, or mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals. Service animals are working dogs that perform valuable functions; they are not pets.

B. **Miniature Horses**. Miniature horses may, in some circumstances, be determined by the School District to be service animals and therefore permitted on School District property as a service animal. The following factors shall be considered:

1. the type, size and weight of the miniature horse and whether the School District building/facility can accommodate those features;
2. whether the handler has sufficient control of the miniature horse;
3. whether the miniature horse is housebroken;
4. whether the miniature horse’s presence in a specific building, facility or on school grounds compromises legitimate safety requirements that are necessary for safe operation; and
5. whether the miniature horse’s presence is contrary to any other provision of this Policy.

C. **Handler**. A “handler” is an individual with a disability or trainer who is accompanied by a service animal. For purposes of this Policy, the terms “handler” and “individual with a disability” may be used interchangeably.

D. Work or Tasks.

1. “Work or tasks” are functions performed by a service animal. The work or tasks performed by a service animal must be directly related to the handler’s disability.
2. 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 disruptive behaviors.
3. The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship are not “work or tasks” for the purposes of this Policy.

E. Trainer.

A “trainer” is a person who is training a service animal and is affiliated with a recognized training program for service animals.

IV. USE OF SERVICE ANIMALS

- A. In general, handlers (i.e. individuals with disabilities or trainers) are permitted to be accompanied by their service animals in all areas of School District properties where the handler would otherwise be allowed to go. A handler has the right to be accompanied by a service animal whenever and to the same extent that the handler has the right: (a) to be present on School District property or in School District facilities; (b) to attend or participate in a school-sponsored event, activity, or program; or (c) to be transported in a vehicle that is operated by or on behalf of the School District.
- B. When an individual with a disability brings a service animal to a School District property, School District employees may not ask about the nature or extent of a person’s disability, but may make the following two inquiries to determine whether the animal qualifies as a service animal:
 1. If the animal is required because of a disability; and
 2. What work or tasks the animal has been trained to perform.
 - (i) School District employees may not make these inquiries of an individual with a disability when it is readily apparent that an

animal is trained to do work or perform tasks for an individual with a disability.

V. REQUIREMENTS, RESPONSIBILITIES AND PROCEDURES

- A. In the interest of appropriate planning, an individual with a disability who intends to bring a service animal to School District property is encouraged to provide notice to the School District as early as practicable prior to bringing the animal to School District property or the school activity.
- B. A service animal must be under the control of its handler. A service animal must be on a harness, leash, or other tether, unless 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 (i.e. voice control, signals, or other effective means).
- C. The handler is solely responsible for the care and supervision of the service animal including, but not limited to, feeding, watering, cleaning, and toileting. Neither the School District nor its staff will assume such responsibilities. In the case of a young child or a student with a disability who is unable to care for or supervise his or her service animal, the parent is responsible for providing care and supervision of the animal. Issues related to care and supervision of service animals will be addressed on a case-by-case basis at the discretion of the building administrator, or his/her designee.
- D. Individuals with disabilities who are assisted by service animals are responsible for providing the supplies and equipment needed for the service animal.
- E. Owners of a service animal may be required to provide proof that the animal is up-to-date on all of its required vaccinations and immunizations.
- F. All service animals must be kept clean and groomed to avoid shedding and dander.
- G. All service animals must be treated for and free of fleas and ticks.
- H. Owners of service animals are liable for any loss, harm or injury caused by the service animal to students, staff, visitors and/or School District property and the owner shall hold the School District harmless and indemnify it from any such damages.

VI. REMOVAL OR EXCLUSION OF A SERVICE ANIMAL

- A. A school official may require a handler to remove a service animal from School District property, including, but not limited to a school building or a school-sponsored program or activity, if:
 - 1. The service animal is out of control and the handler does not take effective action to control it;

2. The service animal is not housebroken;
 3. The presence of the animal would fundamentally alter the nature of a service, program or activity;
 4. The handler fails to submit proof of current vaccinations and immunizations of the service animal; or
 5. The animal poses a health or safety risk to other individuals that cannot be reasonably addressed without exclusion.
- B. If a student, staff or other individual notifies the School District that he or she is allergic to or fearful of a service animal, the School District will consider the available options and attempt to accommodate the handler and the individual(s) with allergies. Generally, allergies and fear of animals will not result in automatic exclusion or removal of a service animal.
- C. If a service animal is properly excluded, the School District shall give the individual with the disability the opportunity to participate in the service, program or activity without the service animal, unless such individual has violated a law or school rule or regulation that would warrant the removal of the individual.

VII. REQUESTS FOR ANIMALS FOR STUDENTS WITH INDIVIDUALIZED EDUCATION PLANS OR SECTION 504 PLANS

If a special education student with an Individualized Education Plan (IEP) or a disabled student with a Section 504 Plan seeks to bring an animal that is not a “service animal” on to School District property, the student or parent/guardian must notify the School District at least fifteen (15) school days in advance of the intended date to bring the animal. The request shall be referred to the student’s IEP Team or Section 504 Team, as appropriate, to determine whether the animal is consistent with the student’s IEP or Section 504 Plan and/or necessary for the student to receive a Free Appropriate Public Education (FAPE).

VIII. SERVICE ANIMALS FOR EMPLOYEES

The Americans with Disabilities Act (ADA) does not give employees a right to bring service animals to work on School District property. Rather, an employee’s request for use of a service animal shall be considered on a case-by-case basis, pursuant to the legal standard applicable to reasonable accommodation of an employee who is a qualified individual with a disability, in order for the employee to perform the essential functions of his/her position, or to enjoy the benefits of employment in a manner comparable to similarly situated, non-disabled employees. The determination as to whether a request constitutes a reasonable accommodation shall include a determination as to whether use of the service animal would pose an undue hardship on the School District.

Policy Adopted: 6/15/09
Policy Revised: 9/19/16, 9/23/19
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