

Service Animal Policy

The Brandon Valley School District has established the following procedures for the evaluation of any request to bring a service animal into the school district, whether the request is coming from a member of the public, a staff member or from a student.

Definition of a Service Animal

The Americans with Disabilities Act of 2010, under 28 CFR 35.104, define a service animal as follows:

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. 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 protections or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals of diabetic highs and lows, 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, and companionship do not constitute work or tasks for the purposes of this definition.

Admission of Service Animals to Public Events

Individuals with disabilities may be accompanied by their service animal while on district property for events that are open to the general public.

School district staff may inquire of the owner or handler of the animal whether the animal is required because of a disability and the specific tasks that the animal has been trained to perform. Staff may not ask questions about an individual's disability. The district shall not require an owner or handler of a service animal to pay an extra charge for the animal to attend events for which a fee is charged.

Procedures for Admission of Service Animal into the School Building

Prior to the admission of any service animal to be present in the school building on a regular basis, the parent of the student or the individual employee requesting the presence of a service animal must provide written notification of the intent to bring a service animal into the school. The notification must include the following information, which will be presented to the building principal for their approval:

- 1) Whether the animal is required because of a disability;
- 2) Documentation of the animal's licensure as a service animal including a description of the specific disability-related work or task(s) the animal is trained to perform for the individual in school, and
- 3) Documentation of appropriate and current vaccinations, a statement of good health and the absence of any parasites from a licensed veterinarian, as well as any required municipal licensure. This documentation will be required prior to admission and at the start of each subsequent school year.

No service animal may be brought into any district building by a staff member or student without prior approval. See Appendix A for registration of a service animal.

Responsibility and Care of Service Animal

The Brandon Valley School District is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself. The owner or handler of a service animal shall be solely responsible for:

- 1) Supervision and care of the animal, including any feeding, exercising, clean up and stain removal. In the case of a young child or a student with disabilities who is unable to care for or supervise the service animal, the parent is responsible for providing care and supervision of the animal.
- 2) Control of the animal at all times through the use of a harness, leash, tether, or by other effective means.
- 3) Required training for the use of, and inclusion of, the service animal in the school environment will be the responsibility of the parent or their animal's service organization. This includes any training required for the students or staff in that school. All training must be approved and coordinated with the building principal.

Liability

The staff member owning the service animal or the student/parent owner is liable for any damage to school district or personal property and any injuries to individuals caused by their service animal.

The school district is not responsible for any costs related to the service animal. The staff member or student/parent who uses a service animal on school district property will hold the school district harmless, and indemnify the school district from any such damages. See Appendix A for registration of a service animal.

Exclusion of Service Animal

A service animal may be denied access to school property if any of the following occur:

- 1) The animal is not housebroken.
- 2) The animal is not under the control of its handler. The service animal must have 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 use of work or tasks. In this case, the handler must use voice control, signal, or other effective means to control the service animal.
- 3) The animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable accommodations/modifications.
- 4) The inclusion of the animal represents a fundamental alteration of the learning environment.

If a service animal is excluded, the individual with a disability will still be given an equal opportunity to participate in district services, programs, or activities with appropriate accommodations, modifications, and supports but without the presence of the service animal on the premises.

Parents of non-service animal students may request a change of placement for their child if they do not wish to have their child in the same classroom with a service animal.

Appeal Process

Any individual with a service animal who is aggrieved by a decision to exclude, limit, or remove a service animal may appeal that decision to the superintendent. The appeal must be in writing and provide specific and detailed information regarding the basis of the appeal.

(ADOPTION DATE: August 13, 2018)

Appendix A – Service Animal Registration Form

Owner

Student (if applicable)

Type of Service Animal: _____ **Name of Animal:** _____

I have read and understand the Brandon Valley School District Service Animal Policy. I will abide by the terms of this policy.

I understand my service animal may be excluded from district property if any of the following occur:

- 1) The animal is not housebroken.
- 2) The animal is not under the control of its handler. The service animal must have 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 use of work or tasks. In this case, the handler must use voice control, signal, or other effective means to control the service animal.
- 3) The animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable accommodations/modifications.
- 4) The inclusion of the animal represents a fundamental alteration to the learning environment.

I understand I am responsible for any and all damage to the school district property, personal property, and any injuries caused by my service animal. I also understand that the school district is not responsible for any costs related to our service animal. I agree to indemnify, defend and hold harmless the Brandon Valley School District from and against any and all claims, actions, suits, judgments and demands brought by any party arising on account of, or in connection with, any activity of or damage caused by my service animal.

The following documentation is included with this request:

- Documentation of a diagnosed disability;
- Documentation of the animal's licensure as a service animal and the specific work or tasks that the animal is trained to do;
- Copies of the animal's current vaccination records including a statement of good health from a licensed veterinarian;
- Copies of any required municipal licensure

OWNER

BRANDON VALLEY SCHOOL DISTRICT

Signature of Owner

Signature of District Representative

Date: _____

Date: _____