

**Series 4000 Students**

**Section 4200 Equal Educational Opportunities for Students**

**Policy 4202 Service Animals**

4202.1 The Harrison County Board of Education acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by service animals in its school buildings, in classrooms, and at school functions, as required by the Americans with Disabilities Act, 28 CFR Part 35, subject to the following provisions which are established to lawfully evaluate whether and how a request to bring a service animal onto school property can be implemented and under what circumstances.

4202.1.1 Service animal means any dog or miniature horse 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. Except as provided by law, other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purpose of this definition.

4202.1.2 School officials may ask the handler of a service animal whether the animal is required because of a disability and what work or task the animal has been trained to do. School officials may not ask about the nature or extent of a person's disability and may not require documentary proof or certification or licensing as a service animal. Handlers are free to volunteer to provide this information if they so choose.

4202.1.2.1 The work or tasks performed by a service animal must be directly related to the student's or person's disability. The service animal must be individually trained to do work or task(s) for the individual with a disability.

Examples of work or tasks include but are not limited to:

- a. Assisting individuals who are blind or have low vision with navigation and other tasks;
- b. Alerting individuals who are deaf or hard of hearing to the presence of people or sounds;
- c. Providing non-violent protection or rescue work;
- d. Pulling a wheelchair;
- e. Assisting an individual during a seizure;
- f. Alerting individuals to the presence of allergens;

g. Retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and

h. Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behavior.

The crime deterrent effect that an animal's presence may have does not constitute work or tasks.

4202.1.2.2 The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks. A "therapy animal" is not a service animal for the purpose of this policy.

4202.2 Before a service animal will be allowed onto school property or to be present at a school function, the following requirements must be satisfied.

4202.2.1 A student or person who wants to be accompanied by his/her service animal must make a prior written request of the county superintendent at least 10 business days prior to bringing the service animal to school or a school function.

4202.2.2 The service animal must be in good health and be immunized against diseases common to that type of animal. The owner or handler of the animal must submit to the office of the county superintendent, each school year, documentation from a licensed veterinarian including a health certificate and proof of the animal's current vaccinations and immunizations. The service animal must have, at least, the following vaccinations: DHLPPC (Distemper, Hepatitis, Leptospirosis, Parainfluenza, Parvovirus, Coronavirus), Bordetella, and Rabies.

4202.3 Individuals with disabilities may be accompanied by their service animals in all areas of the school system's facilities where students, members of the public, participants in service, programs, or activities, or invitees are allowed to go.

4202.4 Control, Care and Supervision of Service Animal

A service animal must be under the control of its owner or handler at all times through the use of a harness, leash, tether or voice controls, signals or other means unless the handler is the disabled person and he or she is unable, because of his or her disability, to use one of the aforementioned controls or because it would interfere with the service animal's safe and/or effective performance of work or tasks in which case the service animal must be otherwise under the control of the disabled person or a separate handler.

The school system is never responsible for the control, care or supervision of a service animal, including but not limited to the walking the animal or responding to the animal's need to relieve itself or otherwise. The school system is never

responsible for providing any staff member or other person to walk the service animal or to provide any other care or control or supervision or assistance regarding the service animal.

The handler is exclusively responsible for the control, care and supervision of the service animal. Supervision and care includes meeting the health needs of the animal, feeding and watering, exercising, grooming, animal cleanliness, clean up and waste disposal.

The handler must treat the service animal for and keep it free of fleas, ticks, and other harmful bugs.

The handler must keep the service animal clean and groomed to avoid shedding and dander.

The handler shall never leave his/her service animal unattended.

If the service animal handler is someone other than an individual with a disability, that individual must comply with all pertinent school and procedures relating to school visitors.

4202.5 Waste Disposal and Exercise. The handler is responsible for waste disposal. Service animals must be housebroken. Animal waste shall be bagged and disposed of in a garbage bin outside of school buildings. Dog waste may not be disposed of in garbage bins inside school buildings, or in green bins, compost bins nor flushed in toilets.

Service animals may be walked and exercised only in designated areas on school grounds.

4202.6 Liability and Responsibility. The handler of the service animal is liable and solely responsible for any harm or damage to school property or injury to persons caused by the service animal. The handler MUST annually provide proof of current liability insurance which covers the service animal in an amount of no less than one million dollars.

4202.7 Exclusion of Service Animal. Harrison County Schools may exclude a service animal from its facilities, grounds, vehicles or functions if:

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

b. The animal is not housebroken;

c. The animal poses a direct threat to the health and safety of others; or

d. The presence of the animal would require a fundamental alteration to the service, program, or activity of the school.

If a service animal is excluded based upon one or more of the above-listed reasons, the individual with a disability shall be provided with the opportunity to participate in the school service, program or activity without the service animal.

4202.8 Rights of Other Persons. Allergies and fear of dogs are not valid reasons for the school system to deny access or refuse service to individuals using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility they both should be accommodated by assigning them, for example, to different locations within the room or the facility as needed.

4202.9 Service Animal Trainers. Experienced trainers of service animals may accompany the service animal and its handler on school property for the purposes of continued training.

4202.10 Handler. As used in this policy “handler” may mean the disabled person and/or the animal’s owner and/or a person provided by the disabled person or his/his guardians at their own expense to control, care for, and supervise the service animal in a manner consistent with this policy.

Students with service animals may be and often are the service animal’s handler while at school. In the case of students who, for any reason, are unable to serve as the animal’s handler, the parent or guardian of the student are solely responsible for providing control, care and supervision of the service animal or for providing a separate handler for the service animal.

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