

# Kimberly School District

## INSTRUCTION 2375

### Service Animals in Schools

The District acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a service animal in its school buildings, in classrooms, and at school functions, as required by the American with Disabilities Act.

“Service animal” refers to any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of someone with a disability. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.

Use of service animals shall be subject to the following requirements:

1. ~~All requests for an individual with a disability to be accompanied by a service animal must be addressed in writing to the Superintendent. This written request must be delivered to the Superintendent's office at least three business days prior to bringing the service animal to school or a school function. Any such request by a student shall be advanced to the proper administrative personnel for consideration of a Section 504 analysis and possible program.~~ Request for a service animal to accompany a student during regular school hours shall be in advance to the proper administrative personnel for consideration of Section 504 analysis and proper program.
2. The animal must be required for the individual with a disability.
3. The animal must be a dog or, in specific circumstances, a miniature horse. No other species of animal, whether wild or domestic, will be permitted in schools as a service animal.
4. Requests to permit a miniature horse to accompany a student or adult with a disability in school buildings, in classrooms, or at school functions will be handled on a case by-case basis, considering:
  - A. The type, size, and weight of the miniature horse, and whether the facility can accommodate these features;
  - B. Whether the handler has sufficient control of the miniature horse;
  - C. Whether the miniature horse is housebroken; and
  - D. Whether the miniature horse's presence in specific facility compromises legitimate safety requirements that are necessary for safe operation.
5. ~~Owners of service animals must provide proof of current vaccinations to the Superintendent with their request to be accompanied by a service animal.~~ Proof of current vaccinations for those service animals that will accompany students during regular school hours must be provided to the building level principal.
6. All service dogs must be spayed or neutered.

7. All service animals must be kept clean and groomed to avoid shedding and dander, and must be treated for, and kept free of fleas and ticks
8. Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.
9. A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of 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, such as by voice control, hand signals, or other effective means.
10. The school system 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.
  - A. The District is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
  - B. Students with service animals are expected to care for and supervise their animal. In the case of a young child or a student with disabilities who is unable to care or supervise his service animal, the parent is responsible for providing care and supervision of the animal.
  - C. 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.
11. A school administrator may ask an individual with a disability or his or her parents to remove a service animal from a school building, a classroom, or from a school function if any of the following circumstances occurs:
  - 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's presence would "fundamentally alter" the nature of the service, program, or activity.
  - D. The animal presents a direct threat to students, staff, or other individuals.

Legal Reference: ADA Regulations, 28 C.F.R. Part 35

Policy History:

Adopted on: April 20, 2016

Revised on: