

District: Tupelo Public School District
Section: I - Instructional Program
Policy Code: IDDHE - Service Animal Policy

INTRODUCTION

The Tupelo Public School District will make reasonable accommodations for qualified persons with disabilities in accordance with state and federal law and applicable board policies. A qualifying individual with a disability is eligible to be accompanied by his or her service animal on school system property when required by law, subject to the conditions of this policy. The superintendent shall establish any necessary administrative regulations for the use of service animals on school system property in accordance with this policy.

DEFINITION OF SERVICE ANIMAL

This policy applies to any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, fetching dropped items, or other tasks that are directly related to the individual's disability or necessary to mitigate a disability. No other type of service animal will be permitted. An animal must meet this definition to be considered a service animal for purposes of this policy, regardless of whether it has or has not been licensed or certified by a state or local government, or by a private agency. Animals whose sole function is to provide emotional support, comfort, therapy, companionship or therapeutic benefits, to promote emotional well-being or to act as a deterrent to crime are not service animals.

USE OF SERVICE ANIMALS BY VISITORS ON SCHOOL GROUNDS OR AT SCHOOL-SPONSORED EVENTS

The Tupelo Public School District adheres to the Americans with Disabilities Act and state laws permitting the use of service animals by individuals with disabilities. School visitors shall not be asked about the nature or extent of their disability or for proof of a service animal's training. When not readily apparent, school officials may inquire as to whether the animal is required because of a disability and what work or task the animal has been trained to perform.

[Service Animal Request.pdf](#)

PROCEDURES/REQUIREMENTS FOR USE OF A SERVICE ANIMAL BY STUDENTS OR STAFF

Use of service animals by staff or students with a disability is subject to the following procedures and requirements:

A. Application.

1. Applications for the use of service animals on school system property during the school day must be in writing and submitted no less than ten (10) business days prior to the proposed use of the service animal. Applications for use of a service animal by an employee or student shall be submitted to the Superintendent. All such applications must state whether the animal is required because of a disability and must identify what work or task the animal is trained to perform that is directly related to the individual's disability. A service animal will not be permitted on school system property without the prior approval of the Superintendent or his/her designee.

2. All applications for use of a service animal on school system property will be considered on a case-by-case basis. Approval of the use of a service animal on school system property is subject to periodic review, revision or revocation by the Superintendent. At a minimum, requests for the use of a service animal must be renewed annually, prior to the start of each subsequent school year. In addition, the request must be renewed whenever the student changes schools or the employee changes his/her place of assignment, or when the individual accompanied by the service animal desires to use a different service animal.

B. Use of Service Animal by Student or Employee.

1. Service animals must be housebroken; must wear proper identification; must have received all vaccinations as required by state law; must wear a rabies tag; must be free of parasites and otherwise in good health; must at all times be under the control of its handler; and must be on a harness, leash or other tether, unless the service animal is required to perform a task that it could not accomplish while on a leash/lead or the handler is otherwise unable to maintain the animal on a leash/lead due to a disability. In such a case, the handler still must be able to maintain control over the animal.
2. All costs related to the handling and care of the service animal are the responsibility of the parent/guardian of the student who uses the service animal or the staff member who uses the service animal.
3. 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 student or employee with a service animal is expected to care for and supervise the animal. In the case of a young child or a student with disabilities who is unable to care for or supervise his service animal, the parent is responsible for providing care and supervision to the service animal.
4. The use of a service animal on school system property by a student or employee will be subject to a plan which introduces the service animal to the school environment, any appropriate training for staff and students regarding interaction with the service animal, and other activities or conditions deemed necessary by the Tupelo Public School District.
5. Service animals may be permitted on school district transportation vehicles if necessary to access educational services and programs and if consistent with safety requirements. Requests for transportation will be considered on an individual basis and may include review by the student's IEP team and/or Section 504 team, if appropriate. A representative of the Transportation Department may meet with the animal's owner to determine whether and under what conditions the service animal can be transported safely.

REMOVAL OF SERVICE ANIMAL FROM DISTRICT PROPERTY

Any animal that causes injury to staff or students or that behaves aggressively will be immediately isolated and removed from the school premises. In addition, school system representatives retain the discretion of removing or excluding a service animal for any of the following reasons:

1. the animal is out of control and/or the animal's handler does not effectively control the animal's behavior;
2. the animal is not housebroken.

LIABILITY

The owner or handler of a service animal may be liable for any damage to school system or personal property to the same extent required by other board policy or regulations that impose liability for property damage. The owner or handler of a service animal may also be liable for any physical damage or injuries caused by the service animal. The student and parent/guardian of a student who uses a service animal on school system property will hold the Tupelo Public School District harmless and indemnify the Tupelo Board of Trustees from any such liability or damages.

APPEALS

Decisions regarding the use of service animals may be appealed through the process identified in Policy KL Public Concerns and Complaints and in GAF Staff Grievances and Complaints

Adopted Date:

Approved/Revised Date: