

**535 SERVICE ANIMALS AND THERAPY DOGS IN SCHOOLS**

**I. PURPOSE**

To establish procedures for the use of service animals and therapy dogs by students, employees, and visitors within school buildings and on school property, on school buses or at school activities.

**II. GENERAL STATEMENT OF POLICY**

Albany Area Schools acknowledges its responsibility to permit students, parents/guardians, family members, employees and visitors with disabilities to be accompanied by a “service animal” consistent with the Americans with Disabilities Act (ADA) on school property, on school buses or at school activities.

The U.S. Department of Justice regulations implementing the ADA defines service animals as dogs that are individually trained to do work or perform tasks for people with disabilities. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person’s disability.

The District supports the use of therapy dogs by staff or students with a disability, or for the social and emotional benefit of the school climate and culture. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

## REGULATION 535            SERVICE ANIMALS AND THERAPY DOGS IN SCHOOLS

### GUIDELINES

Use of service animals and therapy dogs by staff or students with a disability, or for the social and emotional benefit of the school climate and culture is subject to the following procedures and requirements.

- A. A “service animal” is an animal that is 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, or fetching dropped items.
- B. Service animals do not include wild animals, farm animals and rodents, and animals whose sole function is to provide emotional support, comfort, therapy, companionship, therapeutic benefits, or to promote emotional well-being.
- C. The work or tasks performed by a service animal must be directly related to the individual’s disability. An animal whose sole function is as a pet or to provide comfort or emotional support does not qualify as a service animal under this Policy, Regulation or law.
  - 1. Staff or parents must submit a Request Approval Form for Use of a Service Animal to the Superintendent of Schools. Such request must identify and describe the need for the service animal as it relates to the staff member or student’s disability and describe the manner in which the service animal will meet the individual’s particular need(s) and provide a letter from their physician who is the health care provider regarding the need for a service animal.
  - 2. Requests for use of service animals on district property must, whenever possible, be made no less than three (3) weeks prior to the proposed use of the service animal. Under no circumstances may a service animal be on district property without prior approval by the Superintendent of Schools.
  - 3. The District’s consideration of a request for the use of a service animal may require documentation, including, but not limited to:
    - a. Proof that animal is properly trained and licensed
    - b. Certification of proper inoculations verified by a veterinarian
    - c. Proof the handler for the service animal is properly trained
    - d. Copy of adequate liability insurance

4. The District's review of a request for the use of a service animal may include consideration by a student's special education team and/or Section 504 team. The Superintendent of Schools may require a meeting with and/or additional information from the staff member or parent requesting the use of a service animal, including, but not limited to, documentation/consultation from the staff member's or student's health care provider.
  5. Approval of the use of a service animal on District property is subject to periodic review, revision or revocation by Administration.
  6. Service animals must wear proper identification and always be on a leash or other form of restraint mechanism. It is the responsibility of the staff or student (parent) who uses the service animal to be the certified handler, providing the proper handling of the service animal.
  7. The District retains discretion to exclude or remove a service animal from its property if:
    - a. The animal is out of control and/or the animal's handler does not effectively control the animal's behavior.
    - b. The animal is not housebroken or its presence or behavior fundamentally interferes in the functions of the school.
    - c. The service animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications.
  8. The staff or student/parent is liable for any damage to District or personal property and any injuries to individuals caused by their service animal. The staff or student/parent who uses a service animal on District property will hold the District harmless and indemnify the District from any such damages. Further, the staff or student/parent will be required to submit a certificate of liability insurance covering the service animal and identifying the District as an additional insured.
- D. A visitor with a disability accompanied by a service animal shall be authorized to access a school or district facility at school/district functions.
- a. In order for the service dog to be permitted to visit the school, a written request must be submitted as soon as possible or at least 15 school days prior to the visit to the principal.
  - b. The service animal must be under the control of the handler during the visit. Failure to do so may be subject to removal from the school.
- E. A "therapy dog" is a dog professionally trained by an accredited or certified authority for the social and emotional benefit of students. Therapy dogs are not considered trained service dogs as described by the ADA.

1. Therapy dogs are independently owned by school employees who have been individually trained, evaluated and registered with his/her therapy dog to provide animal assisted activities, therapy and interactions within the school.
  2. Therapy dogs must meet standards of health as prescribed by veterinarians at the owner's expense. The district bears no financial responsibility for the required therapy dog training, care, feeding, health, behavior and suitability for interacting with students and others while on or off school campuses.
  3. Therapy dogs in the school setting shall be recommended by the school administration to the Superintendent, and approved by the School Board. Prior to recommendation and approval, owners shall provide:
    - a. Certification of proper inoculations verified by a veterinarian
    - b. Visible cleanliness of dog with no sign of fleas/ticks
    - c. A visually healthy, alert and not grossly over or underweight dog
    - d. Proof of physical and healthy stool sample analysis
    - e. Proof of heartworm test
    - f. A copy of the owner's current homeowner's or renter's insurance policy
  4. These requirements must be met on an annual basis, prior to the start of any school year.
  5. The principal shall notify parents and staff on an annual basis regarding the presence of therapy dogs in the school.
- F. With the exception of service animals, animals are not allowed on District campuses during school hours unless specifically approved by the principal. Many animals, while well-behaved normally, may act aggressively under the increased input of a school campus where students and adults are moving constantly. School hours are meant to include classroom periods, the time before and after school, and school-related activities when students are present.
- G. Parents or guardians walking their animals and their students as part of the arrival or departure process must keep said animals under control at all times and off school grounds. Animals remaining in vehicles while visiting the campus are not restricted except that owners should keep windows and other openings restricted to prevent students from reaching into the vehicle.
- H. Allowing any animal into the school building or on school grounds, including a classroom pet, is at the principal's discretion. The principal will use these requirements in making a decision regarding the request. Principal approval is required on an annual basis and may be revoked by the principal or District administration at any time.

- I. Before a classroom “adopts” a pet or wishes to use an animal as part of the curriculum or classroom project, the teacher or staff shall evaluate the appropriateness of the animal of interest and the long-term utility of the educational objective for having the animal in the classroom.
  1. Non-domestic animals, ferrets or wolf hybrid dogs are not allowed on school property. Exceptions may be made for exhibits and presentations by recognized agencies that have programs specifically designed for schools or students in a public setting.
  2. That the presence of the animal is part of the delivery of the curriculum or classroom project, the animal can only be in the school/classroom on the day the curriculum or project is delivered.
  3. Prior to adopting a pet for the classroom, arrangements must be made in advance for the daily feeding and care of the animal, including weekends, holiday breaks, no school days and end of the school year. Requesting students or their families to assume this responsibility is not permitted. However, adult family members may volunteer their services if they so wish.
  4. Additionally, a plan for access to and payment for veterinary care if potentially needed, and an exit plan for the animal if it has to be removed from the school shall be submitted for principal approval.
  5. A teacher or staff assumes the responsibility of having a classroom pet, including all expenses related to the care and well-being of the pet, and regular and emergency veterinarian care as necessary.
- J. Written notice shall be sent to each child’s parent before obtaining a classroom pet. At the parent’s request, a student may be excluded from the class for health reasons, or the “adoption” may be refused. This process must be repeated annually for each new group of students and for new students enrolling mid-year.
- K. Students and staff with allergies or sensitivities to animals must be accommodated, including being given the option of participating in class in another manner to meet the class requirements. Location of the pet, cleanliness, and indoor air quality concerns must be addressed. If adequate accommodations cannot be made, the pet must be removed and the “adoption” denied.
- L. Thorough hand washing with soap and water will occur after any contact is made with animals, equipment used in the handling of the animal or cages/carriers.