

## 8700 ~~Administrative Procedures For Service Animals In Schools~~

### I. PURPOSE AND PHILOSOPHY

Weber School District acknowledges its obligation to permit students and/or adults with disabilities to be accompanied by a service animal in its school buildings, classrooms, and at school functions as required by the Americans with Disabilities Act (as amended 2008), [Section 504 of the Rehabilitation Act](#), [the Individuals with Disabilities Education Act \(IDEA\)](#), and [Utah statute](#).

### II. POLICY

[The District is committed to providing clear and consistent guidance regarding the presence of animals in schools, including when animals are permitted or prohibited, in compliance with federal and state law, State Risk Management, and District policy.](#)

### III. DEFINITIONS

- A. "Service animal" means a dog or miniature horse individually trained to do work or perform tasks for the benefit of a person with a disability. For example, work or tasks may include, but are not limited to: guiding a person with impaired vision; alerting a person with impaired hearing to intruders or sounds; providing minimal protection or rescue work; pulling a wheelchair; fetching dropped items; providing physical support and assistance with balance/stability; or helping persons with 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, or companionship do not constitute work or tasks for the purposes of this definition. Therefore, an "emotional support animal" or "therapy animal" is not considered a service animal.<sup>1</sup>

- B. ["Therapy Animal" means a therapy dog \(hereafter referred to as "therapy animal"\) is a registered dog that has been individually trained and certified through a reputable organization to participate in a variety of animal-assisted interventions.](#)<sup>2</sup>
- C. ["Animal-assisted intervention" means an intervention designed to promote improvement in an individual's physical, social, emotional, or cognitive functioning through interactions with a specially trained animal.](#)<sup>3</sup>~~¶~~
- ~~4. Examples can include a therapy dog applying gentle pressure to calm a student, being present and calm for students experiencing stress, or participating in academic activities (e.g., such as students reading aloud to the dog).~~
- D. ["Therapy animal handler" means an individual who is trained to handle a therapy animal for animal-assisted interventions.](#)<sup>4</sup>
- E. ["Emotional Support Animal" means an animal that provides therapeutic benefit to an individual but the animal has received no specialized training. The animal provides therapeutic benefits to the owner through companionship.](#)

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<sup>1</sup> Americans with Disabilities Act (as amended 2008); 28 C.F.R. Part §35.104

<sup>2</sup> Utah Code §53G-9-211(1)(c)(i)

<sup>3</sup> Utah Code §53G-9-211(1)(a)

<sup>4</sup> Utah Code §53G-9-211(d)

- F. "Animals as Part of the Curriculum" means an animal approved by the Instructional Supports Department of the District and the School's building administrator for instruction with students.
1. Poisonous, dangerous, or otherwise harmful animals shall not be kept on the school premises unless it is in conjunction with a course curriculum.
  2. A warning sign should be placed on the confining area of animals that are likely to carry disease; the sign shall state the disease-causing organisms the animal is likely to be infected with and precautions people should take to avoid disease.
- G. "Classroom Pets or Other Animals": means a small animal that resides in the classroom as a pet. (e.g., a guinea pig, lizard, fish, etc.). Classroom pets do not include a cat or dog, livestock, egg incubators, or worm/composting environments.

#### IV. THERAPY ANIMALS

- A. Utah Code §53G-9-211 requires that if a school provides animal-assisted interventions through therapy animals, the District shall adopt a policy for proper handling of a therapy animal on school grounds. This policy complies with that requirement.
- B. Certification or Registration Requirements
1. A therapy animal and its handler must obtain and maintain current certification or registration through a reputable local or national organization specializing in therapy animal training (e.g., Pet Partners, Therapy Dogs International, Intermountain Therapy Animals, Dog Elite, etc.).
  2. The handler shall provide proof of certification or registration, as well as up-to-date vaccination records and any required liability coverage, to Student Services and building administrator (or designee) annually or upon request.
- C. Guidelines for Allowing Therapy Animals and Handlers on School Grounds
1. Only employees or authorized volunteers who have received appropriate training, may bring a therapy animal to school, with the express written approval of the school's building administrator.
  2. Students may not bring a therapy animal to school.
  3. The school building administrator has final authority to approve or deny the presence of a therapy animal. In making this determination, the building administrator should consult with the Director of Student Services. Once approved, the employee or authorized volunteer will sign a Therapy Animal Agreement with the school building administrator and a District representative.
  4. Therapy animals are not owned by the District; rather, they belong to an employee (or volunteer) who has received appropriate training and certification for the animal.
- C. Scheduling and Supervision:
1. The handler must coordinate with the building administrator or designee regarding times and locations for therapy animal visits to avoid disruptions to instruction and campus activities.

2. If the handler is a school-based professional (e.g., a school psychologist, counselor, or teacher) who regularly uses a certified therapy animal as part of their professional duties, the building administrator may grant a standing approval or schedule that outlines when and where the therapy animal is generally allowed. This approval should still ensure minimal disruption and may be revised by the building administrator as needed.
3. If the handler is a volunteer, the handler must coordinate each visit in advance with the building administrator or designee to establish specific times and locations, **and in accordance with the Volunteer Policy, Policy 6400.**
4. The therapy animal must remain under the direct control of the handler at all times. Control may be maintained through a leash, harness, or appropriate voice or signal commands consistent with the animal's training. The building administrator or designee may require the use of a leash or harness if circumstances warrant (e.g., safety considerations, school events, etc.).

#### D. Hygiene and Safety. ¶

**Therapy animals must be clean, well-groomed, and not pose a health or safety risk to students or staff. Handlers are responsible for cleaning up after the animal.**

#### E. Removal or Exclusion. ¶

**~~4.~~—The building administrator may exclude or remove a therapy animal if the animal behaves inappropriately, poses a threat to health and safety, causes significant disruption, or if certification or registration requirements are not maintained.**

#### F. Notice Requirements

1. The building administrator or designee shall provide reasonable advance notice to parents, students, faculty, and staff before a therapy animal is brought to an office, classroom, or school activity.
2. The notice shall include:
  - i. The purpose of the therapy animal's visit (e.g., reading activities, stress reduction sessions);
  - ii. Dates, times, and locations where the therapy animal will be present, if known in advance; and
  - iii. Instructions for parents or guardians to inform the building administrator of any animal allergies or concerns.

#### G. Preventing Unwanted Interaction (Allergies or Discomfort)

1. The building administrator or designee shall develop a plan to ensure students or staff with allergies or fear of animals are not compelled to interact with the therapy animal.
2. Possible accommodations may include:
  - i. Adjusting the location of the therapy session or animal's presence

- ii. Offering an alternative activity or location for students who prefer not to participate
- iii. Requesting the handler maintain additional space or distance

#### H. No Legal Access Rights

- 1. Therapy animals do not have the same legal rights of access as service animals under the ADA or Section 504. Their presence on campus is subject to District approval and these guidelines.

### V. SERVICE ANIMALS

#### A. ~~The service animal must be:~~

- ~~1. Required because the individual has a disability; and~~
- ~~2. Individually trained to do work or perform tasks for the benefit of the individual with a disability.~~

Individuals with disabilities shall be permitted to be accompanied by their service animal or service animals in training in all areas of District facilities where members of the public, participants in services, programs or activities, or invitees are allowed to go.<sup>5</sup> The service animal must be:

- 1. Required because the individual has a disability; and
- 2. Individually trained to do work or perform tasks for the benefit of the individual with a disability.

#### B. Weber School District may prohibit the use of service animals in certain locations due to health and safety restrictions or places where animals might be in danger. Restricted areas may include, but are not limited to:

- 1. food preparation areas,
- 2. instructional laboratories, boiler rooms, and
- 3. other areas prohibited by law.

#### C. As provided for in Utah law, service animals in training shall be granted access to District facilities where members of the public, participants in services, programs or activities, or invitees are allowed to go, except in places where there is a health, environmental, or safety hazard.

#### D. A service animal may only be a dog or a miniature horse as detailed below. No wild animals (trained or untrained) will be permitted in schools as a service animal.

#### E. Requests to permit a miniature horse to accompany a student or adult with a disability in school buildings, classrooms, or at school functions will be handled on a case-by-case basis, considering:

- 1. The type, size, and weight of the miniature horse and whether the facility can accommodate these features.

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<sup>5</sup> Utah Code Ann. §26B-6-803(1)(a)

2. Whether the student or adult with the disability has sufficient control of the miniature horse.
  3. Whether the miniature horse is housebroken.
  4. Whether the miniature horse's presence in a school building, classroom, or school function compromises legitimate safety requirements that are necessary for safe operations.
- F. Due to the District's need to accommodate a variety of disabilities and conditions (which may include the competing needs of children and/or staff with animal allergies or fears), early notification of the need for a service animal is strongly encouraged.
1. For student accommodations – Director of Student Services
  2. For employee accommodations – Director of Human Resources
  3. For adult visitors – Director of Facilities and Operations
  4. Requests may be directed to: Weber School District, 5320 Adams Ave. Pkwy., Ogden UT 84405, (phone: 801-476-7800) to the attention of the appropriate director described above prior to bringing the service animal to school and/or to a school function.
  5. The request should include the following:
    - i. The individual's name, school, and a description of the school functions at which the service animal is requested to be used;
    - ii. An affirmation that the animal is required because of a disability;
    - iii. A description of the work or tasks that the service animal has been trained to provide for the person with the disability, and
    - iv. Proof of required rabies vaccination (and any additional vaccinations required by Weber County Animal Control).
  6. Written approval will be sent via U.S. mail by the appropriate director as described above. A copy will be sent to the school.
  7. The information in subsection ii. and iii. above will be requested for animals brought to campus without prior notice.
- G. To avoid confusion about whether an animal is a permitted service animal, a person accompanied by a service animal while at school or at school functions is requested to exhibit one of the following:
1. The animal's laminated identification card;
  2. The animal's service vest; or
  3. Another form of identification sufficient to put others on notice that the animal is a service animal.
- H. Permitted service animals should be:

1. Treated for, and kept free of, fleas and ticks;
  2. Kept clean and groomed to minimize shedding and dander;
  3. Spayed or neutered; and
  4. Housebroken.
- I. All service animals must have a harness, leash, or other tether. The exception to this would be if either:
1. The handler is unable because of the disability to use a harness, leash, or other tether, or
  2. The use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks. In such cases, the service animal must be otherwise effectively under the handler's control such as through the use of voice commands or hand signals.
- J. The District or the individual school is not responsible for providing a staff member to walk the service animal or to provide any care or assistance to the animal.
1. Students with service animals are expected to care for and supervise their animal.
  2. In the case of a young child or a student with a disability who is unable to care for or supervise the animal due to their disability, care for or supervision of the service animal will be addressed on a case-by-case basis with the school administration.
  3. If parents choose to provide a handler for the service animal, the handler must be fingerprinted and have a background check.
- K. A school administrator may ask an individual with a disability or the child's parents to remove a service animal from the school building, classroom, or from a school function if any one of the following circumstances occurs<sup>6</sup>:
1. The animal is out of control and the animal's handler does not take effective action to control the animal.
  2. The animal's presence fundamentally alters the nature of the service, program or activity.
  3. If the school administrator is considering removal of a service animal, the administrator must contact the appropriate District Director prior to the removal of the service animal. The Director will determine if Risk Management should be contacted.
- L. In the event a service animal is removed, excluded, or otherwise prohibited, the individual with a disability shall be given the opportunity to participate in the service, program, or activity at issue without the accompaniment of the service animal.<sup>7</sup>

## VI. EMOTIONAL SUPPORT ANIMALS

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<sup>6</sup> Americans with Disabilities Act (as amended 2008); 28 C.F.R. Part §35.136(b)

<sup>7</sup> Americans with Disabilities Act (as amended 2008); 28 C.F.R. Part §35.136(c)

A. Weber School District does not allow the presence of emotional support animals.

B. ~~4.—~~Emotional support animals are not recognized as service animals under the ADA and do not have the same access rights.

## VII. CLASSROOM PETS AND ANIMALS AS PART OF THE CURRICULUM REQUIREMENTS

### A. Classroom Pets:

1. Must be approved by the building administrator (or designee), and the Director of Elementary, Secondary or CTE, as appropriate. ~~XXX~~
2. Teachers are encouraged to notify parents in their annual classroom disclosure that there is a classroom pet.
3. Teachers responsible for classroom pets must develop a basic care and maintenance plan, including feeding, cleaning, appropriate housing, and any other measures necessary for the animal's well-being. The pet should be placed in a suitable location that provides proper ventilation, temperature control, and prevents escape.
4. Students may interact with classroom pets only under direct adult supervision. The teacher shall ensure that interaction does not create a health hazard (e.g., requiring handwashing after contact, monitoring for allergies).
5. Classroom pets are generally not to be sent home with students. If an exception is considered (e.g., over a school break), building administrator approval is required and parent/guardian consent must be obtained.
6. Individual student or teacher personal pets are not permitted as classroom pets unless they fully comply with this policy, including building administrator approval and demonstration of an educational purpose or low-risk status.
7. The teacher must check for student or staff allergies or sensitivities before introducing a classroom pet and work with the building administrator to provide reasonable accommodations. If a significant allergy or safety concern arises, the building administrator may revoke or modify approval at any time.
8. Classroom pet habitats should be glass, plastic, or metal, with a solid bottom (i.e., not the classroom floor) and secure hinges to prevent any escapes. ~~Classroom pets and other animals in schools must be approved by the building administrator, and the Director of Elementary, Secondary or CTE, as appropriate. Teachers should send out communication and receive permission from parents/guardians.~~

### B. Animals for Instructional Purpose

1. Animals may be used for instructional purposes with prior approval from the building administrator through completing the [Animals for Instructional Purposes Application form](#)

### C. Temporary Animal Visitors

1. Animals brought to campus on a temporary basis for the purpose of a theater production or extra-curricular activity are considered temporary animal visitors.
2. Anyone seeking to bring a temporary animal visitor ) on school campuses must request approval through the building administrator and the Executive Director of Facilities and Operations, which may include verifying insurance coverage or other conditions.
3. Except as expressly outlined in this policy, animals are not allowed on school campus.