

NOTE: This policy is NEW and was developed to address school districts' responsibility to make reasonable accommodations to permit persons 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.

RECOMMENDATION: *Accept italics*

Soda Springs School District No. 150 acknowledges its responsibility to make reasonable accommodations to permit persons 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, 28 C.F.R. Part 35.

DEFINITION

“Service animal” means any dog or, in specific circumstances, a miniature horse (see Miniature Horses below) that is individually trained to do work or perform tasks for an individual with a disability including a physical, sensory, psychiatric, intellectual or other mental disability. No other species of animal, whether wild or domestic, will be permitted as a service animal. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals for the purposes of this definition.

Examples of such work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

REQUIREMENTS

1. The animal must be individually trained to do work or perform tasks for the individual with a disability.
2. The owner must be in full control of the animal at all times.
 - a. Service animals must have a harness, leash, or tether unless these devices interfere with the service animal's safe, effective performance or the individual's disability prevents the use of these devices, in which case the individual must maintain control of the animal through voice, signal, or other effective controls.

3. Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.
4. All requests for an individual with a disability to be accompanied by a service animal must be written, contain the required documentation of vaccinations, and delivered to the superintendent's office at least ten (10) business days prior to bringing the service animal to school or a school function.
5. Owners of a service dog must provide annual proof of the following vaccinations: DHLPPC (Distemper, Hepatitis, Leptospirosis, Parainfluenza, Parvovirus, and Coronavirus), Bordetella, and Rabies.
6. Owners of a service miniature horse must provide annual proof of the following vaccinations: Equine Infectious Anemia (Coggins Test), Rabies, Tetanus, Encephelomyelitis, Rhinopneumonitis, Influenza, and Strangles.
7. Service dogs must have a collar with an attached, current license tag issued by the county or a municipality within the county.
8. *Service animals must wear an identification tag, which includes the name and phone number of the owner, at all times.*
9. Service dogs must be spayed or neutered.
10. Male service miniature horses must be gelded.
11. Service animals must be treated for and kept free of fleas and ticks.
12. Service animals must be kept clean and groomed to avoid shedding and dander.
13. 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 for 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 at the discretion of the building administrator.

MINIATURE HORSES

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 whether:

1. The miniature horse has been individually trained as a service animal.
2. The miniature horse is housebroken.
3. The handler has sufficient control of the miniature horse.
4. The facility can accommodate the miniature horse's type, size, and weight.
5. The miniature horse's presence will compromise legitimate safety requirements necessary for the safe operation of the facility.

EXCLUSION OF SERVICE ANIMALS

A school administrator may exclude or ask an individual with a disability to remove a service animal from a school building, a classroom, or from a school function if any one of the following circumstances occurs:

1. The animal is out of control and the animal's handler does not take effective action to control it.
2. The animal is not housebroken.
3. The animal's presence would fundamentally alter the nature of the service, program, or activity.
4. The animal presents an unreasonable risk to the health and safety of students, staff, or other individuals.

If a service animal is excluded, the individual with a disability will be given the opportunity to participate in the service, program, or activity without having the service animal on the premises; and/or may be offered other alternatives to the service animal that are effective in performing the functions required with respect to the individual's disability.



LEGAL REFERENCE:

ADA Regulations, 28 C.F.R. Part 35 (as amended 2010)
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794
Individuals with Disabilities in Education Act, 20 U.S.C. 1400 *et seq.*

ADOPTED: May 4, 2011

AMENDED: First Reading October 2, 2013

**Language in text set forth in italics is optional.*