

ANIMALS ON SCHOOL CORPORATION PROPERTY

Introduction

The Western Wayne School Board recognizes that there are many occasions when animals are present on Corporation property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents/guardians, vendors, and other members of the public may be accompanied on Corporation property by a service animal in accordance with Federal and Indiana law and this policy. Companion animals or pets are prohibited on Corporation property and at Corporation-sponsored events, unless authorized by prior written approval in accordance with this policy.

This policy shall apply to all animals on Corporation property, including service animals, but with the exception of dogs employed by police departments or other law enforcement entities, as matters involving police dogs are governed by law enforcement policies and procedures.

Definitions

- A. A “service animal” is a dog, or in special circumstances a miniature horse, that is individually trained to take specific action or perform tasks to assist an individual with a disability. The tasks performed by the service animal must be directly related to the person’s disability. A “service animal” does not include any species of animal, whether wild or domestic, other than a dog or miniature horse.
- B. A “companion animal” is an animal that provides solely emotional support, well-being, therapy, comfort, or companionship. A “companion animal” does not meet the definition of a “service animal.”
- C. An “individual with a disability” is a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.
- D. A “tether” is a harness, leash, or other fastener intended to limit the animal’s range of movement.
- E. A “therapy dog” is a dog trained to provide therapeutic or mental health support to many individuals (with or without disabilities), such as social workers or therapists using therapy dogs when a traumatic large-scale event occurs. Therapy dogs are requested by Corporation staff members or Corporation-approved programs and approved by the building principal.

Vaccination, Licensing and/or Veterinary Requirements

All animals, including service animals, admitted or housed on Corporation property or brought on Corporation property for any school purpose, or brought onto Corporation property on a

regular basis must meet every veterinary health and inoculation requirement set forth in State law and local regulation or ordinance, including but not limited to a current rabies vaccination.

Animals must be kept free of fleas and ticks. Animals must be appropriately cleaned and groomed.

Animals must not be poisonous, a bite risk, or otherwise dangerous to persons.

Damage or Injury Caused by Animals

By permitting an animal on Corporation property or Corporation-sponsored events, the Board does not assume responsibility for any damage, harm, or injury caused by any animal. The owner of the animal, or the individual accompanied by the animal onto Corporation property or sponsored events, is liable for any damage, harm, or injury caused by the animal to other students, staff, visitors, and/or property. An individual may be charged for damage, harm, or injury caused by his/her animal.

Responding to Other Students' and Staff Members' Health Concerns

When the Corporation receives notification that a staff member is seeking a non-service animal in their classroom for curricular purposes, or an individual with a disability plans to bring a service animal into the school building, a written notification will be sent home to other staff members and parents/guardians of students in areas potentially affected by the animal informing them of the type of animal that will be coming into the classroom. Staff and parents will have a reasonable period of time to notify the principal of health-related or other concerns that may be aggravated by the animal's presence, such as allergies or asthma.

Allergies and fear of the service animal are not valid reasons for denying a service animal in school; however, the Corporation will take all necessary steps to accommodate students and staff pursuant to their legal obligations.

If a parent or staff member responds with a concern about the animal, the principal and individual may discuss options for accommodating the student or staff member with health concerns. For students with an existing Section 504 plan for a condition that substantially limits a major life activity, the student's Section 504 team will collaborate to determine how to accommodate the student's health concern. Individuals may be accommodated by moving them to different parts of the room, or to different rooms.

Except where required by law, an animal shall not be permitted if documented health concerns of a student or staff member cannot be reasonably accommodated. If an animal is brought into the classroom and a student or staff member suffers a previously unknown health condition, the teacher and/or principal shall discuss the situation with the student's parents/guardians or staff member to determine if an evaluation for a Section 504 plan is appropriate and/or if accommodations are necessary

Humane Treatment of Animals

Animals kept on school premises shall be treated humanely and shall not be subjected to cruel treatment or housed in unsanitary or unnecessarily restrictive conditions. For purposes of this provision, "humanely" includes the provision of adequate food and fresh water, and the term "animal" means a sentient creature capable of assessing and responding to its environment.

The Board authorizes the Superintendent or his or her designee to develop administrative guidelines addressing the use of service animals and animals for curricular purposes including therapy dogs.]

I. NON-SERVICE ANIMALS FOR CURRICULAR PURPOSES

When requested by a Corporation teacher or staff member, the Superintendent or his or her designee shall determine if bringing an animal into the building/classroom is appropriate for educational purposes. Even if an animal has been previously approved, the Superintendent or his or her designee may revoke permission for the animal's presence at any time for any reason.

The Superintendent or his or her designee may approve a staff member or Corporation-approved program using a therapy dog for the benefit of students and/or staff. At least twenty instructional days prior to the therapy dog's arrival, the staff member or Corporation-approved program must apply for approval with the building principal. The staff member or program staff who seek approval will be designated the "handler."

Under no circumstances may a student, parent, or visitor bring a therapy dog onto Corporation property.

The building principal will consider requests for therapy dogs using the following criteria:

- If the therapy dog is part of a planned curriculum or therapy program for students and/or staff.
- If the handler can demonstrate the therapy dog meets all qualifications below.
- If the handler has demonstrated his or her commitment to the therapeutic program, the therapy dog, and the handler's own status as a quality employee or program.
- The therapy dog will not interfere w/ the employee's primary job responsibilities.
- If the therapy dog can be appropriately utilized for therapeutic purposes while considering the needs of other students, such as allergies, fear of dogs, etc.
- If the building already has a therapy dog.
- The number of students who may utilize the therapy dog, especially if a large-scale traumatic event has occurred or there is a particularly stressful time for students.
- The handler can demonstrate the dog has completed appropriate training, as determined by the building principal. Training by Indiana Canine Assistant Network (ICAN) or similar training will likely be considered appropriate.
- Any other factor deemed appropriate by the building principal.

The building principal's decision is final. The building principal may place parameters on the therapy dog, including but not limited to where the dog is permitted in the building, how long the dog may be in the building (time of day or duration of the school year), and who may have interaction with the therapy dog. If the principal approves the therapy dog, he or she may revoke its approval at any time for any reason.

A therapy dog must be a dog; no other species of animal qualifies. The therapy dog must be housebroken, under the control of its handler (including not barking repeatedly in a quiet place), have a tether, be appropriately clean and groomed. The therapy dog must be free of fleas and ticks and be vaccinated per veterinarian standards for the age and breed of dog.

The handler is responsible for caring for and supervising the therapy dog, which includes toileting, feeding, watering, grooming, and veterinary care. The handler must encourage the animal to use marked toileting areas. The handler is responsible for the therapy dog after school hours and during breaks from school.

The handler is deemed the owner of the therapy dog and is liable for any damage, injury, or harm done by the therapy dog to other students, staff, visitors, and/or property. The handler and/or program may be charged for damage, injury, or harm caused by the therapy dog. As such, the handler or its program must carry sufficient liability insurance on the therapy dog.

B. After the principal has given initial approval to the staff member seeking approval to have a non-service animal in his/her classroom, the staff member will send a written notification home, to other staff members and parents/guardians of students in areas potentially affected by the proposed animals, informing them of the type of animal that will be coming into the classroom. Staff and parents will have a reasonable period of time to notify the teacher or the principal of health-related or other concerns.

The care of the non-service animal is the responsibility of the staff member who applied to bring the non-service animal into the school.

Live animal presentations and assemblies under the supervision and control of a trained professional may have more unique animals that otherwise are not permitted in the classrooms. These presentations are allowed in accordance with the provisions of this policy. The principal shall not allow a potentially dangerous animal if the educational value does not outweigh the risk of injury to a person.

Except where an animal is serving as a service animal, the presence of an animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated. If an animal has been previously approved, the principal or Superintendent or his or her designee may revoke permission for the animal's presence at any time for any reason.

II. SERVICE ANIMALS

Companion animals are not permitted on Corporation property and at Corporation-sponsored events.

In accordance with the Americans with Disabilities Act, the Corporation permits the use of a service animal by an individual with a disability. A service animal is permitted to accompany an individual with a disability to whom the animal is assigned anywhere on the school campus and school functions where the individual is permitted to be. The work or tasks performed by the service animal must be directly related to the individual's disability.

The Corporation does not require documentation; however, prior to bringing a service animal to school, the Corporation requests a Service Animal Registration Form be completed for all individuals with a disability who wish to be accompanied by a service animal. The Corporation requests the Form be completed and delivered at least ten (10) instructional days prior to bringing the service animal to school, in order to prepare other staff and students for the service animal's arrival. In completing the Service Animal Registration Form, the individual or his/her parents shall explain that the service animal is required because of a disability and what work or task the service animal has been trained to perform.

The Corporation requests that the individual with a disability and/or his/her parents provide documentation supporting that the service animal is required because of a disability and that the animal has been individually trained to do work or perform tasks to assist an individual with a disability.

If a student with a disability requires their service animal to accompany them on a school bus owned or leased by the Corporation, the student and parent/guardians, and third party handler if applicable, shall meet with the Transportation Supervisor in advance to discuss orientation for bus drivers and students, appropriate animal behaviors on the bus, and procedures for emergency/evacuation.

An employee with a disability may request authorization to use a service animal while on duty as a reasonable accommodation of a disability under the Americans with Disabilities Act. The request will be handled in accordance with the interactive process mandated by the Americans with Disabilities Act. Food service employees must abide by all applicable FDA Food Code regulations regarding service animals.

A service animal shall be the personal property of the individual. The Board shall not assume responsibility for training, daily care, or healthcare of the service animal. By admitting a service animal to Corporation property, the Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on Corporation property or at School Corporation-sponsored events.

At all times, a service animal shall be under the control of its handler. If the person accompanied by the service animal is unable to handle the service animal appropriately, the parent/guardian

shall provide for care and supervision of the animal (either by the parent/guardian or a third party individual accompanying the animal). If the individual is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Board Policy.

A service animal shall have a tether, unless either the individual with a disability is unable because of a disability to use a tether, or the use of a 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 student's control (e.g., voice control, signals, or other effective means. "Under control" also means that a service animal shall not be allowed to bark repeatedly in a quiet place. The handler may not allow the service animal to wander away from her and must maintain control of the animal, even if it is retrieving an item at a distance from the handler.

The handler is responsible for caring for and supervising the service animal, which includes toileting, feeding, watering, grooming, and veterinary care. The handler should encourage the animal to use marked toileting areas.

The Superintendent or his or her designee will be responsible for reviewing and determining whether the required documentation has been provided for the individual's service animal. Services to a student shall not be suspended or withheld pending receipt of the requisite documentation for the service animal until the student or a parent/guardian has been given a reasonable period of time to submit any required documentation.

A service animal shall be permitted to accompany the disabled student anywhere on the school campus where students are permitted to be.

In instances when a service animal has demonstrated that it is not under the control of the individual or its handler or it is not housebroken, the principal will also be responsible for documenting such behavior and for recommending to the Superintendent or his or her designee if and when the service animal is to be removed and/or excluded from School Corporation property.

The Superintendent's decision to remove and/or exclude a service animal from school property may be appealed in accordance with Nondiscrimination/Anti-Harassment Policy complaint procedures for these policies set forth in the Administrative Guidelines.

The procedures that are set forth in in the Administrative Guidelines shall not preclude a student and his/her parent/guardian from pursuing a complaint with the United States Department of Education's Office for Civil Rights, or the Indiana Department of Education or Civil Rights Commission.

III. RESPONDING TO OTHER STUDENTS' AND STAFF MEMBERS' HEALTH CONCERNS

When the Corporation receives notification that a staff member is seeking a non-service animal in their classroom for curricular purposes, or an individual with a disability plans to bring a service animal into the school building, a written notification will be sent home to other staff members and parents/guardians of students in areas potentially affected by the animal informing them of the type of animal that will be coming into the classroom. Staff and parents will have a reasonable period of time to notify the principal of health-related or other concerns that may be aggravated by the animal's presence, such as allergies or asthma.

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Except where required by law, an animal shall not be permitted if documented health concerns of a student or staff member cannot be reasonably accommodated. If an animal is brought into the classroom and a student or staff member suffers a previously unknown health condition, the teacher and/or principal shall discuss the situation with the student's parents/guardians or staff member to determine if an evaluation is appropriate and/or if accommodations are necessary.

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