

## **810 Service Animals and Therapy Dogs**

### **I. Purpose**

The purpose of this policy is to observe federal and state statutes relative to individuals with a disability who require the assistance of a trained service animal, consistent with the Americans with Disabilities Act, 28 CFR 35, Minn. Stat. 256C, and 363A.19. Use of a service animal on district property is outlined below and subject to these procedures.

### **II. Definitions**

Service Animal: means any dog or other animal specifically trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability.

A Handler: is an individual with a disability who uses a service animal. In the case of an individual who is unable to care for and supervise the service animal for reasons such as age or disability, handler means the person who cares for and supervises the animal on that individual's behalf. District personnel cannot be responsible for the handling responsibilities for a service animal unless specifically trained.

### **III. Requirements for all Service Animals**

- A. The service animal must be required for the individual with a disability.
- B. The service animal must be individually trained to do work or tasks for the benefit of the individual with a disability, as described in II. A.
- C. The service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability or the use of a harness, leash or other 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 handler's control. The service animal must be clearly identified as such.
- D. The service animal must be housebroken.
- E. The handler is responsible for the care and supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself.
- F. 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, unless otherwise agreed upon with the district.
- G. In the case of an individual who is unable to care for and/or supervise their service animal, the parent/guardian of the individual is responsible for arranging for such care and supervision.
- H. A school official may require a handler or parent/guardian to remove a service animal from school district property, a school district facility, a vehicle operated by or on behalf of the school district, or a school-sponsored event, activity or program if the service animal is out of control and the handler does not take effective action to control it, or the service animal is not housebroken. If the school district requires an individual with a disability to remove a service animal, the individual may remain on school district property, in a school district facility, in a school district-owned or operated vehicle, or at a school-

sponsored event, activity, or program without having the service animal, unless the individual has violated a law or school district rule or regulation that would warrant the removal of the individual.

I. A handler or parent/guardian is liable for any and all harm, injury, or damage caused by the service animal.

J. If a student or employee notifies the school district that he or she is allergic to a service animal, the school district will balance the rights of the individuals involved and make reasonable efforts to accommodate both.

#### **IV. Requesting the Use of a Service Animal**

A. Requests for students with a disability to be accompanied by a service animal must be submitted to the School's Director in writing using the attached form. The School's Director will review the application and will respond to the request in writing.

B. No student or employee may bring a service animal onto district property or to a district-sponsored event without the prior written approval of the School's Director.

C. Requests must identify the need for the service animal as it relates to the individual's disability and describe the work or tasks that the service animal is trained to perform.

D. Owners of a service dog must provide proof of current vaccinations for Rabies and DHPP (Distemper, Hepatitis, Parainfluenza, Parvovirus), and any other vaccinations depending on local veterinary recommendations.

#### **IV. Therapy Dogs**

A. A therapy dog is a dog trained to provide affection and comfort to students in the school district. The most important characteristic of a therapy dog is its temperament. A good therapy dog must be friendly, patient, confident, at ease in all situations, and gentle. Therapy dogs must enjoy human contact and be content to be petted and handled, sometimes clumsily. A therapy dog's primary job is to allow unfamiliar people to make physical contact with it and to enjoy that contact. Therapy dogs are not considered trained service dogs as described by the Americans with Disabilities Act.

B. The school district supports the implementation of a therapy dog program for the academic, social, and emotional benefits of its students. The school district guidelines below must be made on a case-by-case basis.

#### **V. Guidelines for Therapy Dogs**

A. Written permission must be obtained from the building principal before the therapy dogs are brought to the school or classrooms. The school's Director is responsible to confirm that an appropriate educational or support purpose exists before any therapy dog is brought into a classroom. Therapy dogs, other than service animals, are not to be transported on school buses or other forms of school transportation.

B. The application process must be completed for each therapy dog. The therapy dog handler is responsible for all associated costs involved with the application process (i.e. veterinarian check-up, all valuations, equipment for therapy dog, etc.)

C. Therapy dogs in school must be properly handled and cared for. Under the supervision of the therapy dogs owner, school staff or students designated by school staff are to handle therapy dogs. Therapy dogs must be supervised at all times by the owner or designated school staff.

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D. The following minimum standards shall be in effect for all therapy dogs approved to serve in the school district:

1. A therapy dog must be clean, well groomed, and not have an offensive odor.
2. A therapy dog does not urinate or defecate in inappropriate locations.
3. A therapy dog does not vocalize unnecessarily.
4. A therapy dog shows no aggression toward people or other animals.
5. A therapy dog does not solicit or steal food or other items from the student body or school personnel.
6. A therapy dog does not in any way interfere with the educational process of any student.
7. A therapy dog does not pose a health or safety threat to any student, personnel or other persons.

E. A therapy dog may be excluded from school property if a school administrator determines any of the guidelines above are being violated. The owner must remove the dog immediately if a violation is found.

F. If a student or employee notifies the school district that he or she is allergic to a therapy dog, the school district will balance the rights of the individuals involved and make a reasonable effort to accommodate both.

## **VI. Responsibilities of Therapy Dog Owners**

A. The therapy dog owner is responsible for any care or supervision of, or assistance to, the therapy dog.

B. The therapy dog owner is responsible for providing for the care and feeding of the animal.

C. The therapy dog owner is liable for any and all harm, injury, or damage caused by the service animal.

D. The therapy dog owner is solely responsible and liable for any damage to school property or injury to personnel, students, or others that is caused by the therapy dog while on school grounds.

E. Therapy dogs in the school setting shall be approved, in writing, by the school director. Prior to recommendation and approval, owners shall provide the following:

1. Completed Therapy Dog Application
2. Proof of current vaccinations
3. Proof of health, such as a current health certificate from a veterinarian
4. Visible cleanliness of the dog with no sign of fleas/ticks
5. A visually healthy and alert dog
6. Proof of the dog's current licensure from the local licensing authority

F. These requirements must be met on an annual basis, prior to the start of any school year.

The school's director will notify parents on an annual basis regarding the presence of a therapy dog and/or service dog in the school building.