

Dyer County Board of Education

Descriptor Term:

Service Animals in Schools

Descriptor Code:

IDDI

Board Approved:

1/5/2021

Rescinds:

IDDI

Board Approved:

1/4/11

1 In accordance with the provisions of the Americans with Disabilities Act, service dogs and trained
2 miniature horses¹(hereinafter referred to as service animals) are permitted for use by individuals with
3 disabilities on district property and in district facilities provided the individuals and their animals meet
4 the requirements and responsibilities covered in this policy.

5
6 Special Provisions/Miniature Horses: Requests to permit a miniature horse to accompany a student or
7 adult with a disability in a school building, school classroom or at school functions, will be handled on a
8 case by case basis considering:

9
10 (1) The type, size and weight of the miniature horse and whether the facility can accommodate these
11 features;

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13 (2) Whether the handler has sufficient control of the miniature horse;

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15 (3) Whether the miniature horse is housebroken; and

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17 (4) Whether the miniature horse's presence in a specific facility compromises legitimate safety
18 requirements that are necessary for safe operation.

19
20 When an individual with a disability seeks to bring a service animal into a district facility, the district is
21 entitled to ask the individual if the animal is required because of a disability and what work or task the
22 animal has been trained to perform. The district is not entitled to ask for documentation that the animal
23 has been properly trained, but the individual bringing the animal into a district facility will be held
24 accountable for the animal's behavior. The district will require proof of state required immunizations.

25
26 Any service animal brought into a district facility by an individual with a disability must have been
27 trained to do work or perform tasks for the individual. The work or tasks performed by the service
28 animal must be directly related to the handler's disability. Examples of work or tasks include, but are
29 not limited to, assisting individuals who are blind or have low vision with navigation and other tasks,
30 alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-
31 violent protection, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to
32 the presence of allergens, retrieving items such as medicine, providing physical support and assistance
33 with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric
34 and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

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36 The crime deterrent effects of an animal's presence and the provision of emotional support, well-being,
37 comfort, or companionship do not constitute work or tasks for the purpose of this policy.

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39 Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of
40 a public entity's facilities where members of the public, participants in services, programs or activities,
41 or invitees, as relevant, are allowed to go.

1 A service animal shall be under the control of its handler. A service animal shall have a harness, leash,
2 or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other
3 tether, or the use of a harness, leash or other tether would interfere with the service animal’s safe,
4 effective performance of work or tasks, in which case the service animal must be otherwise under the
5 handler’s control by means of voice control, signals, or other effective means.

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7 District staff may ask an individual with a disability to remove a service animal from the premises if:
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- 9 (1) The animal is out of control and the animal’s handler does not take effective action to control it; or
10
11 (2) The animal is not housebroken.

12
13 If the district excludes a service animal due to the reasons listed above, the district shall give the
14 individual with a disability the opportunity to participate in the service, program, or activity without
15 having the service animal on the premises.

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17 The district and its staff are not responsible for the care or supervision of a service animal brought onto
18 district property or into district facilities by an individual with a disability.

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20 The district shall not ask or require an individual with a disability to pay a surcharge, even if people
21 accompanied by pets are required to pay fees, or to comply with other requirements generally not
22 applicable to people without pets.

23
24 The student’s parent or adult student is liable for any damage to district or personal property and any
25 injuries to individuals caused by their service animal. The student’s parent or adult student who uses a
26 service animal on district property will hold the district harmless and indemnify the district for any such
27 damages.

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29 Parents/Guardians must submit a written request for the use of a service animal to the Director of
30 Schools. The request must be made no less than three weeks prior to the proposed use of the service
31 animal at school.

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Legal References

1. 28 CFR 35.104; 28 CFR 35.136