

SERVICE ANIMALS

4.33.1

SERVICE ANIMALS IN SCHOOL SETTINGS

Henry County Schools acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a "service animal" in school settings, as required by the Americans with Disabilities Act, subject to the following:

Service Animals

A "service animal" means a dog, or in specific circumstances a miniature horse, that has been individually 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 handler's disability or necessary to mitigate a disability.

Requirements for Allowing a Service Animal on School Property

A. **Request** – Any request for an individual with a disability to be accompanied by a service animal must be addressed in writing to the Superintendent of Henry County Schools. The request must contain documentation of required vaccinations. The request must be delivered to the Superintendent of Schools at least three weeks (21 days) prior to bringing the service animal to school or a school function. The request must be renewed each school year. The approval of a request for a service animal is subject to periodic review, revision or revocation, which can occur at any time and will occur at least annually.

B. **Vaccinations** – The service animal must be immunized against diseases common to that type of animal. The owners of the service animal must provide annual proof of the required vaccinations.

C. **Health** – The service animal must be in good health. The service animal must be kept clean and groomed to avoid shedding and dander. The service animal must be treated for, and kept free of, fleas and ticks. The service animal must be spayed or neutered.

D. **Control** – A service animal must be under the control of its handler at all times. The service animal must wear proper identification and always have a harness, leash, tether or other form of proper restraint mechanism, unless the handler is unable because of a disability to use a harness or other form of restraint mechanism or the use of a harness or other restraint 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 (e.g., voice control, signals, or other effective means). The presence of a service animal in school settings may be subject to a plan which introduces the service animal to the school environment, any appropriate training for staff and students regarding interaction with the service animal, and other activities or conditions deemed necessary by Henry County Schools.

Miniature Horses

Henry County Schools will make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability.

CHAPTER 4.00 – CURRICULUM AND INSTRUCTION

In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, the school district shall consider the following factors:

- a. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- b. Whether the handler has sufficient control of the miniature horse;
- c. Whether the miniature horse is housebroken; and
- d. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

All additional requirements outlined in this policy, which apply to service animals, shall apply to miniature horses.

Supervision and Care of Service Animals

The owner/handler of a service animal is responsible for the supervision and care of the animal, including any feeding, exercising, and clean up. The school 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. In the case of a young child or student with disabilities who is unable to care for or supervise the service animal, the parent is responsible for providing care and supervision of the animal. Any costs incurred to handle the service animal will be the responsibility of the owner/handler of the service animal.

Damages to School Property and Injuries

The owner/handler of a service animal is solely responsible for any damage to school property or injury to personnel, students, or others caused by the animal. The owner/handler will hold Henry County Schools harmless and indemnify Henry County Schools from any such damages.

Removal of Service Animals from School Property

A school administrator can require a service animal to be removed from school property under the following circumstances:

- a. The animal is out of control and the animal's handler does not take effective action to control it;
- b. The animal is not housebroken;
- c. The presence of the animal poses a direct threat to the health or safety of others, or;
- d. The presence of an animal would require a fundamental alteration to the service, program, or activity of the school division.

If the service animal is removed, the individual with a disability shall be provided with the opportunity to participate in the service, program, or activity without the service animal.

REFERENCE(S):

**CODE OF ALABAMA
AL Code § 21-7-4**

HISTORY:

ADOPTED: OCTOBER 15, 2018