

Decatur County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Service Animals in District Facilities	Descriptor Code: 3.218	Issued Date: 07/13/17
		Rescinds:	Issued:

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 When an individual with a disability seeks to bring a service animal into a district facility, the district is
6 entitled to ask the individual if the animal is required because of a disability and what work or task the
7 animal has been trained to perform.² The district is not entitled to ask for documentation that the animal
8 has been properly trained, but the individual bringing the animal into a district facility will be held
9 accountable for the animal's behavior.

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

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

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

24 A service animal shall be under the control of its handler. A service animal shall have a harness, leash,
25 or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other
26 tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe,
27 effective performance of work or tasks, in which case the service animal must be otherwise under the
28 handler's control by means of voice control, signals, or other effective means.

29 District staff may ask an individual with a disability to remove a service animal from the premises if:

- 30 1. The animal is out of control and the animal's handler does not take effective action to control it;
31 or

1 2. The animal is not housebroken;

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3 3. The animal's presence would fundamentally alter the nature of the service, program or activity.³

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

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

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

12 Decatur County Schools acknowledges its responsibility to permit students and/or adults with
13 disabilities to be accompanied by a “service animal” in its school buildings, in classrooms, and at
14 school functions, as required by the Americans with Disabilities Act, 28 CHR Part 35, subject to the
15 following:

16 1. All requests for an individual with a disability to be accompanied by a service animal must
17 be addressed in writing to the Director of Schools at 59 West Main Street, Decaturville, TN,
18 and must contain required documentation of vaccinations. This written request must be
19 delivered to the Director of Schools’ Office at least 10 business days prior to bringing the
20 service animal to school or a school function.

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22 2. Owners of a service dog must provide annual proof of the following vaccinations:
23 DHLPPC (Distemper, Hepatitis, Leptospirosis, Paroinfluenza, Parvovirus, and
24 Coronavirus), Bordetella, and Rabies.

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26 3. Owners of service miniature horses must provide annual proof of the following
27 vaccinations: Equine Infectious Anemia (Coggins Test), Rabies, Tetanus,
28 Encephelomyelitis, Rhinoneumonitis, Influenza, and Strangles.

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30 4. All service dogs must be spayed or neutered.

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32 5. All service animals must be treated for, and kept free of, fleas and ticks.

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34 6. All service animals must be kept clean and groomed to avoid shedding and dander.

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36 7. Owners of service animals are liable for any harm or injury caused by the animal to other
37 students, staff, visitors, and/or property.

- 1 8. The animal must be a dog or, in specific circumstances, a miniature horse. No other species
2 of animal, whether wild or domestic, will be permitted in schools as a “service animal”.
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- 4 9. The animal must be “required” for the individual with a disability.
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- 6 10. The animal must be “individually trained” to do work or a task for the individual with a
7 disability.
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- 9 11. Special Provisions/Miniature Horses: Requests to permit a miniature horse to accompany a
10 student or adult with a disability in school buildings, in classrooms, or at school functions,
11 will be handled on a case-by-case basis, considering:
- 12 a. The type, size, and weight of the miniature horse and whether the facility can
13 accommodate these features.
- 14 b. Whether the handler has sufficient control of the miniature horse.
- 15 c. Whether the miniature horse is housebroken
- 16 d. Whether the miniature horse’s presence in a specific facility compromises legitimate
17 safety requirements that are necessary for safe operation
- 18 12. Removal of a Service Animal: A school administrator may ask an individual with a
19 disability or his parents to remove a service animal from a school building, a classroom, or
20 from a school function if any one of the following circumstances occurs:
- 21 a. The animal is out of control and the animal’s handler does not take effective action to
22 control it.
- 23 b. The animal is not housebroken
- 24 c. The animal’s presence would “fundamentally alter” the nature of the service, program
25 or activity.
- 26 13. A service animal must have a harness, leash, or other tether, unless either the handler is
27 unable because of a disability to use a harness, leash, or other tether, or the use of a harness,
28 leash, or other tether would interfere with the service animal’s safe, effective performance
29 of work or tasks, in which case the service animal must be otherwise under the handler’s
30 control.
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- 32 14. The school system is not responsible for the care or supervision of a service animal,
33 including walking the animal or responding to the animal’s need to relieve itself.

- 1 a. The school district is not responsible for providing a staff member to walk the
2 service animal or to provide any other care or assistance to the animal.
3
- 4 b. Students with service animals are expected to care and supervise their animals.
5 In the case of a young child or a student with disabilities who is unable to care
6 for or supervise his service animal, the parent is responsible for providing care
7 and supervision of the animal. Issues related to the care and supervision of
8 service animals will be addressed on a case-by-case basis at the direction of the
9 building administration.

Legal References

1. 28 CFR § 35.104
2. 28 CFR § 35.136
3. 28 CFR § 35.130