

# Newport City Board of Education

Monitoring: <b>Review: Annually, in June</b>	Descriptor Term:  <b>Use of Service Animals</b>	Descriptor Code: <b>6.5001</b>	Issued Date: <b>10/24/17</b>
		Rescinds: <b>6.5001</b>	Issued: <b>03/01/11</b>

1 In accordance with the provisions of the Americans with Disabilities Act, service dogs and trained  
2 miniature horses<sup>1</sup> (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.<sup>2</sup> 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 All requests for an individual with a disability to be accompanied by a service animal must be addressed  
11 in writing to the Director of Schools or his designee. This written request must be delivered to the  
12 Director of Schools or designee at least 10 business days prior to bringing the service animal to school  
13 or to a school function and must contain required documentation of vaccinations, to include proof of the  
14 following vaccinations: DHLPPC (Distemper, Helatitus, Leptospirosos, Paroinfluenza, Parvovirus,  
15 Coronavirus), Bordetella, and Rabies. All service dogs must be sprayed or neutered. All service dogs  
16 must be kept clean and groomed to avoid shedding and dander.

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

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

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

31 A service animal shall be under the control of its handler. A service animal shall have a harness, leach,

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

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

6 (1) The animal is out of control and the animal's handler does not take effective action to control it;  
7 or

8 (2) The animal is not housebroken.

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

12 The district and its staff are not responsible for the care or supervision of a service animal brought onto  
13 district property or into district facilities by an individual with a disability, including walking the dog or  
14 responding to the animal's need to relieve itself.

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

18 The student's parents or adult student is liable for any damage to district or personal property and any  
19 injuries to individuals caused by their service animal. The student's parent or adult student who uses a  
20 service animal on district property will hold the district harmless and indemnify the district from any  
21 such damages.

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#### Legal References

1. 28 CFR § 35.104
2. 28 CFR § 35.136