SUBJECT: USE OF ASSISTANCE ANIMALS

The District recognizes the importance of service animals and affirms its commitment to allowing the use of these animals by individuals with disabilities on school grounds to facilitate their full participation in and equal access to District services, programs, and activities. Service animals are distinguished from emotional support, therapy, comfort, or companion animals. The District will comply with all applicable federal and state laws and regulations related to service animals.

*Additionally, the District permits the use of therapy dogs on school grounds subject to the conditions of this policy. The use of therapy dogs can have many benefits including reduced anxiety and increased mental stimulation, as well as decreased depression, feelings of isolation, and boredom.

Service Animals

A service animal is defined as any dog that is 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.

The work or tasks performed by a service animal must be directly related to the individual's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. Psychiatric service animals that have been trained to take a specific action to help avoid an anxiety attack or to reduce its effects, however, may qualify as a service animal.

The Superintendent or designee may create procedures, regulations, and/or building-specific rules regarding the use of service animals and miniature horses on school grounds by individuals with disabilities.

Therapy Dogs

For purposes of this policy, a therapy dog is defined as a dog that has been trained, evaluated, and certified to work with a handler to provide affection and comfort to individuals in a variety of settings including schools. A handler is defined as an individual that has been trained, evaluated, and certified to work with a particular therapy dog. Therapy dogs are not covered by the same laws that protect service animals.

Although there is no formal identification or certification for therapy dogs, the District requires that any therapy dog and accompanying handler permitted on school grounds to be certified by an American Kennel Club (AKC) recognized therapy dog organization such as Therapy Dogs International. Further, the therapy dog must not pose a health and safety risk to any individual on school grounds. In order to use a therapy dog in the District, a written request must be submitted to the Superintendent or designee. The request must include the following:

a) General information about the proposed use of the therapy dog including when and where;

(Continued)

SUBJECT: USE OF ASSISTANCE ANIMALS (Cont'd.)

b) Personal information about the therapy dog and handler including name, address, and phone;

c) Copies of the therapy dog's:

1. Current licensure from the local licensing authority;

2. Vaccination and immunization records from a licensed veterinarian;

d) Copy of a certification from an AKC recognized therapy dog organization;

e) Copy of an insurance policy that provides liability coverage for the work of the therapy dog and handler while on school grounds and names the District as an additional insured.

f) Certification from the handler that, while on school grounds, the therapy dog, will:

1. Be clean, well-groomed, and free of parasites, illness, or injury;

2. Remain under the handler's control through the use of a leash or other tether unless the use of a leash or other tether would interfere with the therapy dog's service;

3. Be supervised and accompanied by the handler;

4. Wear a therapy dog ID and/or a bandana;

5. Not disrupt the educational process by excessive barking or any other behavior;

6. Only go to locations that have been authorized by District administrators;

7. Be fed, exercised, and cleaned-up after by the handler.

Additionally, handlers who are not employed by the District must comply with all requirements for volunteers in the District. Volunteers will work under the supervision of appropriate staff and are expected to comply with all District rules and regulations.

A new request must be submitted for each proposed use of a therapy dog. There must be one request for each dog. In no case will a request for the use of a therapy dog be valid for more than one school year.

The District reserves the right to deny a request for the use of a therapy dog for any reason. Once a request has been granted, the District reserves the right to exclude a therapy dog from school grounds for any reason including, but not limited to, the therapy dog:

(Continued)

SUBJECT: USE OF ASSISTANCE ANIMALS (Cont'd.)

a) Presenting a direct and immediate threat to others;

b) Not being under the handler's control;

c) Interfering with the educational process;

d) Going into a location in the District that has not been authorized by District administrators.

If any individual suffers an allergic reaction while in the presence of a therapy dog, the District will require the handler to move the therapy dog to a different location designated by a District administrator.

The handler of a therapy dog is solely responsible and liable for any damage to school property or any injury caused by the therapy dog. Further, the District bears no financial responsibility for the required training, care, or feeding for the therapy dog.

The Superintendent or designee will ensure that parents are notified prior to any therapy dog being permitted on school grounds.

Americans with Disabilities Act (ADA), 42 USC § 12101 et seq.
28 CFR §§ 35.104 and 35.136
Civil Rights Law §§ 47, 47-a, and 47-b
Executive Law § 296

NOTE: Refer also to Policy #3150 -- School Volunteers

Adoption Date: 2/21/24