

Series 3000: Operations, Finance, and Property

3100 General Operations

3109 Non-Service Animals

An animal is not allowed on District property except as provided in this Policy, Policy 3108, the Superintendent's or designee's approval, or as otherwise required by law. Nothing in this Policy diminishes any rights a person with a disability may have to be accompanied by a service animal or other therapy animal on District property. If an animal's handler is not a student or employee, the handler must undergo a criminal history check and any other background check required for employees and volunteers by state law or Policy before being allowed to regularly access District facilities as the handler.

A. Use of Animals for Instructional Purposes

An animal that supports a District program or curriculum or that is otherwise used for instructional purposes is allowed on District property with the Superintendent's or designee's prior written permission.

B. Therapy Animals

1. A "therapy animal," also known as an "emotional support animal," "comfort animal," or "companion animal," is an animal that has not been individually trained to perform a specific job or task for a person with a disability, but its mere presence provides emotional support or comfort to the owner or others. Therapy animals are not "service animals" under the ADA or Board Policy.
2. A therapy animal must be well-behaved and have a temperament that is suitable for interaction with students and other persons in a public school. A therapy animal is the personal property of its owner, not the District.

C. Standards and Procedures

The following requirements must be satisfied before a therapy animal is allowed on District property:

1. Request. An owner who wants to bring a therapy animal to school must submit a written request to the Superintendent or designee. The request must be renewed each school year or whenever a different therapy animal will be used.
2. Training and Certification. The owner must submit any training or certification information requested by the Superintendent or designee. Any certification required by the District must remain current at all times.
3. Health and Vaccination. The therapy animal must be clean, well-groomed, in good health, house broken, and immunized against diseases common to such animals. The owner must submit proof of current required licensure from the

county or other licensing authority and proof of the therapy animal's current vaccinations and immunizations from a licensed veterinarian, if applicable.

4. Control. A therapy animal must be under the owner's or handler's control at all times.
5. Identification. The therapy animal must wear appropriate identification identifying it as a therapy animal.
6. No Disruption. The therapy animal's behavior must not disrupt the educational process.
7. Health/Safety. The therapy animal must not pose a health or safety risk to any student, employee, or other person.
8. Supervision/Care of Therapy Animals. The owner or handler is responsible for the supervision and care of a therapy animal, including feeding, exercising, and clean up while the animal is in a District building or on District property. The District is not responsible for providing any supervision, care, or assistance for a therapy animal.
9. Authorized Area(s). The owner or handler will only allow the therapy animal to be in those areas that have been pre-authorized by the Superintendent or designee.
10. Insurance. The owner or handler must submit a copy of an insurance policy that provides liability coverage for any damage or injury caused by the therapy animal while on District property.

D. Exclusion or Removal from School

A therapy animal may be excluded from District property if the Superintendent or designee determines that:

1. the handler does not have control of the animal;
2. the animal is not housebroken;
3. the animal presents a direct and immediate threat to others; or
4. the animal's presence otherwise disrupts the educational process.

The owner or handler must remove the therapy animal from District property immediately upon such a determination.

E. Allergic Reactions

If any student or employee assigned to a classroom in which a therapy animal is permitted suffers an allergic reaction to the therapy animal, the owner or handler must remove the animal to a different location designated by the Superintendent or designee.

F. Damages to District Property and Injuries

The owner of a therapy animal is solely responsible and liable for any damage to property or injury to persons caused by the therapy animal.

Legal authority: 28 CFR 35.136

Date adopted: September 13, 2021

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