

**SERIES 300
INSTRUCTION**

383.1

SERVICE ANIMALS IN SCHOOLS

The School District of Marshall acknowledges its responsibility to permit students and adults with disabilities to be accompanied by a “service animal” in its building, classrooms and at school functions, as required by the Americans with Disabilities Act.

Definitions

Service animal: A service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including physical, sensory, psychiatric, intellectual or other mental disability. For purposes of this definition, other species of animals, trained or untrained, are not service animals.

Miniature horses: A miniature horse that has been individually trained to do work or perform services for an individual with a disability. Generally a miniature horse ranges in height from 24 to 36 inches measured to the shoulder and generally weighs between 70 and 100 pounds. 28 CFR § 35.136 (i).

Work or tasks performed: The work or task performed must be directly related to the individual’s disability. The provision of emotional support, well-being, comfort or companionship or crime deterrent effects of an animal’s presence do not constitute work or tasks for purposes of this definition.

Procedure

1. A request for an individual with a disability to be accompanied by a service animal in school or at a school function must be made in writing to the Special Education Coordinator and delivered to the Special Education Coordinator at least 10 school days prior to bringing the service animal to school or a school function.
2. The individual requesting to be accompanied by a service animal is responsible for the following:
 - a. Providing annual proof of the following vaccinations for service dogs DHLPPC (Distemper, Hepatitis, Leptospirosis, Paroinfluenze, Parvovirus, Coronavirus), Bordetella and Rabies). Providing annual proof of the following vaccinations for

service miniature horse: Equine Infectious Anemia (Coggins Test), Rabies, Tetanus, Encephelomyelitis, Rhinoneumonitis, Influenza and Strangles.

- b. Service animal is spayed or neutered.
 - c. Service animal is treated for and kept free from fleas and ticks.
 - d. Service animal is housebroken.
 - e. Service animal is kept clean and groomed to avoid shedding and dander.
 - f. Any liability for any harm or injury caused by the animal to other students, staff, visitors, and/or property and must provide proof of current liability insurance coverage as required by the Board of Education.
 - g. Using a harness, leash or other tether, unless either the handler is unable because of a disability to use the tether, or the use of the tether 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.
 - h. Care and supervision of the service animal including walking the animal or responding to the animal's need to relieve itself. If a student with a service animal is unable to care for or supervise the service animal, the parent is responsible for providing care and supervision of the animal. The District is not responsible for providing any care or assistance to the service animal.
3. Requests to permit a miniature horse to accompany a student or adult with a disability in school buildings, in classrooms or at school functions will be handled on a case-by-case basis, considering the following:
- a. The type, size and weight of the miniature horse and whether the facility can accommodate those features.
 - b. Whether the handler has sufficient control of the miniature horse.
 - c. Whether the miniature horse is house broken.
 - d. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for the safe operation of the facility.

If a request to permit a miniature horse to accompany a student or adult with a disability in school or at school functions is granted, the requirements of 2(b)-(h) above will apply.

In addition, the owner/handler will be required to provide annual proof of the following vaccinations: Equine Infectious Anemia (Coggins Test), Rabies, Tetanus, Encephelomyelitis, Rhinoneumonities, Influenza and Strangles.

4. A service animal may be required to be removed from a school building, classroom or school function under any of 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 animal's presence would fundamentally alter the nature of the service, program or activity.

If a service animal has been required to be removed from school facilities or school sponsored activities, the owner may request reinstatement of the use of the service animal in school facilities or at school sponsored events. The request for reinstatement should be in writing to the Special Education Coordinator and should state the training or other measures that have been taken to address the reason(s) that the service animal was removed.

5. If a request for a service animal to accompany a student or adult with a disability in school building, in school classrooms or at school activities is denied, that decision may be appealed to the District Administrator.

Legal Ref.: Section 106.52, Wisconsin Statutes
Americans with Disabilities Act (ADA), 28 CFR Part 35 (as amended, 2010)

Cross Reference: Equal Educational Opportunities 411
Board Policy 383 Animals in the School

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