

MISD Guidelines for Students/Parents Request for Service Animals

GENERAL INFORMATION

- Neither the U.S. Department of Education nor the Texas Education Agency has issued guidelines and/or policies regarding service animals in schools.
- The Texas Statutes Human Resources (HR) Code contains explicit language regarding the rights of a disabled person to use an animal that is “specially trained or equipped to help a person with a disability” within a “public facility” which includes an educational facility (Texas Statutes Human Resources Code § Title 8, Chapter 121.003-.006).
- Effective March 31, 2011, The American with Disabilities Act (ADA) Title III Regulation 28 CFR §36.104 **defines** a “service animal” as “Any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.”
- Mansfield ISD student handbooks include the following as recommended by TASB:

A parent of a student who uses a service/assistance animal because of the student’s disability **must submit a request in writing to the principal at least ten district business days before bringing the service/assistance animal on campus.**

MISD DISTRICT ADMINISTRATIVE GUIDELINES

- I. Present the requestor/parent with the MISD Service Animal Request Application Form.
- II. Contact the MISD Director of Health Services.
- III. Contact the MISD Director of Special Education if the student is on an IEP, or the MISD Director of Student Services if the student is on a §504. If the student is enrolling or does not have an IEP or §504 plan, contact the MISD Director of Student Services.

If the animal is determined by the committee to qualify as a service animal, the following action steps are recommended for the administrator:

1. Clearly communicate in writing with the parents the Animal Owner’s Responsibilities.
 - a. Comply with all federal laws, state laws, city ordinances, and school policies.
 - b. The animal handler/owner is responsible for the animal at all times.

- c. The handler/owner is responsible for all care and supervision of the animal at all times.
 - d. The owner of the service animal is solely responsible for all liabilities and damages caused by the animal.
 - e. The animal must be on a leash or harness at all times unless it restricts the animal's ability to perform.
 - f. The service animal is not allowed on school furnishings. This includes any body part of the animal such as paws, tongue, head etc...
 - g. A designated outdoor area will be assigned to the animal(s) to relieve themselves, but it is the handler's/owner's responsibility to properly dispose of all waste.
 - h. Any service animal food must be contained in sealable containers.
 - i. The touching of the service animal by other students and staff should be discouraged by the owner/handler, as well as MISD staff.
 2. The administrator should notify the parents of other impacted children in writing of the service animal's job/function and service animal guidelines. Other students should be discouraged in calling out the service animal's name. It should be explained to the parents and students that the animal is there to work and, as such, they should treat the service animal as they would treat other students during testing.
 3. The administrator should introduce the service animal to the school, and educate the faculty, staff, and students on the service animal guidelines. For example:
 - a. Permit the service animal to accomplish its job function throughout the school.
 - b. Do not pet or feed the service animal.
 - c. Do not intentionally startle or scare the service animal.
 - d. Do not try to separate the animal from the handler unless it is a medical emergency for the handler.
 4. If other parents express a concern about their child's fear of animals or allergies to animal dander, the administrator should listen to the presenting concerns and make reasonable accommodations. One or multiple parents' concerns with regards to service animals are not valid reasons to refuse service to people/students using service animals.
- See Pets in the Workplace