

Instruction

Live Animals in the Classroom

Service Animals (including Guide or Assistance Dogs)

The Board of Education does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The District will comply with Connecticut law concerning the rights of persons with guide or assistance dogs and with federal law and will permit such animals on school premises and on school transportation.

The term guide or assistance dog is defined as a dog that has been or is being specially trained by a person who is qualified as a trainer of assistance dogs such as provided by the Fidelco Guide Dog Foundation, to aid an individual with disabilities and includes guide dogs for the visually impaired, hearing dogs for the hearing impaired and service dogs for the physically disabled. An individual trainer should be affiliated with a national organization and should have passed their training criteria. Animals whose sole function is to provide emotional support, well-being, comfort, companionship, or therapeutic benefits, or to act as a crime deterrent, are not service animals for the purpose of this policy.

Service animals perform some of the functions and tasks that individuals with disabilities cannot perform themselves. Service animals are not pets. There are several kinds of service animals that assist individuals with disabilities. Examples include but are not limited to, animals that:

- assist individuals who are blind or have severe sight impairments as “seeing eye dogs” or “guide dogs;”
- alert individuals with hearing impairments to sounds;
- pull wheelchairs or carry and pick-up items for individuals with mobility impairments; and
- assist individuals with mobility impairments with balance.

The District shall not assume or take custody or control of, or responsibility for, any assistance dog or the care or feeding thereof. The owner or person having custody and control of the dog shall be liable for any damage to persons, premises, property, or facilities caused by the service animal, including, but not limited to, clean up, stain removal, etc.

If, in the opinion of the School Principal or authorized designee, any assistance dog or other service animal is out of control in the school setting or during District transportation and the animal’s handler does not take effective action to control it, the permission granted pursuant to this policy may be immediately revoked. The parent or guardian of the student having custody and control of the dog or other service animal will be required to remove the dog or other used animal from District premises immediately.

Instruction

The Principal or his/her designee may also exclude a service animal from school property if the animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications; the animal is not housebroken; or the presence or behavior of the animal fundamentally alters the service, program, or activity of the school system.

If the Principal or his/her designee excludes a service animal from school property, the Principal or designee must document the reasons for such exclusion and notify the Superintendent. The Superintendent or his/her designee will make a determination on whether a service animal will be allowed to return to school and, if reasonably possible, notify the individual with the disability in writing of the decision within ten work days of the initial exclusion.

If any student or staff member assigned to the classroom in which an assistance dog or other service animal is permitted suffers an allergic reaction to the dog or other service animal, the person having custody and control of the dog/service animal will be required to remove the dog/service animal to a different location designated by the Building Principal or designee and an alternative plan will be developed with appropriate District staff. Such plan could include the reassignment of the person having custody and control of the dog/service animal to a different classroom assignment. This will also apply if an individual on school transportation suffers an allergic reaction. In this case, an alternate plan will be developed in coordination with appropriate school, District, and transportation staff including the involvement of the parents/guardian of the students.

When a student or staff member will be accompanied by an assistance dog/service animal at school or in other District facilities on a regular basis, such staff member or such student's parent or guardian, as well as the dog's/service animal's owner and any other person who will have custody and control of the dog/service animal will be required to sign a document stating that they have read and understood the foregoing.

Miniature Horses

All additional requirements outlined in this policy, which apply to service animals, shall apply to miniature horses.

Admission of Service Animals to Schools

A student or an employee with a disability may submit a request to bring a service animal to school for educational or employment purposes. However, there is no automatic right to be accompanied by a service animal in the school setting.

The Building Principal shall receive and forward to the Director of Pupil Personnel Services each completed request by an individual with a disability to be accompanied by a service animal.

The Director of Pupil Personnel Services shall respond to the request.

Instruction

District administrators may exclude a service animal from District buildings, property and vehicles under the following circumstances:

1. Presence of the animal poses a direct threat to the health and safety of others.
2. Owner or handler is unable to control the animal.
3. Presence of the animal significantly disrupts or interferes with the educational process.
4. Presence of the animal would require a fundamental alteration to the program.
5. The animal is not housebroken.

Animals whose sole function is to provide emotional support, well-being, comfort, companionship, or therapeutic benefits, or to act as a crime deterrent, are not service animals for the purpose of this policy.

The District shall not require an owner or handler of a service animal to pay an extra charge for the animal to attend events for which a fee is charged.

Liability

The Board of Education may hold the owner or handler of a service animal liable for any property damage caused by the animal to the same extent required by other Board policy or administrative regulations that impose liability for property damage. In addition, either the owner or handler, or both, may be liable for personal injury caused by the animal or related to the presence of the animal on school property.

The Superintendent of Schools or his/her designee shall be responsible for developing procedures to accommodate a student's use of an assistance dog or other service animal in District facilities and on school transportation vehicles.

Use of a Service Animal on School Property by School Visitors

A school visitor who is an individual with a disability may be accompanied by a service animal in accordance with all applicable state and federal laws and regulations and with policy #1250, Visits to Schools. A service animal that is accompanying a school visitor may be properly excluded from school property for the following reasons:

1. The animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications.
2. The animal is out of control and the animal's handler does not take effective action to control it.
3. The animal is not housebroken.
4. The presence or behavior of the animal fundamentally alters the service, program, or activity of the school system.

(cf. 1250 – Visits to the Schools)

Instruction

(cf. 6163.3 – Live Animals in the Classroom)P6163.32(d)

Legal References: Connecticut General Statutes

10-221 Boards of education to prescribe rules, policies and procedures.

46a-42 Mobility impaired person.

46a-44 through 46a-64 Public accommodations and transportation, admittance to. (Access of guide and assistance dogs to modes of public transportation and in places of public accommodation.)

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b), 29 U.S.C. 705 (20), 794, 34 C.F.R. pt. 104; G.S. 130A-185, 168 article 1, 168A-3 through -7.

American Disability Act 28 C.F.R. pt. 35 (as amended 2010)

Individuals with Disabilities Act, 20 U.S.C. 1400 et seq.

28 C.F.R. Parts 35 & 36, “Nondiscrimination on the Basis of Disabilities in State and Local Government Services; Final Rules”

Instruction

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Service Animals (including Guide or Assistance Dogs)

Background

Service animals are animals trained to assist people with disabilities in the activities of normal living. The Board of Education, in compliance with state and federal laws allows service animals to accompany persons with disabilities to be on the District campus. This regulation differentiates “service animals” from “pets”, describes types of service dogs, denotes campus locations that are off-limits to service animals, and sets behavioral guidelines for service animals.

Definitions

Partner/Handler: A person with a service animal. A person with a disability is called a partner; a person without a disability is called a handler.

Pet: A domestic animal kept for pleasure or companionship. Pets are not permitted in District facilities. Permission may be granted by an administrator for a pet to be in a District facility for a specific reason at a specific time (e.g., a pet dog is used for a demonstration tool in a class).

Service Animal: Any animal individually trained to do work or perform tasks for the benefit of a person with a disability. Service animals are usually dogs. Federal regulations also include miniature horses as service animals. A service animal is sometimes called an assistance animal.

A “service animal” per 28 C.F.R. 35.104, is any dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual’s disability or necessary to mitigate a disability. Service animals do not include any other species of animal, whether wild or domestic, trained or untrained, except that a miniature horse will be permitted for use as a service animal if reasonable modifications can be made after assessing the specific factors listed in 28 C.F.R. 35.136(i). Animals whose sole function is to provide emotional support, well-being, comfort, companionship, or therapeutic benefits, or to act as a crime deterrent, are not service animals for the purpose of this policy and regulation.

Team: A person with a disability, or a handler, and his or her service animal. The twosome works as a cohesive team in accomplishing the tasks of everyday living.

Trainee: An animal undergoing training to become a service animal. A trainee will be housebroken and fully socialized. To be fully socialized means the animal will not, except under rare occasions, bark, yip, growl or make disruptive noises; will have a good temperament and disposition; will not show fear; will not be upset or agitated when it sees another animal; and will not be aggressive. A trainee will be under the control of the handler, who may or may not have a disability. If the trainee begins to show improper

Instruction

behavior, the handler will act immediately to correct the animal or will remove the animal from the premises.

Types of Service Dogs

A **Guide Dog or Seeing Eye Dog** is a carefully trained dog that serves as a travel tool to persons with severe visual impairment or who are blind.

A **Hearing or Signal Dog** is a dog who has been trained to alert a person with significant hearing loss or who is deaf when a sound, e.g., knock on the door, occurs.

A **Psychiatric Service Dog** is a dog that has been trained to perform tasks that assist individuals with disabilities to detect the onset of psychiatric episodes and lessen their effects. Tasks performed by psychiatric service animals may include reminding the handler to take medicine; providing safety checks or room searches, or turning on lights for persons with Post Traumatic Stress Disorder; interrupting self-mutilation by persons with dissociative identity disorders; and keeping disoriented individuals from danger.

A **Service Dog** is a dog that has been trained to assist a person who has a mobility or health impairment. Types of duties the dog may perform include carrying, fetching, opening doors, ringing doorbells, activating elevator buttons, steadying a person while walking, helping a person up after a fall, etc. Service dogs are sometimes called assistance dogs.

A **Ssig Dog (sensory signal dogs or social signal dog)** is a dog trained to assist a person with autism. The dog alerts the partner to distracting repetitive movements common among those with autism, allowing the person to stop the movement (e.g., hand flapping). A person with autism may have problems with sensory input and need the same support services from a dog that a dog might give to a person who is blind or deaf.

A **Seizure Response Dog** is a dog trained to assist a person with a seizure disorder; how the dog serves depends on the person's needs. The dog may stand guard over the person during a seizure, or the dog may go for help. A few dogs have somehow learned to predict a seizure and warn the person in advance to sit down or to move to a safe place.

Under the Title II and III of the ADA, service animals are limited to dogs. However, the district must also make reasonable modifications to allow individuals with disabilities to use miniature horses if they have been individually trained to do work or perform tasks for individuals with disabilities.

Emotional Support Animals or Comfort Animals

While emotional support animals or comfort animals are often used as part of a medical treatment plan as therapy animals, they are not considered service animals under the ADA. These support animals provide companionship, relieve loneliness, and sometimes help with depression, anxiety, and certain phobias, but do not have special training to perform tasks that assist people with disabilities.

Instruction

Requirements for Faculty, Staff, and Students

Allow a service animal to accompany the partner at all times and everywhere on campus except, where service animals are specifically prohibited.

Do not pet a service animal; petting a service animal when the animal is working distracts the animal from the task at hand.

Do not feed a service animal. The service animal may have specific dietary requirements. Unusual food or food at an unexpected time may cause the animal to become ill.

Do not deliberately startle a service animal.

Do not separate or attempt to separate a partner/handler from his or her service animal.

Requirements of Service Animals and Their Partners/Handlers

Vaccination: The animal must be immunized against diseases common to that type of animal. Dogs must have had the general maintenance vaccine series, which includes vaccinations against rabies, distemper, and parvovirus. All vaccinations must be current.

Licensing: Dogs are to wear an owner identification tag at all times. The dog must also wear a current rabies tag and dog license tag. Connecticut law requires dogs to wear a harness or an orange-colored leash and collar which makes it readily identifiable as a licensed guide dog.

Health: The animal must be in good health.

Under Control of Partner/Handler: The partner/handler must be in full control of the animal at all times. The care and supervision of a service animal is solely the responsibility of its partner/handler. A service animal must have a harness, leash, or other tether, unless the handler is unable because of a disability to use a harness, leash, or other tether, or the use of such devices would interfere with the service animal's safe, effective performance of work or tasks. In such cases the service animal must be otherwise under the handler's control using voice control, signals or other effective means.

When a Service Animal Can Be Asked to Leave

Disruption: The partner of an animal that is unruly or disruptive (e.g., barking, running around, bringing attention to itself) may be asked to remove the animal from District facilities. If the improper behavior happens repeatedly, the partner may be told not to bring the animal into any District facility until the partner takes significant steps to mitigate the behavior. Mitigation can include muzzling a barking animal or refresher training for both the animal and the partner. If the animal materially disrupts or interferes with the instructional program, school activities or student learning, or the animal's presence would result in a fundamental alteration of any school program, it may be excluded from school or school property. However, annoyance on the part of others is not considered an unreasonable risk to property or others to justify the removal of a service animal.

Health: Service animals that are ill should not be taken into public areas. A partner with an ill animal may

Instruction

be asked to leave District facilities. A service animal that poses a direct threat to the health and/or safety of any person may also be excluded from school or school property.

Uncleanliness: Partners with animals that are unclean and/or bedraggled may be asked to leave District facilities. An animal that becomes wet from walking in the rain or mud or from being splashed by a passing automobile, but is otherwise clean, should be considered a clean animal. Animals that shed in the spring sometimes look bedraggled. If the animal in question usually is well groomed, consider the animal tidy even though its spring coat is uneven and messy-appearing or it has become wet from weather or weather-related incidents. A service animal that is not housebroken shall not be permitted on school premises.

If a service animal is excluded from District premises based upon the above reasons, the individual with a disability shall be given the opportunity to participate in the service, program, or activity without having the service animal on the premises.

Service Animals at District-Sponsored Events

Individuals with disabilities may be accompanied by their service animals to events or activities open to the public that are held in schools or on District property.

A building or District administrator may revoke or exclude such a service animal for the reasons set forth above.

Areas Off Limits to Service Animals

- A. **Mechanical Rooms/Custodial Closets:** Mechanical rooms, such as boiler rooms, facility equipment rooms, electric closets, elevator control rooms and custodial closets, are off-limits to service animals. The machinery and/or chemicals in these rooms may be harmful to animals.
- B. **Areas where protective clothing is necessary:** Any room where protective clothing is worn is off-limits to service animals. Examples impacting students include chemical laboratories, wood shops, metal/machine shops and photography dark rooms.
- C. **Areas where there is danger to the service animal:** Any room, including a classroom, where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface; where there are hot materials on the floor; where there is a high level of dust; or where there is moving machinery is off-limits to service animals.

Exceptions:

A laboratory instructor may open his or her laboratory to all service animals.

A laboratory instructor in a classroom or teaching laboratory with moving equipment may grant permission to an individual animal/partner team to enter the laboratory or classroom with moving machinery. Admission for each team will be granted or denied on a case-by-case basis. The final decision shall be made based on the nature of the machinery or class and the best interest of the animal. *Example:* The machinery in a classroom may have moving parts at a height such that the tail of a large dog could easily be caught in it; this is a valid reason for keeping large dogs out. However, a very small hearing dog may

Instruction

be shorter than any moving part and, therefore, considered for admission to the classroom.

Access to other designated off-limits areas may be granted on a case-by-cases basis.

To be granted an exception: A student who wants his or her animal to be granted admission to an off-limits area should contact the Supervisor of Special Education.

Emergency Situations

In the event of an emergency, the Emergency Response Team (ERT) should be trained to recognize service animals and to be aware that the animal may be trying to communicate the need for help. The animal may become disoriented from the smell of smoke from a fire or laboratory emergency, from sirens or wind noise, or from shaking and moving ground. The partner and/or animal may be confused by the stressful situation. The ERT should be aware that the animal is trying to be protective and, in its confusion, is not to be considered harmful. The ERT should make every effort to keep the animal with its partner. However, the ERT's first effort should be toward the partner; this may necessitate leaving an animal behind in certain emergency evacuation situations.

To help ensure appropriate ERT response, this policy and administrative regulation shall be disseminated to local law enforcement and fire departments.

Considerations when a Student has a Service Animal

When the District approves the use of a service animal by a student at school, the Building Principal or designee will take the following steps:

- Notify appropriate staff that a service animal will be on campus.
- Provide a process for staff, students and parents to inform administrators of animal allergies that may require accommodation.
- Educate students and staff on proper behavior around a service animal.
- Plan for transportation of the service animal, including on the bus and field trips.
- Develop an emergency evacuation plan to include the service animal.

Request for a Service Animal to Accompany a Student in School Facilities¹

This form identifies criteria to help the District minimize risks that a service animal poses to students, staff, and the educational environment. It is not based on speculation, stereotypes, or generalizations about students with disabilities. Each criterion includes guidelines and explanations with resources. A service animal that meets the criteria may accompany a student to all school functions in or outside the classroom.

Parent/guardian Complete this form and return it to the Building Principal. It will be used during the PPT/Individual Education Plan or Section 504 plan meeting.

Student name (please print)	Date of birth
School attending	Grade
Parent/Guardian name (please print)	Contact number
Animal owner's name (if other than parent/guardian; please print)	Contact number
Animal handler's name (if other than owner's name; please print)	Contact number

Please initial before each of the following statements if the statement is true.

_____ **The animal has completed a professional service animal training program.**
(Initials)

Guidelines	Explanation
Trained service animals generally include: <ul style="list-style-type: none"> • Hearing dog • Guide dog • Assistance dogs • Seizure alert dog • Mobility dog • Psychiatric service dog • Autism service dog (could be same as therapy dog) • Miniature horse 	To minimize risks, a service animal should be professionally trained. This training is different from and in addition to the individualized training to perform tasks for the benefit of the student. Assistance Dogs International, Inc. (ADI) is a coalition of not-for-profit organizations. Its purpose is to improve the areas of training, placement, and utilization of service dogs. See its website for service animal training programs at: www.assistancedogsinternational.org/Standards?serviceDogStandards.php

Guidelines	Explanation
<p>Trained service animals generally do not include:</p> <ul style="list-style-type: none"> • Skilled Companion Animal • Social Dog • Facility Dog • Trained Agility Dog • Police Dog • Search and Rescue Dog • Helping Dog 	<p>To minimize risks, a service animal should be professionally trained. This training is different from and in addition to the individualized training to perform tasks for the benefit of the student.</p> <p>Assistance Dogs International, Inc. (ADI) is a coalition of not-for-profit organizations. Its purpose is to improve the areas of training, placement, and utilization of service dogs. See its website for service animal training programs at: www.assistancedogsinternational.org/Standards?serviceDogStandards.php</p>

_____ **The animal meets minimum standards for a service animal in public**
(Initials)

Guidelines	Explanation
<p>Public appropriateness standards:</p> <ul style="list-style-type: none"> • Clean, well-groomed with no offensive odor. • Does not urinate or defecate in inappropriate locations. <p>Behavior standards:</p> <ul style="list-style-type: none"> • Does not disrupt the normal course of school business; solicit attention, visit or annoy, solicit or steal food or other items from any member of the staff or student population; or vocalize unnecessarily, i.e., barking, growling or whining, etc. • Shows no aggression towards people or other animals, i.e., showing teeth, barking, growling, jumping on individuals, etc. 	<p>Requiring “minimum standards for a service animal in public” ensures that the school provides reasonable accommodations without fundamentally altering the nature of the school environment. No State laws or agency rules address specific minimum standards for a service animal. This list follows the ADI’s “minimum standards for a service animal in public,” available at: www.assistancedogsinternational.org/Standards/ServiceDogStandards.php.</p> <p>Additional standards may be appropriate to meet a school building’s and its students’ needs. The ADI’s sample public access test ensures that an animal has appropriate behavior for a public setting. Available at: www.assistancedogsinternational.org/publicaccesstest.php.</p>

Guidelines	Explanation
<p>General training standards:</p> <ul style="list-style-type: none"> • Works calmly and quietly on harness, leash, or other tether. • Performs tasks in the school setting and lies quietly beside the student or adult handler without blocking aisles, doorways, etc. • Trained to urinate and defecate on command. • Stays within 24 inches of the student or adult handler at all times unless the nature of a trained task requires it to be working at a greater distance. 	<p>Requiring “minimum standards for a service animal in public” ensures that the school provides reasonable accommodations without fundamentally altering the nature of the school environment. No State laws or agency rules address specific minimum standards for a service animal. This list follows the ADI’s “minimum standards for a service animal in public,” available at: www.assistancedogsinternational.org/Standards/ServiceDogStandards.php.</p> <p>Additional standards may be appropriate to meet a school building’s and its students’ needs. The ADI’s sample public access test ensures that an animal has appropriate behavior for a public setting. Available at: www.assistancedogsinternational.org/publicaccesstest.php.com</p>

_____ **The animal is individually trained to perform tasks for the benefit of a student**
(Initials) **with a disability.**

Guidelines	Explanation
<p>A service animal must perform individualized tasks to mitigate aspects of the student’s disability.</p> <p>Identify individualized tasks:</p> <p>1. _____</p> <p>2. _____</p> <p>3. _____</p>	<p>This verification of training helps the school identify necessary IEP related services or 504 plan reasonable accommodations.</p> <p>Tasks may include, but are 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. (28 C.F.R. §36.104)</p>

_____ **The animal has a current vaccination tag.**
(Initials)

Guidelines	Explanation
<p>A service animal’s vaccinations must be current and filed in the student’s temporary record.</p>	<p>The animal must be immunized against diseases common to that type of animal. Dogs must have had the general maintenance vaccine series, which includes vaccinations against rabies, distemper, and parvovirus. All vaccinations must be current.</p>

Acknowledgement

- I. I understand that the presence of a service animal may present competing educational rights between my student and other students at school. These issues may present at any time, and I understand that the Building Principal must manage them immediately. I will:
- a. Participate in any meetings requested of me by the Building Principal;
 - b. Participate in drafting a joint communication to notify other students and their parents/guardians about the placement of the service animal; and
 - c. Authorize the school to disclose information as necessary to balance competing educational interests and integrate the animal into the classroom and the school environment.
- II. I understand that for the safety and protection of students and staff, which is necessary for the safe operation of the school, the school may revoke access because:
- a. One of the criteria above is not present.
 - b. The service animal displays aggression or appears to be an imminent threat to the safety or health of any person in the school. If this occurs, the Building Principal will immediately contact me to remove the animal from school property and summon Animal Control.
 - c. The adult handler fails to follow the Building Principal's instructions.
- III. I understand that a service animal's owner is solely liable for any damage to persons, premises, or facilities that were caused by the service animal. I will hold the District, its employee, agents, and assigns harmless for any injury to, including death of, the service animal. I understand that staff members are protected from liability arising from actions consistent with Board policies and administrative procedures.

Parent/guardian signature

Date

Animal owner's signature

Date

The Building Principal and, if applicable, the PPT/IEP or 504 team, based this decision on the information provided in this request. *(Note to Building Principal: return a copy of this form to the individual(s) making the request, file the original in the student's temporary record, and send a copy to the District's main office.)*

Approved

Denied

Building Principal or designee

Date
