

Administrative Procedure: Education of Students with Disabilities Service Animals Access

Section A - Introduction

A student with a disability, as defined under the Individuals With Disabilities Education Act (“IDEA”) or Section 504 of the Rehabilitation Act of 1973 (“Section 504”), is permitted to have a service animal, as defined in this Administrative Procedure, to accompany that student to all school and school-related functions, whether in or outside the classroom to the extent permitted by federal and state law. District personnel shall use this Administrative Procedure to manage legal and practical issues when a student with a disability uses a service animal at school or school-related activities.

Section B - Definitions

- **Service Animal:** A dog or miniature horse trained or being trained as a hearing animal, guide animal, assistance animal, seizure alert animal, psychiatric service animal, autism service animal, or animal otherwise trained to assist an individual with a physical, mental, or intellectual disability, according to State law, 105 ILCS 5/14-6.02; 720 ILCS 5/48-8. Federal law defines service animal as any dog or miniature horse that is individually trained to perform tasks or work for the benefit of a student with a disability. 28 C.F.R. §§35.104 and 35.136.

Federal law also explains that other specific animals, whether wild or domestic, trained, or untrained, are not service animals. Further, emotional support, therapy, comfort, or companion animals are not considered service animals under the ADA.

- **Handler:** An individual who has and maintains control over the service animal at school and school-related functions. This individual may be the student using the service animal. Control of the service animal means using a harness, leash, or other tether, unless the handler is unable because of a disability to use one of these devices or their use would interfere with the service animal’s safe, effective performance of work or tasks. If or when these devices are not used, control of the service animal must be accomplished through voice control, signals, or other effective means. The school is generally not responsible for handling, care for or cleaning up after the service animal. If a student with a disability handles their own service animal, but, as a reasonable accommodation, needs support to do so, it will be the District’s obligation to provide it.
- **Direct Threat:** A significant risk to health and safety of others posed by the service animal that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services. The determination of whether the service animal poses a direct threat must be based upon that particular animal’s actual behavior or history and not upon speculation, generalizations or stereotypes.
- **Fundamental Alteration:** A change that is so significant that it alters the essential nature of the program, services, or activities. In most circumstances, the presence of a service animal will not result in fundamental alteration.

Section C - Examples of Tasks or Work Performed for the Benefit of a Student with a Disability

The work or tasks performed must be directly related to the student’s disability. Examples of work or tasks include, but are not limited to, assisting a student who is blind or has low vision with navigation and other tasks; alerting a student who is deaf or hard of hearing to the presence of people or sounds; providing non-violent protection or rescue work; pulling a wheelchair; assisting a student during a seizure; alerting a student to the presence of allergens; retrieving items such as medicine or the telephone; providing physical support and assistance with balance and stability to a student with mobility disabilities; and helping a student with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Work or tasks do not include providing emotional support, comfort, or companionship.

Section D - Procedures for Service Animal Access

Step	Initiator	Action
1	Parent/Guardian	<p>Informs the School District of the request for a service animal to accompany his/her child with a disability to school and/or school-related functions.</p> <p>Completes a Service Animal Access form provided by the School District.</p> <p>May provide the School District with written documentation/information about the service animal’s training as requested (but not required) by the District.</p> <p>Provides the School District with (1) information about the work or task(s) that the animal has been trained to perform for the student because of his/her disability; and (2) documentation of the animal’s rabies/vaccination status and any locally required registration(s) to the extent that rabies and/or other vaccinations are required by State or local law.</p>
2	Superintendent or designee	<p>Discusses this procedure with the Building Principal, other appropriate administrative and special education staff, and the Board attorney.</p> <p>Contacts the District’s insurance carrier(s) to assess coverage for issues involving service animals, including but not limited to the presence and actions of the service animal and adult handler, if any.</p> <p>Consults with the Building Principal and Special Education Director and/or Coordinator to determine whether the student has been identified as a student with a disability under the IDEA or Section 504.</p>

		<ul style="list-style-type: none"> • If the student has not been identified as a student with a disability, refers the student to a building-level team to consider whether an evaluation is warranted under the IDEA or Section 504 to determine if the student is a student with a disability as defined in IDEA or Section 504. • If it has been previously determined that the student is not eligible for special education and related services under the IDEA of Section 504, consult the Board attorney before excluding the service animal from the school/program. • If the student has been found IDEA or Section 504 eligible, determines whether the requested animal meets the definition of a service animal. <p>Also requests the parent/guardians to (1) identify the work or task (s) that the animal has been trained to perform for the student; and (2) to provide documentation of the animal's rabies/vaccination status and any locally required registration(s) to the extent that rabies and/or other vaccinations are required by State or local law.</p> <p>No later than ten (10) days after receiving the request, decides whether the service animal access request will be granted or denied.</p> <p>If the school allows the service animal, informs the parent/guardian that the student's service animal may accompany the student to school and explains that the service animal must be under the control of its handler at all times and housebroken. 28 C.F.R. 35.136(b).</p> <p>If the school excludes the service animal:</p> <ol style="list-style-type: none"> 1. Notifies the parent/guardian in writing of the reasons for the exclusion and the right to appeal. Provides any required procedural safeguards notices. 2. Gives the student with a disability the continued opportunity to participate in all of the school's services, programs, or activities without having the service animal at the school facility or school-related function. See 23 Ill Admin. Code Part 226; 34 C.F.R. Part 104 and 300.
3	Building Principal	<p>When notice of the need for a service animal in a school facility is provided:</p> <p>Consult with the school nurse regarding any known allergies to dog dander or other medical conditions that may be impacted by the service animal's presence among staff, students, or others at the school.</p> <p>Consults with school personnel regarding any known allergies to dog dander or other medical conditions that may be impacted by the service animal's presence among staff, students, or others at the school.</p>

	<p>May consult with a medical doctor or other relevant expert as the school principal or superintendent deems necessary.</p> <p>When service animal access is allowed:</p> <p>Permits the service animal to accompany the student to school and school-related functions if the service animal will perform tasks for the benefit of a student with a disability, and all of the criteria in the Request for a Service Animal to Accompany a Student in School Facilities, have been met and continue to be met.</p> <p>Ensures that the District conducts a criminal background check on the handler (if the handler is not the student) at no cost to the parent/guardian.</p> <p>Gathers input from school personnel, the student's parent/guardian, and the handler (if the handler is not the student), if any, and creates a plan for:</p> <ol style="list-style-type: none"> 1. Integrating the service animal into the student's classroom(s), school environment (assemblies, cafeteria, library, etc.), and school-related activities; and 2. Meeting the service animal's basic needs during the school day, such as where the student or adult handler will take the animal to urinate or defecate, how the student or adult handler will dispose of the waste, and if and either the student or adult handler will provide water and/or food to the animal. <p>Manages identified competing interests posed by the service animal's presence at school or school-related functions by:</p> <ol style="list-style-type: none"> 1. Consulting the Board Attorney as needed. 2. Minimizing/eliminating contact between any allergic students and/or school personnel and service animals. 3. Creating a method to monitor identified competing interests. 4. Responding to future unidentified competing interests and managing them immediately. 5. Reasonably modifying any other conditions as the facts of the situation require. <p>Facilitates the dissemination of accurate information about the presence of the service animal at school while maintaining student privacy rights. See Policy 8280, Student Records.</p> <p>The communication should inform other students and their parents/guardians about the presence of a service animal and adult handler, if any, at school and school-related functions.</p>
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4	Board of Education	Charges the parents/guardians of the student with a disability for any damage(s) to school property, premises, or facilities caused by the service animal.

Section E: Complaints

Complaints by parents/guardians of students with disabilities who seek or have access to service animals at school, including but not limited to appeals of a decision to exclude a service animal, may be made pursuant to Board Policy 2070: Uniform Grievance.

Approved: February 28, 2022