

ANIMALS ON CAMPUS POLICY

SCOPE

This policy is for Birmingham Community Charter High School (BCCHS or School), which is dedicated to ensuring safety for students, staff, and visitors, while also complying with all aspects of the Americans with Disabilities Act (ADA).

GENERAL PROHIBITION OF ANIMALS ON CAMPUS

Due to health and safety concerns, and in order to avoid disruption of school activities, all animals are prohibited from school property, facilities, and functions, except when the animal has been permitted as a service animal or has been authorized by an administrator as a live animal in the classroom used for instructional purposes.

SERVICE ANIMALS

1. A service animal must be a dog or, in limited specific circumstances, a miniature horse. No other species of animal, whether wild or domestic, will be permitted as a service animal.
2. Miniature Horses: Requests to permit a miniature horse to accompany a student or adult with a disability on school property and/or facilities and/or at school functions will be handled on a case-by-case basis, considering:
 - a. The type, size, and weight of the miniature horse and whether the facility can accommodate these features
 - b. Whether the handler has sufficient control of the miniature horse
 - c. Whether the miniature horse is housebroken
 - d. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.
3. A service animal must be required for the individual with a disability and the service animal must be individually trained to do work or a task for the individual with a disability. These tasks may include, but are not limited to, guiding an individual with a disability, alerting individuals with impaired hearing, pulling a wheelchair, or fetching dropped items. The task performed by the service animal must be directly related to the functional limitation(s) of the individual's disability. Service animals are working animals and are not pets.
4. If it is obvious what service the animal provides to the individual with a disability, then staff should not make any further inquiries regarding the tasks performed by the service animal (e.g. a guide dog for an individual with impaired vision). If it is not obvious to a staff member what service the animal provides, staff may ask only the following two questions:
 - a. Is the service animal required because of a disability?
 - b. What work or task has the service animal been trained to perform?

Staff cannot ask about the individual's disability, require medical documentation, require a special identification card or training documentation for the service animal, require the service animal to wear

an identifying vest, or ask that the service animal demonstrate its ability to perform the work or task.

5. Any person who knowingly and fraudulently represents themselves, through either verbal or written notice, to be the owner or trainer of a service dog shall be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six months, by a fine not exceeding one thousand dollars, or by both by fine and imprisonment.

REMOVAL OF A SERVICE ANIMAL

1. The principal or designee may ask any individual who brings a service animal onto school property and/or facility, including school functions, to remove the service animal if any one of the following circumstances occurs:
 - 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 pose a "direct threat." Pursuant to 28 CFR 35.104, a direct threat is defined as a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services.
2. When an individual's service animal is excluded, the individual shall be given an opportunity to participate in the service, program, or activity without having the service animal present.

REQUESTS FOR SERVICE ANIMAL BY A MEMBER OF THE PUBLIC

All requests for a member of the public to bring a service animal to a school property and/or facility and/or school function must be directed to the principal or designee.

The principal or designee shall, in accordance with this policy, confirm that the animal is a service animal and shall, upon the request of the individual, provide the individual with a copy of this policy.

When practically possible, the member of the public requesting to bring a service animal to a school property, facility, or school function is encouraged to make the request in writing 10 business days prior to the date the member of the public plans to bring the service animal; however, the individual cannot be required to provide this advance written notice.

REQUESTS FOR SERVICE ANIMAL ON BEHALF OF A STUDENT OR BY A STAFF MEMBER

All requests on behalf of a student or staff member to bring a service animal to a school property, facility, or school function must be made in writing to the principal or designee, 10 business days prior to the date the individual plans to bring the service animal.

The principal or designee shall, in accordance with this policy, confirm that the animal is a service animal and shall provide the student's parent/ guardian or staff member with a copy of this policy and require a written and signed acknowledgement that a copy of the policy has been received, that the contents of the policy are fully understood, and that the parent/ guardian or staff member agrees to comply with the policy.

As part of the approval process, the student's parents must provide proof that the service animal has received all required vaccinations. The principal or designee shall review and approve or deny requests to bring a service animal to school property, facility, or school function on a case-by-case basis.

The principal or designee shall give such permission to bring a service animal to school property, facility, or school function after written notification has been provided to all parents/guardians of students and staff members in the affected class(es), asking them to verify if they have any known allergies, asthma, or other health condition that may be aggravated by the service animal's presence.

When the school has been provided with notification that a child or staff member has an allergy, asthma, or other health condition that may be aggravated by the service animal, the principal or designee shall take appropriate measures to protect the student or staff member from exposure to the service animal, which could include, but are not limited to, changing class schedules, or requesting that a teacher change student seating arrangements. Allergies and fear of dogs are not valid reasons for denying access or refusing service to individuals using service animals.

When an individual whose health is aggravated by the service animal's presence and an individual who uses a service animal must spend time in the same room or facility, such as a classroom or common area, both individuals should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

All requests for permission for an employee with a disability to bring a service animal or assistive animal, as defined in Title 2 of the California Code of Regulations section 7293.6(a), into the workplace shall be considered a reasonable accommodation request, and will be addressed by the Human Resources Director or designee, through the Interactive Process as described in AR 4032.

THERAPY ANIMALS OR SERVICE ANIMALS IN TRAINING

Therapy animals, comfort animals, emotional support animals, companion animals, or service animals in training increase liability exposure and pose health and safety concerns for students and staff. Therefore, they are not allowed on school property, facilities, and/or at school functions.

LIVE ANIMALS ON CAMPUS FOR INSTRUCTIONAL PURPOSES

The School recognizes that live animals may be part of effective instruction. All staff and students should follow the following guidelines when considering having such animals on school property, facilities, and/or at school functions:

- Staff must consult with their administrator for approval prior to the inclusion of any live animal on school property and/or facilities and/or at school function.
- Staff must consult with the maintenance department to ensure adequate electricity for any required lights, heaters, and/or pumps.
- School Administration and/or teachers must notify parents prior to the inclusion of animals on school property and/or facilities and/or at school function. Special emphasis should be placed on obtaining

information about students with animal allergies.

- Where the animal(s) constitutes a health risk or a student or staff member suffers from an allergy that is aggravated by the presence of animals, the animal(s) is (are) to be removed.
- Staff and students are to report immediately to the school health office all scratches, bites, and other injuries, allergies, or illnesses.
- Animals are to have a current health certificate, including appropriate vaccinations, signed by a licensed veterinarian.
- All animals are to be lawfully acquired in accordance with state and local laws.
- Due to high hazard potential, the following animals are unacceptable for the classroom in all circumstances: Carnivorous mammals, other than domestic dogs and cats; Venomous or poisonous animals including, but not limited to snakes, lizards, spiders, and insects; Primates; Wolf-hybrids and other aggressive dogs; and wild or stray animals.
- Personal pets of staff are not permitted.
- All animals are to be housed in an enclosure at all times other than during supervised demonstrations.
- Live animals on the premises of the school shall be housed and cared for in a humane and safe manner.
- Animal enclosures are to be located so as not to cause a hazard from electrical extension cords or overloaded circuits.
- Animal enclosures are to be kept out of direct sunlight, away from drafts, and cleaned regularly.
- Staff and students are to feed animals in appropriate food receptacles, not directly from hands.
- Staff and students are to keep animals a safe distance from their own and others' faces.
- Staff and students are to be forbidden from teasing animals or inserting fingers or objects through wire mesh cages.
- Staff and students are to wash their hands with soap and running water after any contact with animals.
- Animals are to be kept away from sinks where hands are washed, or any areas where food is stored, prepared, or served.
- Staff and students are not to conduct experimental procedures on animals that are likely to cause pain or discomfort to the animal or interfere with an animal's health or well-being.