

Instruction**Service Animals in Schools**

The Board of Trustees acknowledge its responsibility to permit students and/or adults with disabilities, as required by the Americans with Disabilities Act, 28 C.F.R. Part 35, to be accompanied by a service animal on District premises or at any District sponsored activity.

“Service animal” refers to any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of someone with a disability as defined by the Americans with Disabilities Act, 28 C.F.R. Part 35. Emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.

Any person requiring a service animal must inform the District prior to attending school with a service animal. This ensures the District has the ability to accommodate the needs of the student with a disability.

Use of service animals shall be subject to the following requirements:

1. The animal must be required for the individual with a disability.
2. The animal must be a dog or, in specific circumstances, a miniature horse. No other species of animal, whether wild or domestic, will be permitted in schools as a service animal.
3. Possible categories of possible uses:
 - A. A member of the public who visits the District property may be accompanied by a service animal. Staff may ask the following questions only about the service animal if the answers are not obvious:
 - I. Is this a service animal required because of a disability; and
 - II. What work or task has the animal been trained to perform.

Staff cannot ask about the person’s disability, require medical documentation, require a special identification card or training documentation for the animal, or ask that the dog demonstrate its ability to perform the work or task.

- B. Any student who seeks to be accompanied by a service animal while on school property shall have such request addressed via a Section 504 Plan, Individual Education Plan, or other applicable plan, including a potential Health Care Plan with the District. All plans shall be prepared in accordance with standard District policy in conjunction with the student’s

parent/legal guardian. It shall be the responsibility of the parent/legal guardian to contact the school to commence this process.

- C. Any employee who seeks to be accompanied by a service animal while on school property shall contact the District's Human Resource Director and shall work through the Americans with Disabilities Act process with the District.
4. 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:
 - 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; and
 - d. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.
5. All city or county ordinances regarding licensing and vaccination of animals must be met and adhered to prior to a request to be accompanied by a service animal.
6. Owners of service animals must provide proof of current vaccinations to the building administrator with their request to be accompanied by a service animal.
7. All service animals must be kept clean and groomed to minimize shedding and dander, and must be treated for, and kept free of fleas and ticks.
8. Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.
9. The service animal must have a harness, leash or tether or otherwise be under a handler's control (e.g. voice control, hand signals or other effective means).
10. The school system is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself.
 - a. The District is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
 - b. Students with service animals are expected to care for and supervise their animal. In the case of a young child or a student with disabilities who is unable to care for or supervise his or her service animal, the parent is responsible for providing care and supervision of the animal.
 - c. A designated area for the service animal to relieve itself shall be determined by the building administrator prior to a service animal being

brought onto school property. The designated area will be included in the student's Section 504 Plan or Individual Education Plan. Waste cleanup shall be the sole responsibility of the student or the handler. Waste shall be disposed of in an appropriate outdoor receptacle determined by the building administrator.

- d. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis, at the discretion of the building administrator, and may be addressed in conjunction with a student's Section 504 Plan, Individual Education Plan, or other applicable plan, including a potential Health Care Plan.

Removal of a Service Animal

A building administrator may ask an individual with a disability or his or her parents to remove a service animal from a school building, a classroom, or from a school function if any of the following circumstances occurs:

1. The animal is out of control and the handler does not take effective action to control it.
2. The animal is not housebroken.
3. The animal's presence would "fundamentally alter" the nature of the service, program, or activity.
4. The animal presents a direct threat or unreasonable risk to the health and safety of students, staff or individuals in the area.

If a service animal is excluded, the individual will be given the opportunity to participate in the District activity or program without the service animal or in an alternative activity.

Legal Reference:	I.C. § 18-5812B	Person May be Accompanied by a Service Dog-in-Training
	I.C. § 56-701A	Definitions
	I.C. § 56-704B	Rights of Individuals with Dogs-in-Training
	5.1.104	Kootenai County Ordinance - Dog Licenses
		ADA Regulations, 28 C.F.R. Part 35 (as amended, 2010)
	5-2-8	City of Rathdrum Code of Ordinances - Canine Identification and Rabies Shot Proof Requirement
	5-4-26	City of Spirit Lake City Code - Licensing of Dogs
	4-3-2	City of Athol City Code - Animal

[Regulations](#)

28 C.F.R. Part 35

Nondiscrimination on the Basis of Disability
in State and Local Government Services
Implementing the ADA)

Policy History:

Adopted on: December 12, 2011

Revised on: December 8, 2020

Revised on: June 24, 2021

Revised on: August 14, 2024