SERVICE ANIMALS (PUBLIC)

Code: **ACE** Adopted: **8/17/2023**

It is the desire of the board to ensure that individuals with disabilities are able to participate in and benefit from all district services, programs, and activities and that the district does not discriminate against individuals on the basis of disability. Members of the public with disabilities will be permitted to utilize service animals in district buildings, on district property, and in vehicles (e.g. chaperones, special event shuttles, etc.) that are owned, leased, or controlled by the district in accordance with this policy and applicable laws and regulations.

Because some individuals are highly allergic to or fearful of certain animals, and because animals have the potential to spread disease or behave in dangerous or unpredictable ways that can cause injury to persons with whom they come into contact, the superintendent or his/her designee will develop and disseminate procedures to implement this policy and accommodate members of the public with disabilities who utilize service animals. While the district will consider the available options and attempt to accommodate both the handler and the individual(s) with allergies, fears, etc., generally, these issues will not result in automatic exclusion or removal of a service animal.

A designated administrator will ensure that all individuals involved in a situation where a service animal will regularly accompany an individual with disabilities are informed of this policy and its accompanying procedures.

Definitions

Service animal means a dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, will not be authorized as a service animal, with the exception of miniature horses in limited instances outlined in law and regulation.

The work or tasks performed by a service animal will be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, the following:

- assisting an individual who is visually impaired with navigation and other tasks
- alerting an individual who is deaf or hard of hearing to the presence of people or sounds
- pulling a wheelchair
- assisting an individual during a seizure
- alerting an individual to the presence of allergens
- alerting an individual with diabetes of blood sugar levels
- retrieving items such as medicine or a communications device
- providing physical support and assistance with balance and stability to an individual with mobility disabilities
- helping a person with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors

The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.

Handler means the individual responsible for caring for and supervising the service animal, which includes toileting, feeding, grooming, and veterinary care. The district is not obligated to supervise or otherwise care for a service animal.

Admission of a Service Animal

Individuals with disabilities may be accompanied by their service animal while on district property for events that are open to the general public. This right of access does not extend to the schools generally or to other activities that are not open to the general public. The district will not require a handler of a service animal to pay an extra charge for the animal to attend events for which a fee is charged.

Participants in district services, programs, or activities will be permitted to be accompanied by a service animal in all areas of district facilities and vehicles where access is permitted to other participants.

Appropriate inquiries

In general, the district will not ask about the nature or extent of a person's disability but may make two inquiries to determine whether an animal qualifies as a service animal. Administrators of the district or their designees may ask:

- if the animal is required because of a disability
- what work or task the animal has been trained to perform

Additionally, the district will not make any inquiries about a service animal when it is readily apparent that the animal is trained to do work or perform tasks for an individual with a disability (e.g. the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

The district will not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. However, the district may request proof of current vaccinations and immunizations.

Responsibilities of the Handler

The handler of a service animal will be solely responsible for the following:

- supervision and care of the animal, including any feeding, exercising, cleaning up, and stain removal
- control of the animal at all times through the use of a harness, leash, tether, or by other effective means
- damages to district buildings, property, and vehicles caused by the animal
- injuries to students, staff members, volunteers, and visitors caused by the animal

The district may impose legitimate safety requirements as necessary for the safe operation of its services, programs, or activities. Such requirements will be based upon actual risks, not on mere speculation, stereotypes, or generalizations about individuals with disabilities and/or service animals.

Exclusion of a Service Animal

The service animal must be under the control of its handler at all times. The district may ask the handler to remove his/her animal from the premises if the animal is out of control and the handler does not take effective action to control it or if the animal is not housebroken. Additionally, if the presence of the animal poses a direct threat to the health or safety of others or would require a fundamental alteration to the services, programs, or activities of the district, the district may exclude the service animal.

In addition, and specific to athletic facilities, the service animal should be non-disruptive to other individuals attending the athletic event and, to the extent possible, the owner should ensure that the animal does not sniff or jump on people, tables, or the personal belongings of others or block an aisle or passageway for fire egress.

Where a service animal is removed pursuant to district policy, the district will work with the handler to determine reasonable alternative opportunities to allow the handler to attend the athletic event without having the service animal on the premises.

Complaint Process

The following person has been designated to handle inquiries, questions, and grievances regarding the district's service animal policy:

~~*Chief Operations Officer*~~ *Superintendent's Designee*
125 S. Blanding Street, Lake City, SC 29560
843-374-8652

Any individual who believes that he/she is being denied access to buildings or programs, or discriminated against based on disability, should contact:

Director of Office of Exceptional Children
125 S. Blanding Street, Lake City, SC 29560
(843) 374-8652

Adopted 8/17/2023

Legal References:

A. United States Code of Laws, as amended:
   1. Americans with Disabilities Act, 42 U.S.C.A. Section 12101, *et seq*.
   2. Individuals with Disabilities Education Act, 20 U.S.C.A. Section 1400, *et seq*.
   3. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. Section 701, *et seq*.