SERVICE ANIMALS (STUDENTS)

Code **JLCDD** *Adopted* **09/19/2024**

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. Students with disabilities will be permitted to utilize service animals in district buildings, on district property, and in vehicles that are owned, leased, or controlled by the district in accordance with this policy and administrative rule 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 students with disabilities requesting the use of a service animal. 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.

Request for Use of a Service Animal
A student with a disability, or a parent/legal guardian on behalf of the student, may request to bring a service animal to school for educational purposes as outlined in the administrative rule accompanying this policy.

Responsibilities of the Handler
Students with disabilities will be permitted to be accompanied by their service animal in all areas of the district facilities necessary for participation in services, programs, or activities. However, 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 students with disabilities and/or service animals.

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

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.

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

Office of Exceptional Children Director
Address:125 South Blanding Street, Lake City, SC 29560
Telephone: (843) 394-8652
Email:eacuna@fsd3.org

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

Office of Exceptional Children Director
Address:125 South Blanding Street, Lake City, SC 29560
Telephone: (843) 394-8652
Email:eacuna@fsd3.org

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*.

Administrative Rule
For
Policy **JLCDD**

SERVICE ANIMALS (STUDENTS)

Code **JLCDD-R** *Issued* **09/19/2024**

The following procedures have been established for requesting student use of a service animal on district property and for evaluating such requests on a case-by-case basis.

Requests for Use of a Service Animal

Absent exceptional circumstances, the parent/legal guardian of a student with disabilities must submit a written request for use of a service animal as outlined below before a service animal will be allowed in a district building, on district property, or in district vehicles. Requests should be made at least 10 business days prior to bringing the service animal to school or a school function.

Documentation from a licensed veterinarian that the service animal is currently in good health, free from parasites, and has received all recommended vaccinations to ensure that the service animal does not pose a health or safety threat to any student, staff member, or the public must be submitted with the request.

School administrators may inquire whether the animal is required because of a disability and the specific tasks that the animal has been trained to perform but will not ask for a special ID card or training documentation for the animal or ask that the animal demonstrate its ability to perform the work or task.

Requests for use of a service animal must be renewed at the beginning of each school year.

Students currently served by a Section 504 Plan or an individualized education program (IEP)

A student with a disability or a parent/legal guardian on behalf of the student who believes use of a service animal in the school environment is necessary to receive a free and appropriate public education will notify the building principal or the Section 504 or IEP team.

The appropriate team will then evaluate the request to use the service animal in school, gather necessary information, and determine whether the student requires the service animal during the school day or at school activities. This may include a request for parental permission to formally assess the student's education-based needs that might include alternative methods of accommodation. Any service animal accompanying a student with a disability to school or school

activities will be handled and cared for in a manner detailed in the student's IEP or Section 504 plan.

A service animal will not be denied access solely because the accommodation is not included in the student's IEP or Section 504 plan.

Students not currently served by a Section 504 Plan or an IEP
A student with a disability or a parent/legal guardian on behalf of the student who is not currently served by a Section 504 Plan or IEP may request to bring a service animal to school.

The building principal will, in consultation with other school staff, as appropriate, determine whether the animal meets the criteria for a service animal. As appropriate, the student will be assessed for eligibility for special education and/or related services.

Implementation Plan
As part of the implementation plan for service animals, the district will collaborate with the student and parent/legal guardian to:

- familiarize the service animal and/or handler with the campus prior to the actual start date
- orient the service animal to school faculty and students, mainly those in the student's classroom
- establish a school wide educational program to instruct others on how to behave correctly around a service animal
- establish water or feeding breaks for the service animal
- create a place for the service animal to urinate/defecate and a location for the handler to correctly dispose of the service animal's waste
- establish a rest place for the service animal when not working (e.g. gym, lunch, and recess)
- ensure that the handler and service animal actively participate in emergency drills and evacuations

Transportation
If a student with an approved service animal uses district transportation services, the following considerations will also be made.

Prior to the first transport of the student and the service animal
The driver and any bus attendant will be introduced to the service animal's handler or owner and his/her parent/legal guardian where appropriate. The handler or owner is responsible for providing information to the driver and any bus attendant regarding critical commands needed for daily communication and emergency/evacuation. The service animal's owner or handler and his/her parent/legal guardian, where appropriate, will support the district's transportation department staff in informing other students riding the bus with the service animal about the animal's functions and how students should interact with the service animal. The service animal's owner will ensure the service animal practices the bus evacuation drills with the student.

On the bus, the handler will ensure that the service animal is positioned on the floor at the student's feet. The animal must be secured by a harness, leash, or other tether, unless such harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or task; in such a case, the service animal must otherwise be under the handler's control.

Cessation of transportation
Situations that would cause a cessation of transportation of the service animal include, but are not limited to, the following:

- the service animal's behavior poses a threat to the health or safety of others as determined by the district
- the service animal urinates or defecates on the bus
- the service animal does not remain in the designated area

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