

NEW POLICY - VOL. 25, NO. 2

ANIMALS ON ~~SCHOOL CORPORATION~~CAREER CENTER PROPERTY

Introduction

The Board recognizes that there are many occasions when animals are present on ~~School-Corporation~~Career Center property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents/guardians, vendors, and other members of the public may be accompanied at school by a service animal in accordance with Federal and Indiana law and this policy.

This policy shall apply to all animals on ~~School-Corporation~~Career Center property, including service animals.

Definitions

- A. **Animal** shall be held to include every living creature other than a plant or a human.
- B. **Service animal** as used in this policy has the meaning of the term in I. C. 16-32-3-1.5 and means an animal trained and providing services constituting a reasonable accommodation to a person with a disability. The term includes but is not limited to:
 - 1. a hearing animal;
 - 2. a guide animal;
 - 3. an assistance animal;
 - 4. a seizure alert animal;
 - 5. a mobility animal;
 - 6. a psychiatric service animal; or

For purposes of the administration of this policy, note that while some Federal regulations limit the scope of the term "service animal" to a dog or miniature horse, Indiana law establishes the broader definition set out above.

Vaccination, Licensing and/or Veterinary Requirements

All animals, including service animals, admitted or housed on ~~School Corporation~~Career Center property or brought on ~~School Corporation~~Career Center property on a regular basis must meet every health and inoculation requirement set forth in State law and local regulation or ordinance, including but not limited to a current rabies vaccination.

Animals in Schools and Elsewhere on ~~School Corporation~~Career Center Property

Animals, other than an animal performing the role of service animal, shall be limited to those necessary to support specific curriculum-related projects and activities. An animal that is poisonous, a bite risk, or is otherwise dangerous to persons shall be housed and maintained in a manner so as to eliminate a risk of injury to a person. The risk of injury shall take into account that a student may not follow safety directives established for the handling of the animal. This evaluation may result in a decision that despite the educational value of the animal's presence, the educational value does not outweigh the risk of injury to a person.

Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the principal may permit animals other than service animals to be present in a ~~School Corporation~~Career Center school to support curriculum-related projects and activities only under the following conditions:

- A. The staff member seeking approval to have an animal in his/her classroom shall:
 1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;
 2. take precautions deemed necessary to protect the health and safety of students and other staff;

4. keep the surrounding areas in a clean and sanitary condition at all times.
- B. Other staff members and parents/guardians of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.

Except where an animal is serving as a service animal, the presence of an animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.

Humane Treatment of Animals

Animals kept on school premises shall be treated humanely and shall not be subjected to cruel treatment or housed in unsanitary or unnecessarily restrictive conditions. For purposes of this provision, "humanely" includes the provision of adequate food and fresh water, and the term "animal" means a scient creature capable of assessing and responding to its environment.

Service Animals for Students

A student's need for and use of the service animal must be addressed in the student's individual education plan (IEP) and/or Section 504 Plan.

A service animal shall be the personal property of the student and/or parents/guardians. The Board shall not assume responsibility for training, daily care, or healthcare of a student's service animal. By admitting a service animal to ~~Corporation~~Career Center property, the Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on ~~Corporation~~Career Center property or at ~~Corporation~~Career Center-sponsored events.

A service animal that meets the definition set forth in this policy shall be under the control of a student or the service animal's handler.

The principal will be responsible for reviewing and determining whether the required documentation has been provided for the student's service animal. Services to a

A service animal shall be permitted to accompany the disabled student anywhere on the school campus where students are permitted to be.

Removing and/or Excluding a Student's Service Animal

In instances when a service animal has demonstrated that it is not under the control of the student or its handler, the principal will also be responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from ~~Corporation~~Career Center property.

If a service animal has demonstrated that it is not housebroken, the principal will be responsible for documenting such behavior and for determining that the service animal is to be removed and/or excluded from school property.

The principal or administrator responsible for the ~~Corporation~~Career Center facility shall notify the ~~Superintendent and _____~~Director by e-mail if a service animal has been removed and/or excluded, and shall include documentation for the reasons for the removal or exclusion.

The principal's decision to remove and/or exclude a service animal from school property may be appealed in accordance with the complaint procedure set forth in AG 2260B - Complaint Procedures for Nondiscrimination.

The procedures that are set forth in AG 2260B - Complaint Procedures for Nondiscrimination shall not preclude a student and his/her parent/guardian from pursuing a complaint with the United States Department of Education's Office for Civil Rights, or the Indiana Department of Education or Civil Rights Commission.

Eligibility of a Student's Service Animal for Transportation

In some cases, as identified on the student's IEP or Section 504 Plan, there may be a need for a student with a disability and their accompanying service dog to be served on ~~School Corporation~~Career Center transportation. There may also be a need for the service animal's handler, if the handler is someone other than the student, to be transported on ~~School Corporation~~Career Center transportation.

Before a service animal is permitted to ride on a school bus owned or leased by the ~~School Corporation~~ Career Center, the student and his/her parents/guardians, or eligible student, and the handler, if s/he is someone other than the student, shall comply with the following:

- A. The principal ~~Transportation Supervisor~~ shall schedule a meeting so that the student and his/her parents/guardians, or eligible student, and the handler, if s/he is someone other than the student, to meet with the driver and bus assistant, if any, and the principal ~~Transportation Supervisor~~ . The student and his/her parents/guardians, or eligible student, and the handler, if s/he is someone other than the student, is responsible for providing information to the driver and bus assistant, if any, regarding critical commands needed for daily interaction and emergency/evacuation of the student and service animal.
- B. The principal shall make arrangements for the student and his/her parents/guardians, or eligible student, and the handler, if s/he is someone other than the student, to provide an orientation for students who will be riding the bus with the service animal regarding the service animal's functions and how other students should interact with the service animal.
- C. The service animal must participate in bus evacuation drills with the student.

The service animal shall board the bus by the steps with the student, not a lift, unless the student uses the lift to enter and exit the bus.

While the bus is in motion, the service animal shall remain positioned on the floor, at the student's feet. A representative of the Transportation Office will meet with the student and his/her parents/guardians, or eligible student, to determine whether the service animal should be secured on the bus with a tether or harness.

Situations that could result in suspension of transportation privileges for the service animal include:

- B. the service animal urinates or defecates on the bus.

Prior to the first day of transportation, an eligible student or his/her parents/guardians shall be informed in writing of the types of service animal behaviors that could result in suspension of transportation privileges for the service animal.

If it is necessary to suspend transportation privileges for the service animal, the decision may be appealed to the

~~Transportation Supervisor.~~

~~principal.~~

Director

If transportation is suspended for a student's service animal, it remains the ~~Corporation~~Career Center's responsibility to transport the student. Furthermore, unless the behavior that resulted in the service animal's removal from the bus is also documented during the school day, the service animal may still accompany the student in school.

Service Animals for Employees

In accordance with Policy 1623, Policy 3123, and Policy 4123 - Section 504/ADA Prohibition Against Disability Discrimination in Employment, the ~~Corporation~~Career Center shall provide a reasonable accommodation for an applicant for employment or qualified employee with a disability. An employee with a disability may request authorization to use a service animal while on duty as a reasonable accommodation of a disability. As required of all animals under this policy, an employee with a disability who will have a service animal as an accommodation will be required to provide a current satisfactory animal health certificate or report of examination from a veterinarian for the service animal within a reasonable time period after the service animal first accompanies the employee. Employees shall be encouraged to engage in a continuing interactive dialogue with their supervisor concerning their utilization of a service animal.

Food Service Employees

Food service employees who use a service animal shall be required to comply with the standards applicable to food preparation and food service set out in FDA Food Code Section 2-403.11. Failure to comply with these requirements represents a direct threat to health of others. This provision prohibits handling of animals by employees engaged in food preparation or service, but allows employees to use service animals if certain specific conditions are met. Section 6-501.115 states that service animals may be permitted in food consumption areas not used for food preparation. Food service employees may handle their service animals if, after handling a service animal, the employee washes his/her hands for at least twenty (20) seconds using soap, water, and vigorous friction on surfaces of the hands, followed by rinsing and drying as per Section 2-301.12.

Employees of vendors shall be accommodated as employees of the ~~Corporation~~Career Center as long as this accommodation does not cause undue hardship for the ~~Corporation~~Career Center or a direct threat to the employees or others.

Service Animals for Parents/guardians, Vendors, Visitors, and Others

For purposes of this provision, parents/guardians, vendors, vendors' employees and other visitors are collectively referred to as "visitors."

Visitors with disabilities who plan to be accompanied by a service animal to a ~~Corporation~~Career Center facility shall be encouraged to contact the administrator responsible for that facility before their visit. However, no visitor or a visitor's service animal will be turned away because of failure to give advance notice of their visit.

Visitors accompanied by their service animals shall have access to all areas of the ~~Corporation~~Career Center's facilities where members of the public are permitted to go. Employees of a specific vendor shall be permitted to have access as necessary to perform their assigned duties unless the service animal's presence constitutes a direct threat to others' health or safety risk.

An individual with a disability who attends a school event will be permitted to be accompanied by a service animal in accordance with Policy 9160 - Public Attendance at School Events. If the individual with a disability will attend a regularly scheduled series of events with his/her service animal, the individual with disabilities will be required to provide a current satisfactory health certificate or report of examination from a veterinarian for the animal, which is required for all animals by this policy.

I.C. 16-32-3: Rights of Blind and Other Physically Disabled Persons
28 CFR Part 35: Justice Department Nondiscrimination on the Basis of Disability in State and Local Government Services
29 CFR 1630: EEOC Regulations Implementing the ADA as amended
34 CFR Part 104: Section 504 of the Rehabilitation Act, 29 U.S.C. 794
34 CFR Part 300: Individuals with Disabilities Education Act (IDEA)
511 IAC 7-43-1(1)(2)(B): Related Services for Students