

SERVICE ANIMALS

Students and staff members with disabilities are permitted to be accompanied by a “service animal” in District buildings in accordance with the Americans with Disabilities Act, 28 C.F.R. Part 35.

A service animal is any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability. The work or tasks performed by a service animal must be directly related to the handler’s disability. The provision of emotional support by an animal does not constitute “work” or “tasks” for purposes of this definition.

The use of service animals shall be subject to the following conditions:

1. Requests for use of a service animal must be submitted in writing to the Superintendent at least 10 school days prior to the intended use of the animal, and must receive the Superintendent’s written permission. The owner must provide documentation of vaccinations verified by a licensed veterinarian, as required by law and as specified by the local health department or other authorized agency. Vaccinations must be kept current, with proof submitted on an annual basis.
2. Service animals must be spayed or neutered.
3. Service animals must be treated for, and kept free of fleas, ticks, and other insects and parasites.
4. Service animals must be kept cleaned and groomed so as to prevent shedding and dander to the maximum extent possible.
5. Service animals must wear proper identification and be controlled by a harness, leash, or other tether, unless the handler is unable, because of a disability, to use a harness, leash, or other tether; or the use of a harness, leash, or other tether would interfere with the service animal’s safe, effective performance of work or tasks. In that case, the handler must use voice control, signals, or other effective means to control the service animal.

The District’s review of a request for the use of a service animal may include consideration by a student’s individualized education program (IEP) team or Section 504 team. Also, the District may require a meeting with and/or additional information from any individual requesting the use of a service animal, including, but not limited to, documentation/consultation with the health care provider of the individual with a disability.

Removal of a Service Animal

A service animal will be removed from a District building in any of the following situations:

1. The animal is out of control, and the animal’s handler does not take effective action to immediately control the animal’s behavior;
2. The animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications;
3. The animal is not housebroken;
4. The animal’s presence or behavior fundamentally interferes with the functions of the District; or
5. The animal’s presence would fundamentally alter the nature of the service, program, or activity.

The owner of a service animal permitted in a District building is liable for any personal injuries or property damage caused by the service animal. Such owner must agree to indemnify, defend, and hold the Board and its employees harmless for any such damages. Further, the owner shall be required to submit a certificate of liability insurance covering the service animal and listing the Board as an additional insured as required by Ohio law. The owner must provide the District information on any change to the insurance plan while the animal is on District property.

The District shall not be responsible for the care, assistance, or supervision of a service animal.

The District’s approval of the use of a service animal on District property is subject to periodic review, revision, or revocation.

LEGAL REF.: R.C. 955.43; 42 U.S.C. Chapter 126

Adopted: December 17, 2019