

The Board and administration support the idea that animals can provide a variety of productive learning experiences for students at almost every level. It is important, however, that the following guidelines be observed when instituting an activity or program involving the use of animals. Teachers are encouraged to contact such organizations as the Wisconsin Veterinary Association, the National Wildlife Federation, etc. regarding resource materials and suggested learning activities that may be available to help students increase their understanding of the animal world.

- A. Students are to be instructed not to bring personal pets to school at any time without the approval of the principal.
- B. Owners of pets brought onto school property are responsible for any harm or injury caused by the animal to other students, staff, visitors, and/or property.
- C. Owners of service animals brought onto school property must comply with this policy.
- D. Owners of therapy dogs brought onto school property must comply with this policy.
- E. Upon the approval of the principal, it is permissible for the class to have one or more animals as classroom pets under the following conditions:
 1. the animal is not venomous or vicious
 2. no one is allergic to the particular animal
 3. proper examination/immunization has been done by a qualified veterinarian
 4. arrangements have been made for housing the animal safely, comfortably, cleanly, and in a manner that does not disrupt the classroom environment
 5. arrangements have been made for the proper care of the animal when school is not in session

6. rules have been established and understood regarding when and how the animal is to be treated by the students
- F. When animals are to be brought into the school or classroom on an ad hoc basis as part of a lesson or series of lessons, all of the conditions stated above apply, and in addition, the teacher is to ensure the proper pick-up and return of the animal.
- G. Except as set forth above and/or in the case of "service animals" required for use by a person with a disability, no other animals may be on school premises at any time without the approval of the Principal.
- H. The District may have a service animal removed from the school premises if the animal is out of control and the animal's handler does not take effective action to control it or the animal is not housebroken. The District is not responsible for the care or supervision of a service animal. The service animal is allowed to accompany its human in all areas the human is permitted to go.

Use of Service Animals

The Board shall comply with the provisions of the Americans with Disabilities Act (ADA), as amended, and applicable Wisconsin law regarding an individual with disability's use of a service animal.

It is imperative that representatives of the Board do not ask about the nature or extent of a person's disability; however, they may make inquiries to determine whether an animal qualifies as a service animal. While the representatives of the Board cannot ask about the individual's disability, they may ask if the animal is required because of a disability and what tasks or work the animal can perform. When the work or tasks the service animal will perform is readily apparent, the representatives of the Board should not ask.

Under no circumstances should the representatives of the Board require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.

The definition of a service animal, as established by the ADA and applicable Wisconsin law is as follows:

Service animal means any dog or other animal that is 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. No animal that is not properly trained may be allowed as a Service animal. The work or tasks performed by a service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

- A. The ADA has also defined a miniature horse as an animal that can serve as a service animal, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. To better determine whether the Board must allow for the use of a miniature horse or make modifications to buildings, the Board should refer to Section 35.136 (c) through (h) of the ADA.
- B. A service animal that meets the above definition shall be under the control of its handler (e.g., a student with a disability). A service animal shall have a harness, leash, or other tether, unless either 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 which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
 1. The service animal's trainer can help to develop a plan to assist the student with the dog (e.g., the student's aide might transfer the service dog's leash from a student's wheelchair to a tree during recess). Additionally, a younger student might need reminders from school staff about controlling the dog until s/he is comfortable handling the service animal at school.

2. While the student is responsible for the service animal's care, including feeding and supervision, the District should develop a plan to provide the student with the necessary time to care for the animal and designate a location for the animal's toileting needs.
- C. Additionally, the Board is not responsible for the care or supervision of a service animal.

Service Animal Procedures

- A. A request for an individual who is not a student, staff member, or previously approved volunteer, who is a person with a disability requesting to be accompanied by a service animal while in a school, District facility, or at a District-sponsored activity or event that is not open for general public attendance (i.e. is an invited guest speaker, or invited to attend an in-school assembly, etc.) shall be handled as follows:
1. The request must be made in writing at least ten (10) school days prior to bringing the service animal to the school, facility, or activity/event. Requests shall be submitted to the building principal.
 2. If necessary to determine whether the animal qualifies as a service animal, the District may ask if the animal is required because of a disability and what work or task(s) the animal is trained to perform. However, the District shall not ask about the nature or extent of the individual's disability, and the District shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal unless the animal when present does not appear to be trained to perform tasks for an individual with a disability. Any decision to deny the use of a service animal must be reviewed with the Superintendent before communicating with the requestor.
- B. Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the District's facilities where members of the public, participants in services, programs, or activities, or approved invitees, as relevant, are allowed to go. An individual with a disability who attends a school event will be permitted to be accompanied by his/her service animal.

- C. A representative of the Board shall not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. If a public entity normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by his/her service animal.
- D. Visitors, including parents, volunteers, vendors, and others, who will access any area of the District's facilities with their service animals shall follow the building's standard visitor registration procedures and are encouraged to notify the building principal that their service animal will accompany them during their visit.
- E. A service animal must be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either 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 which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means). If a student with a disability is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to requirements of that role.
- F. A service animal is considered the personal property of the individual requesting to be accompanied by the service animal. The individual requesting to be accompanied by the service animal is responsible for:
 - 1. Ensuring that the service animal is licensed and up to date on vaccinations as required by State law or local ordinance; and
 - 2. Handling, caring for, and supervising the service animal, which includes toileting, feeding, and grooming.
- G. The individual requesting to be accompanied by the service animal is encouraged to provide proof of insurance against any liability for any actions, accidents, or property damage caused by the service animal. The individual requesting to be accompanied by the service animal shall remain liable for damage, harm, or injury caused by the service animal to

other students, staff, visitors, or property.

- H. The District shall make reasonable accommodations if the presence of an animal results in health concerns for other students. These accommodations may include assignment of the student(s) to a different classroom in the District.

Removing and/or Excluding a Service Animal

- A. A service animal may be temporarily removed from District premises if:
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. Allowing the service animal would fundamentally alter the nature of the service, program, or activity; or
 4. The animal is a direct threat to the health or safety of others.
- B. The principal or other administrator is responsible for determining if and when a service animal is to be temporarily removed and/or excluded from District property. The principal or administrator shall notify the Superintendent prior to or as soon thereafter as is practicable when a service animal has been removed and/or excluded, and, immediately subsequent to such notification, document the reasons for the removal and/or exclusion.
- C. If a service animal has been removed and/or excluded from District property, the administration shall contact the parents to address the reason(s) that the service animal was removed and to determine appropriate steps to assure that the student continues to have access to the educational program and that resolutions are reached regarding the use of the service animal.
- D. The ADA also provides that if a service animal is properly excluded from the premises, the Board shall give the individual with a disability the

opportunity to participate in the service, program, or activity without having the service animal on the premises.

Legal References:

Cross References:

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