

ADMINISTRATIVE RULE 383.1

AR383.1 - Service Animals in Schools

The School District of Fort Atkinson acknowledges its responsibility to permit individuals with disabilities to be accompanied by a "service animal" in its building, classrooms and at school functions, as required by the Americans with Disabilities Act (ADA).

Definitions:

1. Service Animal: A service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including physical, sensory, psychiatric, intellectual or other mental disability. The service animal's performance of such work or tasks must be directly related to the individual's disability.

The animal must be "individually trained" to do something that qualifies as work or a task. An animal that is merely a "pet" or "support animal" is not a service animal. There are no size or weight limitations on a service animal.

For purposes of this definition, other species of animals, trained or untrained, are not service animals except for miniature guide horses. Miniature guide horses that have been trained to do the aforementioned work or perform the aforementioned tasks that are directly related to the individual's disability may be permitted under the terms of this policy, state and federal law. The district shall make reasonable accommodations to allow an individual with a disability to use a miniature guide horse as defined herein.

2. Work or Tasks Performed: The work or task performed must be directly related to the individual's disability. The provision of emotional support, well-being, comfort or companionship or crime deterrent effects of an animal's presence do not constitute work or tasks for the purposes of this definition.

Procedure:

1. Annually, a request for an individual with a disability to be accompanied by a service animal in school or at a school-related function must be made in writing to the Director of Special Education and Pupil Services and delivered to the Director at least 10 days prior to bringing the service animal to school or school-related function.
2. As part of the process of reviewing the request, the Director of Special Education and Pupil Services will determine if the following criteria is met according to ADA:
 - a. The animal is required due to a disability; and
 - b. The animal has been trained to perform work or a task.
3. The individual or student's parent/guardian may not be asked about the nature or extent of his or her disability, nor is the individual or student's parent/guardian required to provide documentation that the animal is certified, trained or licensed as a service animal.
4. The individual or student's parent/guardian who is requesting to be accompanied by a service animal is responsible for the following:
 - a. Providing initial and annual proof of the following vaccinations for service dogs DHLPPC (Distemper, Hepatitis, Leptospirosis, Parainfluenza, Parvovirus, Coronavirus, Bordetella and Rabies)
 - b. Providing assurance that the service animal has been treated for and kept free from fleas and ticks
 - c. Providing assurance that the service animal is housebroken

- d. Providing assurance that the service animal will be kept clean and groomed to reduce shedding and dander
 5. The individual or student's parent/guardian who is requesting the use of a service animal is liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property and must provide annual proof of liability insurance coverage as required by the Board of Education.
 6. The use of a service animal requires the use of a harness, leash/tether, or otherwise being under the handler's control.
 7. The serviced individual is responsible for caring for and supervising the service animal, including walking the animal or responding to the animal's need to relieve itself. If a student with a service animal is unable to care for or supervise the service animal, the parent/guardian is responsible for providing care and supervision of the animal except as defined below. The District may decide that it is a "reasonable modification" under the ADA for a school official to assist or monitor a student when using his or her service animal at school, such as assisting the student in tethering or untethering the service animal, by giving commands to the animal or by escorting the animal on campus.
 8. The District will provide adequate notice to all parents/guardians and staff that a service animal will be present in school. Individuals, such as students and staff, with chemical sensitivity and extreme allergies also have a covered disability under the law. When both affected individuals have a right to accommodation based on a disability, a practical solution to accommodate both students' needs is required. One disorder does not take precedence over another. The District will make accommodations for students and staff to relocate in the building or transfer to another building if the presence of a service animal results in a health concern for an individual.
 9. A service animal will be removed from a school building, classroom, or school function under any of the following circumstances:
 - a. The animal is out of control and the animal's handler does not take effective action to control it, provided reasonable accommodations have been made by the District, if necessary.
 - b. The animal is not housebroken.
 - c. The animal's presence would fundamentally alter the nature of the service, program or activity. Examples may include, but are not limited to, science labs, areas requiring protective clothing, technical education shops with power equipment and tools, and food preparation areas.
 - d. The animal provides a direct threat to the health or safety of others that cannot be managed through reasonable modifications.
- If a service animal has been removed from a school building, classroom, or school function due to any of the above circumstances, the decision may be appealed to the District Administrator or designee for re-admittance of the service animal.
10. Individuals with disabilities shall be permitted to be accompanied by their service animals in areas of a public entity's facilities where members of the public are allowed to go. In the event the District excludes the use of the service animal in a particular instance, in accordance with this policy and applicable law, the individual with a disability will still have the opportunity to participate in that given service, program, or activity without having the service animal. If a request for a service animal to accompany a student or adult with a disability in the school building, in school classrooms or at school activities is denied, that decision may be appealed to the District Administrator or designee.