

Animals in District Facilities

This policy establishes rules and procedures for the presence of animals in and/or on district facilities.

1. **Service Animals:** The term “service animal” means any dog or other common domestic animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but limited to, guiding an individual with impaired vision, alerting an individual with impaired hearing to the presence of people or sounds, providing minimal protection or rescue work, pulling a wheelchair, fetching items needed, assisting an individual during a seizure, and assisting an individual with balance, stability or navigation. The term “service animal” does not include an animal whose sole function is to provide emotional support, comfort, therapeutic benefit, or companionship or to promote emotional well being. The district will comply with all federal and state laws and regulations regarding the use of Service Animals in its facilities.
 - a. Before a staff member or student with a disability uses a service animal at school, the staff member or a parent of the student must submit a written request for the use of a service animal to the principal.
 - b. The staff person or parent requesting to use a service animal shall be notified in writing of the decision. If the staff member or parent is dissatisfied with the decision, he or she may appeal the decision to the Superintendent. The superintendent’s decision shall be provided in writing and shall be final.
 - c. A service animal shall be secured by a harness, leash, or other tether at all times while on district property.
 - d. If the staff member or student is unable to act as the service animal’s handler, the staff member or parent of the student must provide a qualified handler for the service animal. The district shall not provide a handler for the service animal and or assign staff to perform the responsibilities of the animal’s handler.
 - e. The service animal’s handler shall be responsible for controlling, supervising, and caring for the animal.
 - f. A service animal may be excluded or removed from district premises if:
 - (1) The animal is out of control and the animal’s handler does not take effective action to control it; or
 - (2) The animal is not housebroken; or
 - (3) The animal’s presence or behavior fundamentally alters or disrupts the provision of education to students; or
 - (4) The animal poses a threat to the health or safety of others that cannot be eliminated by reasonable modifications.
2. **Nonservice Animals:** Animals that do not meet the above definition of a service animal shall not be allowed in district facilities except as allowed by a principal.

3. In the event permission is granted for a non-service animal visitation to a district facility, the following will apply:
 - a. Animals must be adequately cared for and appropriately secured. Only the teacher or students designated by the teacher are to handle the animals.
 - b. If animals are to be kept in the classroom on days when classes are not in session, arrangements must be made for their care.
 - c. Animals may not be transported on a school bus.
 - d. The visit will be for an educational purpose.
 - e. The requirements listed above for service animals do not apply to nonservice animals that are brought to a school for three or fewer consecutive days, as long as the principal gives prior approval and does not remove that approval.
 - f. If the approval/disapproval process for the presence of a nonservice animal is contested by a parent or staff member (in writing), the situation may be appealed to the superintendent in writing. The superintendent's decision shall be provided in writing and shall be final.

END OF POLICY

Legal Reference(s):

[ORS 659A.400](#)

[OAR 581-053-0230\(9\)\(j\)](#)

[OAR 581-053-0430\(16\)](#)

[OAR 581-053-0010](#)

[OAR 581-053-0330\(1\)\(q\)](#)

[OAR 581-053-0531\(15\)](#)

Americans with Disabilities Act of 1990, 104 Stat. 327, 42 U.S.C. § 12101 et seq. (2006); 28 CFR §§ 35.104, 35.136 (2006).
Americans with Disabilities Act Amendments Act of 2008.