

Newberg School District 29J

Code: **ING-AR**
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Animals in District Facilities

Definitions

“Service Animal” - The Americans with Disabilities Act defines “service animal” as any guide dog, signal dog, or other animal individually trained to work or perform tasks for the benefit of a person with a disability.

“Assistance Animal” - Oregon law defines “assistance animal” as any animal trained to assist a person with a physical impairment in one or more daily life activities.

Service animals do not include wild animals, farm animals, rodents and animals whose sole function is to provide emotional support, comfort, companionship, or therapeutic benefit.

“Resident Class Pets” - Any animal approved by the district to reside in a classroom for an extended period of time.

Animals Brought to School for Short Term/Day Visits

During school hours, no animal shall be brought to school without prior authorization. Students must obtain permission from their teacher; staff shall obtain authorization from the principal. Arrangements for animal visits shall be made 24 hours in advance. Animals brought to school at pick up and drop off times shall be leashed.

Proof of compliance with immunizations for any disease that can be transmitted to humans shall be provided upon request. All mammals shall be properly vaccinated.

Any animal brought to school must remain under control of the responsible adult at all times. The animal shall be contained on a leash or in a suitable carrier. This applies to days when school is in session, prior to the start of school and for an hour after school is dismissed and during any school recess and vacation periods. Transportation to and from school shall be the responsibility of the parent/guardian or other adult. Animals (with the exception of some service animals) shall not to be transported on school buses.

No wild animals or protected animals shall be purposely brought to the building or on school grounds by anyone other than an authorized or licensed animal handler. There shall be no physical contact between the animal and students unless it is an integral part of the objectives for the program with prior approval received from the principal.

Animals Considered as Resident Class Pets

Permission of the principal is required prior to establishing resident animals in the classroom. Student health issues shall be considered when assessing the appropriateness of animals in the classroom. Prior to the consideration of the introduction of an animal to the classroom, the teacher shall confer with the school nurse and review student health records to assure that there is no conflict.

It is the policy of the district to consider the safety, health and well being of each and every student when making decisions regarding the introduction of animals to the classroom. When there is a conflict in this area, the principal is responsible for resolving the matter in consultation with the involved parties, the school health nurse and others as the administration deems appropriate.

Teachers assume primary responsibility for the humane and proper treatment of any animal in their classroom. When the school is not in session for more than three days, the teacher must make arrangements for any resident animal's care and safety.

Should any student or adult be bitten by an animal at school, a health care provider and the local health officer shall be immediately notified. In addition, in the case of a child, parents will be called. A copy of the incident report (signed by the principal) will be sent to the involved family with personally identifiable information involving other children redacted as needed.

Law Enforcement

Animals under the control of a law enforcement officer are excluded from the provisions of this policy.

Service Animals

The ADA defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. It is not necessary for a service animal to be licensed or certified by a state or local governmental agency as a service animal to be considered one by the ADA.

Service animals perform various tasks and provide services for people with disabilities (who may train their own service animals or acquire one from a training facility). In general, service animals are one of the following types:

Guide - serves as a travel aide for a person who is legally blind

Hearing or Signal - alerts a person with hearing loss or deafness when a sound occurs, such as an alarm or a knock at the door

Mobility Assistance - helps a person who has a mobility or health disability. They may carry, fetch, open doors, ring doorbells, activate elevator buttons, pull a wheelchair, steady a person while walking, help someone get up after a fall, etc.

Seizure Response - warns a person of a impending seizure, or provides aid during a seizure, such as going for help or standing guard over the person

Procedures for Staff and Students for Allowing a Service Animal on School Property

A written request detailing the need for the animal and the services it performs shall be submitted to the Director of Special Programs in a reasonable amount of time before the first day of proposed use.

The Director of Special Programs or his/her designee shall schedule a meeting with the person making the request to gain more understanding.

The district may require letters from health care providers.

The district shall require documents certifying proper vaccinations and proper training for the animal.

The district shall require documentation of insurance covering any injury or damage to property caused by the animal.

The Director of Special Programs or his her/designee shall convene an IEP or 504 Team for a discussion and determination regarding the necessity of a service animal on school premises.

The 504 or IEP Team shall consider the following when making a recommendation for the necessity of a service animal at school:

1. The academic and behavioral functions the animal is trained to provide the student or staff member and the extent to which these functions can be fulfilled by other means.
2. The animal's impact upon the student's or staff member's ability to function successfully and independently.
3. The animal's impact on the student's or staff member's behavior, including the student's or staff member's ability to meet conduct expectations and develop and maintain constructive social relationships.
4. The degree to which separation from the animal during the school day would impair the student's or staff member's transition to independent living skills.

Students and Staff Who Are Frightened of or Allergic to Service Animals

Competing circumstances do not diminish the right of a person with a disability to use a service animal at school if the animal is necessary for equal access to educational services or programs. Students and staff with chemical sensitivity and extreme allergies might also have a covered disability under the law. Where both students and staff members have a right to accommodation based on a disability, the law likely requires a practical solution to accommodate both the students' and staff member's needs. One disorder does not take precedence over another. Where competing interests arise, the district will determine if student's or staff member's needs can be met in ways other than the use of a service animal.

Service Animals on School Buses

If a student needs the animal for equal access to educational services and programs, then the animal shall be permitted to go everywhere its handler can go unless it is determined to be unsafe. This includes school buses. Oregon law specifies that guide/assistance animals from recognized programs can ride school buses when accompanying blind, deaf or physically impaired persons.

Students with Autism

For students with autism, the question is whether the animal is necessary for access to facilities, services or programs to receive FAPE. For staff members, the question is whether the animal is necessary to perform the essential functions of the position. Such determinations shall be made on a case-by-case basis.

Restrictions

Restricting the presence of service animals on campus is subject only to the provisions of the Americans with Disabilities Act, its regulations, and corresponding provisions of State law.

Service animals are not pets and are permitted to accompany the individual with a disability to all areas of the facility where children normally go. The school reserves the right to restrict a service animal from its premises when it is determined that the animal's behavior poses a direct threat to the health or safety of others.

When a service animal is introduced to the classroom, a team, including the teacher, administrator, and family, will be formed to develop a comprehensive plan. This plan will include a detailed description of implementation strategies as well as a communication plan.

Determination of threat is the responsibility of the principal. Determination of threat shall be made in consultation with the school's child protection team (including the school nurse, counselor, and principal).

Liability

The owner or handler of any animal, including a service animal, is responsible for the animal's behavior and shall be liable for all damages suffered by persons who may be bitten or injured, and all damages to public or private property, regardless of the former viciousness of the animal or the owner's knowledge of such viciousness. All teachers will fill out an "animal in the classroom housing" form prior to the introduction of an animal in the classroom.

Humane Treatment of Animals

Animals within the school will be handled, treated, and housed in a humane manner. Enclosures shall be appropriate to the species. Animals shall be kept in an environment appropriate to the species. Habitats shall be maintained and cleaned regularly by staff not students.

References:

Americans with Disabilities Act, 28 CFR Section 38.302
Rehabilitation Act of 1973, Section 504
American Academy of Allergy, Asthma, and Immunology
(www.aaaai.org)

ANIMALS IN DISTRICT FACILITIES

Please provide the following information about the service animal:

1. Parent/Staff and/or emergency contact information: _____

2. Type of service animal (breed, age, and history): _____

3. Insurance company insuring the service animal: _____
Attached proof of insurance: Received Not Received
4. Agent name and address: _____
5. Phone number: _____
6. Proof of current and proper vaccinations: Received Not Received
7. Documentation of Public Access Test (PAT): Received Not Received
8. Name of trainer or organization who administered the PAT: _____

9. Address of trainer or organization: _____
10. Phone number of trainer or organization: _____
11. List and attach any letters or other documentation from medical providers or other service providers regarding the student's/staff's need for the service animal: _____
 Received Not Received
12. Has the student/staff member requesting use of the animal been trained as the animal's handler? Yes No
If no, who will act as the trained handler for the animal during the school/work day? _____
13. Is the student/staff able to independently care for the service animal's needs (i.e., bathroom, feeding, cleaning up messes, hygiene, etc.) Yes No
14. Describe the manner in which the service animal will meet the student's/staff's individual needs:

