



## **Animals in ESD Facilities/Programs/Vehicles**

Only service animals<sup>1</sup> serving persons with a disability and animals approved by the human resource director that are part of an approved ESD curriculum or cocurricular activity are allowed in ESD facilities. When an animal is part of a lesson or program at a facility, the employee shall contact his/her supervisor to obtain permission prior to having the animal in the facility/program/vehicle.

Approved animals must be adequately cared for and appropriately secured. Only the staff or students designated by the department director are to handle the animals.

If animals are to be kept in the classroom on days when classes are not in session, arrangements must be made for their care.

Animals, except those service animals serving persons with a disability, may not be transported on a school bus.

END OF POLICY

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### **Legal Reference(s):**

[ORS 334.125](#)  
[ORS 659A.400](#)

[OAR 581-053-0010](#)  
[OAR 581-053-0230\(9\)\(j\)](#)  
[OAR 581-053-0330\(1\)\(q\)](#)

[OAR 581-053-0430\(16\)](#)  
[OAR 581-053-0531\(15\)](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2006); 28 CFR §§ 35.104, 35.136 (2006).  
Americans with Disabilities Act Amendments Act of 2008.

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<sup>1</sup>The American with Disabilities Act definition of “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 a physical, sensory, psychiatric, intellectual or other mental disability. Companion and comfort animals are not considered service animals. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual’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. The law and its regulations also make an allowance for miniature horses.