

EMOTIONAL SUPPORT ANIMALS IN DISTRICT FACILITIES

This policy serves to address the use of emotional support animals by students within schools and on school grounds. Emotional support animals are different from service animals. The use of service animals is addressed in Policy 383.1.

Emotional support animal:

A domesticated animal that is individually necessary for the emotional support, well-being, comfort or companionship of an individual with a disability. The tasks performed by an emotional support animal must be directly related to the individual's disability.

Any request to bring an emotional support animal into district facilities shall be submitted to the Director of Pupil Services. If a student who is requesting use of an emotional support animal qualifies for services under IDEA or Section 504, the student's individualized education program (IEP) or Section 504 team shall meet and consider: (1) whether the emotional support animal or other animal requested by a student with a disability or his/her parent or guardian is "necessary" for the student to receive FAPE or for his/her equal opportunity to participate in and benefit from his/her educational program, and (2) whether the district is providing other services that serve the same function. Only if the student requires an emotional support animal to receive FAPE will the IEP or 504 team include the emotional support animal in the IEP or 504 plan as a related service.

**A. RESPONSIBILITIES AND PERMISSIBLE INQUIRIES**

1. The Director of Pupil Services shall require annual submission of proof of current vaccinations and immunizations of the emotional support animal and a current veterinary health certificate when a student's IEP or 504 plan requires the presence of an emotional support animal. The student's parents/guardian will be required to provide a licensed mental health professional's written confirmation of the necessity of the emotional support animal.
  - The owner of the emotional support animal must provide proof of insurance (minimum \$1million liability coverage).
  - The owner/handler must provide a record of annual vaccinations received by the emotional support animal and signed by a veterinarian; these health records should be kept on file in the school building.
    - Mandatory Rabies (1 or 3 year, by a veterinarian)
    - Distemper
    - Hepatitis
    - Parvovirus
    - Leptospirosis and Parainfluenza (at discretion of your veterinarian)
    - Annual check-up attested to by a veterinarian that the pet is physically and mentally healthy and free of contagious disease

- Fecal check, required even if the emotional support animal is on heartworm medication
  - Heartworm check and/or listing of preventative medications
  - Kennel cough vaccine is strongly encouraged
  - It is required that the emotional support animal is on a flea/tick control program-and should not make a visit within 24 hours of application
  - The emotional support animal should be groomed and bathed regularly. For emotional support animals in a working environment, monthly to bi-monthly baths are recommended, as is daily brushing (good judgement should be used based on the emotional support animal's hair, skin, and dander concerns.) The owner/handler must also ensure proper health care through regular (several times weekly) brushing of the emotional support animal's teeth, regular nail trimming as needed, and weekly cleaning/checks of the emotional support animal's ears. (Reference: Policy 459, Animals on School Premises; Exhibit 1, Verification of Wellness and Consent for Animal on School Premises; Exhibit 2, Animal on School Premises-Parent Permission Slip)
  - The animal must be spayed or neutered
2. The school shall not provide staff support to care for or control an emotional support animal but may provide support to a student using an emotional support animal as needed in a particular instance (i.e., accompanying a young student who takes an animal outside to relieve him/herself) as a reasonable accommodation.
  3. The owner and student of the emotional support animal shall be responsible for:
    - a. Supervision and care of the animal including, feeding, exercising, clean-up, and stain removal;
    - b. Restraint of the animal at all times;
    - c. Damages to the school building, property, and vehicles caused by the animal;
    - d. Injuries to students, employees, volunteers, and visitors caused by the animal;
    - e. Keeping the animal on a harness, leash or tether
    - f. Any crisis involving the animal, to include injury, loss, etc.

#### B. REMOVING AND/OR EXCLUDING A STUDENT'S EMOTIONAL SUPPORT ANIMAL

1. The Director of Pupil Services may ask that an individual with an emotional support animal remove the animal from the school and/or school grounds and also may refuse a request to have an emotional support animal with them if:
  - a. The emotional support animal is out of control and owner does not take effective action to control him/her;
  - b. The emotional support animal is not housebroken;
  - c. The emotional support animal poses a direct threat to the safety of the individuals at school or the safe operation of the school in a manner that cannot be eliminated by modifications;
  - d. Staff and students are allergic or fearful of emotional support animals;

- e. The presence of the emotional support animal will require a fundamental alteration or cause significant disruption to the program or any activities in the school;
  - f. The emotional support animal is sick, infested with parasites, has an infection of the skin mouth or eyes, or otherwise presents a threat to the public health.
2. The decision to remove or prohibit an emotional support animal from district schools is not intended to interfere with the rights of a student or parent and may be appealed to the District Administrator.

#### C. SCHOOL PREPARATION FOR EMOTIONAL SUPPORT ANIMALS

Upon approval, the Director of Pupil Services or designee shall arrange to:

1. Familiarize the emotional support animal with the school prior to the actual start date;
2. Familiarize the staff and students who may have contact with the emotional support animal on their role and behavioral expectations for the presence of an emotional support animal;
3. Establish a plan for the emotional support animal to urinate and defecate during all times the animal will be on school grounds or at a school activity;
4. Establish an evacuation plan for the emotional support animal and practice this plan during all evacuation drills;
5. Determine an appropriate rest time and place for the emotional support animal;
6. Determine alternative plans if the emotional support animal is not available to the student.
7. Determine alternative plans if the student is out of instructional control.

#### D. ELIGIBILITY OF AN EMOTIONAL SUPPORT ANIMAL FOR TRANSPORTATION

Emotional support animals are permitted to ride on a school bus pursuant to this policy and the approval of the Director of Finance and Operations in charge of transportation. It is the responsibility of the Director of Finance and Operations to make the bus company or personnel aware of the potential presence of an emotional support animal on the bus. The emotional support animal user or his/her parents must provide information to the bus driver and bus assistant regarding commands needed for daily interaction and emergency evacuation. The emotional support animal must enter the bus on the steps and not on a lift, unless the student uses the lift to enter and exit the bus. While the bus is in motion, the emotional support animal must remain positioned at the student's feet. It will be the determination of the Director of Finance and Operations if the emotional support animal should be secured on the bus by a tether or leash.

The emotional support animal may be excluded from the bus if:

1. The student is unable to control the emotional support animal's behavior, which poses a threat to the health or safety of others or the emotional support animal;
2. The emotional support animal urinates or defecates on the bus;
3. The emotional support animal is unable to remain positioned by the student's feet during transit.

The decision to remove the emotional support animal from the bus may be appealed to the District Administrator. If the emotional support animal is not allowed on the bus, the student shall be responsible for transport of the animal to and from school. If the student is removed from the bus, the emotional support animal may still attend school with the student if there are no violations incurred at the school as described in Section B of this policy.

Legal Ref: Section 504 of Rehabilitation Act of 1973

Cross Ref: Policy 459 Animals on School Premises; Policy 342.1 Programs for Students with Disabilities; 383.1, Service Animals in District Facilities, Policy 411 Equal Educational Opportunities

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