

Flowing Wells Unified School District Procedures for Use of Service Animals

The District will permit a student to utilize a service animal on campus only in accordance with these policies and procedures. A service animal is the personal property of the student. The District does not assume responsibility for training, daily care, or healthcare of service animals.

I. General Statement

A student's service animal is personal property and cannot be brought onto school property without prior knowledge and approval by the District. The student's need for and use of the service animal must be documented in the student's individual educational plan (IEP) or Section 504 plan, and information as set forth herein must be submitted to the principal at the site attended by the student pursuant to the procedures set forth in Section IV, below.

II. Definition of Service Animal

A. Arizona Revised Statutes §11-1024 defines a service animal as "any guide dog, signal dog or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing assistance in a medical crisis, pulling a wheelchair or fetching dropped items."

B. Section 35.104 of Title 28, Code of Federal Regulations (28 CFR 35.104), implementing the Americans with Disabilities Act, defines a service animal as "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. 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 handler'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 purpose of this definition."

C. Animals whose sole function is to provide emotional support, comfort, therapy, companionship, therapeutic benefits, or to promote general emotional well-being are not service animals. To be considered a service animal, the animal must be trained to perform tasks directly related to the person's disability.

III. Service Animal Standards of Behavior

It is critical to the safety and health of the District students, employees and parents that all service animals observe basic standards of behavior while on District property or being transported to and from District property on District-provided transportation. The service animal must not in any way interfere with the educational process of any student and must not pose a health or safety threat to any student, employee, or other persons. If the standards for behavior are not met, the service animal will be excluded or removed from the District's property. The behavioral expectations for the service animal and standards by which the request to use the service animal on school premises will be evaluated are as follows:

- A. Public appropriateness – The animal
 1. Is clean, well groomed, and does not have an offensive odor
 2. Does not urinate or defecate in inappropriate locations
- B. Behavior – The animal
 1. Does not solicit attention, visit, or annoy any member of the general public
 2. Does not disrupt the educational process
 3. Does not vocalize unnecessarily (i.e., barking, growling, or whining)
 4. Shows no aggression toward people or other animals
 5. Does not solicit or steal food or other items from the general public
- C. Training – The animal
 1. Is specifically trained to perform one or more tasks directly related to the student's disability
 2. Works calmly and quietly on harness, leash, or other tether
 3. Is able to perform its tasks in the school setting
 4. Must be able to lie quietly beside the handler without blocking aisles, doorways, etc.
 5. Is trained to urinate and defecate on command
 6. Stays within 24" of its handler at all times unless the nature of a trained task requires it to be working at a greater distance

IV. Procedures for Use of a Service Animal

- A. Initial Approval. In order to utilize a service animal on District property, a student shall provide to the principal at the site attended by the student the following:
 1. Current IEP or Section 504 plan demonstrating need for service animal
 2. Documentation that the service animal is appropriately registered in Pima County
 3. Current immunizations records for the service animal
 4. A current veterinary health certificate or report of veterinarian's examination (no more than one (1) year old)
- B. The principal will determine:
 1. Whether the service animal meets the standards for acceptance in the school setting
 2. Whether the student's IEP or Section 504 plan supports the need for a service animal in order to access educational services.

C. Exclusion or removal of service animal. Any complaints regarding the behavior, condition or training of the service animal shall be directed to the principal at the site attended by the student. The principal shall be responsible for determining if the service animal did not meet the standards set forth in Section III above. If the service animal did not meet these standards, the principal may determine that the service animal must immediately be removed from District property, may order that such removal be permanent, or may require that the service animal and/or handler receive additional training prior to returning the service animal to district property.

D. Appeals. The student may appeal the decision to remove the service animal from District property by filing a notice with the Director of Human Resources. The District is committed to investigating each complaint and to taking appropriate action. The Director of Human Resources shall investigate and document complaints filed pursuant to this regulation as soon as reasonable and within the timelines set forth below, and will maintain confidentiality to the extent reasonably possible. The complaint must be filed within thirty (30) calendar days after the event giving rise to the appeal. Once the written complaint has been filed, the Director of Human Resources shall require the principal to respond in writing to the complaining party within five (5) working days. If the principal does not respond, the Director of Human Resources will have ten (10) additional working days to respond in writing to the complaining party.

If the Director of Human Resources does not respond within the established time, then the complaining party may request in writing that the issue be brought before the Board. The Board will then review the record of the investigation and have thirty (30) days to respond to the complaining party in writing.

VI. Transportation of the Service Animal

In determining if a service animal is required at school for a student with a disability, the District may also need to provide for transportation of the student and the service animal. If District transportation of the service animal is required, the following procedures must be observed:

- A. Training
 - 1. The driver and assistant shall meet with the animal's owner. The owner is responsible for providing information to the driver and bus assistant regarding critical commands needed for daily interaction and emergency/evacuation.
 - 2. The animal's owner shall provide an orientation to students riding the bus with the service animal regarding the animal's functions and how students should interact with the animal.
 - 3. The service animal shall practice the bus evacuation drills with the student.
- B. Loading/Unloading
 - 1. The service animal shall board the bus by the steps, not on a lift.
- C. Seating Location
 - 1. The service animal shall be positioned on the floor, at the student's feet.

2. A representative of the Transportation Office will meet with the animal's owner to determine whether the service animal should be secured on the bus with a tether or harness.
- D. Cessation of Transportation. Situations that would cause cessation of transportation of the service animal include:
1. The service animal's behavior poses a direct threat to the health or safety of others.
 2. The service animal urinates or defecates on the bus.
 3. The service animal does not remain in the designated area.
- E. Resumption of transportation. If transportation is suspended due to any of the above reasons, transportation may be reinstated after additional training or medical issues are resolved. Parents should be informed of these consequences prior to the first day of transportation. The District will continue to transport the student, if otherwise required.

VII. Implementation Plan

If the District approves the use of a service animal at school, the District will work with the animal's owner/handler to:

- A. Familiarize the service animal with the campus prior to the actual start date.
- B. Orient the service animal to school faculty and students.
- C. Establish an educational program to educate others on proper behavior around a service animal.
- D. Establish a place for the service animal to urinate/defecate.
- E. Establish an evacuation plan to include the service animal and practice this plan.

VIII. Additional Considerations

The school and/or district should include the following in an implementation plan:

- A. Establish a resting place for the animal.
- B. Establish a rest time for the animal. Gym, lunch, and recess may be especially difficult school periods for a service animal to successfully endure.
- C. Implement a schoolwide educational program to educate others on how to behave appropriately around the service animal.
- D. Identify an alternate accommodation/plan in the event the animal's primary handler (if not the student) or the animal is not able to accompany the student with a disability to school.
- E. Provide parents with the District's written procedures for the use of service animals on District property.