

**USE OF SERVICE AND COMPANION ANIMALS IN THE SCHOOLS
BY INDIVIDUALS WITH DISABILITIES**

The Lake Country School District acknowledges its responsibility to permit students and adults with disabilities to be accompanied by a “service animal” in its building, classrooms, and at school-related functions, as required by the American with Disabilities Act (ADA). Service animals may also be permitted in particular circumstances under the Individuals with Disabilities in Education Act (IDEA) and Section 504 of the Rehabilitation Act (Section 504).

Definitions:

Service animal: A 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 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 except as provided for herein with respect to miniature guide horses. The service animal’s performance of such work or tasks must be directly to related to the individual’s disability.

The animal must be “individually trained” to do something that qualifies as work or a task. An animal that is merely a “pet” or “support animal” is not a service animal. There are no size or weight limitations on a service animal. For purposes of this definition, other species of animals, trained or untrained, are not service animals except for miniature guide horses.

Miniature guide horses that have been trained to do the aforementioned work or perform the aforementioned tasks that are directly related to the individual’s disability may be permitted under the terms of this policy, state and federal law. The district shall make reasonable accommodations to allow an individual with a disability to use a miniature guide horse as defined herein.

Work or tasks performed: The work or task performed 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 provision of emotional support, well-being, comfort or companionship or crime deterrent effects of an animal's presence do not constitute work or tasks for the purposes of this definition.

Companion animal: A companion animal is different from a service animal in that it does not perform a specific service to the student or adult, but provides emotional support. If a student's parent/guardian believes that their child requires the assistance of a companion animal that does not meet the legal definition of a service animal (e.g. therapy dog or emotional support dog) to effectively participate in the educational programs of the district, the parent(s)/guardians is expected to meet with the Director of Special Education to discuss the matter and receive approval. Approval will be made on a case-by-case basis. Companion animals shall not be used for an individual student; however, the District in its sole discretion may allow entrance and access to pre-approved therapy dogs in educational settings beyond that required by law.

Procedure

In regards to a service animal, staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform.

1. A request for a person with a disability to be accompanied by a service animal in school or at a school function must be made in writing to the Director of Special Education and delivered to the Director of Special Education at least 10 school days prior to bringing the service animal if this is intended to be a regular occurrence.
2. Staff may ask for the dog's license and document that was necessary for the provision of the license.
3. The person requesting to be accompanied by a service animal is responsible for the following:
 - a. Providing annual proof of the following vaccinations for service dogs: Rabies as well as any other required vaccinations required by the State of Wisconsin or Waukesha County, where the school resides.

Providing annual proof of the following vaccinations for service miniature horse: Equine Infectious Anemia (Coggins Test), Rabies, Tetanus, Encephelomyelitis, Rhinoneumonitis, Influenza and Strangles.

- b. Service animal is housebroken.
 - c. Service animal is kept clean and groomed to avoid shedding and dander.
 - d. Any liability for any harm or injury caused by the animal to other students, staff, visitors, and/or property and must provide proof of current liability insurance coverage as required by the School Board.
 - e. Using a harness, leash or other tether, unless either the handler is unable because of a disability to use the tether, or the use of the tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control
 - f. Care and supervision of the service animal including walking the animal or responding to the animal's need to relieve itself. If a student with a service animal is unable to care for or supervise the service animal, the parent is responsible for providing care and supervision of the animal. The District is not responsible for providing any care or assistance to the service animal.
1. Requests to permit a miniature horse to accompany a student or adult with a disability in school buildings, in classrooms or at school functions will be handled on a case-by-case basis, considering the following:
- a. The type, size and weight of the miniature horse and whether the facility can accommodate those features.
 - b. Whether the handler has sufficient control of the miniature horse.
 - c. Whether the miniature horse is house broken.
 - d. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for the safe operation of the facility.

If a request to permit a miniature horse to accompany a student or adult with a disability in school or at school functions is granted, the requirements of 1(b)-(f) above will apply.

In addition, the owner/handler will be required to provide annual proof of the following vaccinations: Equine Infectious Anemia (Coggins Test), Rabies, Tetanus, Encephelomyelitis, Rhinoneumonitis, Influenza and Strangles.

1. A service animal may be required to be removed from a school building, classroom or school function under any of the following circumstances:
 - a. The animal is out of control and the animal's handler does not take effective action to control it.
 - b. The animal is not housebroken.
 - c. The animal's presence would fundamentally alter the nature of the service, program or activity.

If a service animal has been required to be removed from school facilities or school sponsored activities, the owner may request reinstatement of the use of the service animal in school facilities or at school sponsored events. The request for reinstatement should be in writing to the Director of Special Education and should document the training or other measures that have been taken to address the reason(s) that the service animal was removed.

If a request for a service or companion animal to accompany a person with a disability in school building, in school classrooms or at school activities is denied, that decision may be appealed to the District Administrator within 5 days of the decision. A meeting will occur and a decision will be rendered within 5 days. If you disagree with the decision, you may appeal your decision to the Board of Education in writing.

Adopted by the School Board 2/17/15