

SERVICE ANIMALS (STUDENTS)

Code **JLCDD** Issued **9/20**

It is the desire of the board to ensure that individuals with disabilities are able to participate in and benefit from all district services, programs, and activities and that the district does not discriminate against individuals on the basis of disability. Students with disabilities will be permitted to utilize service animals in district buildings, on district property, and in vehicles that are owned, leased, or controlled by the district in accordance with this policy and administrative rule and applicable laws and regulations.

Because some individuals are highly allergic to or fearful of certain animals, and because animals have the potential to spread disease or behave in dangerous or unpredictable ways that can cause injury to persons with whom they come into contact, the superintendent or his/her designee will develop and disseminate procedures to implement this policy and accommodate students with disabilities requesting the use of a service animal. While the district will consider the available options and attempt to accommodate both the handler and the individual(s) with allergies/fears, etc., generally, these issues will not result in automatic exclusion or removal of a service animal.

A designated administrator will ensure that all individuals involved in a situation where a service animal will regularly accompany an individual with disabilities are informed of this policy and its accompanying procedures.

Definitions

Service animal means a dog 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, will not be authorized as a service animal, with the exception of miniature horses in limited instances outlined in law and regulation.

The work or tasks performed by a service animal will be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, the following:

- assisting an individual who is visually impaired with navigation and other tasks
- alerting an individual who is deaf or hard of hearing to the presence of people or sounds
- pulling a wheelchair
- assisting an individual during a seizure
- alerting an individual to the presence of allergens
- retrieving items such as medicine or a communications device
- providing physical support and assistance with balance and stability to an individual with mobility disabilities
- helping a person with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors

The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.

Handler means the individual responsible for caring for and supervising the service animal, which includes toileting, feeding, grooming, and veterinary care. The district is not obligated to supervise or otherwise care for a service animal.

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Request for Use of a Service Animal

A student with a disability, or a parent/legal guardian on behalf of the student, may request to bring a service animal to school for educational purposes as outlined in the administrative rule accompanying this policy.

Responsibilities of the Handler

Students with disabilities will be permitted to be accompanied by their service animal in all areas of the district facilities necessary for participation in services, programs, or activities. However, the district may impose legitimate safety requirements as necessary for the safe operation of its services, programs, or activities. Such requirements will be based upon actual risks, not on mere speculation, stereotypes, or generalizations about students with disabilities and/or service animals.

The handler of a service animal will be solely responsible for the following:

- supervision and care of the animal, including any feeding, exercising, cleaning up, and stain removal
- control of the animal at all times through the use of a harness, leash, tether, or by other effective means
- damages to district buildings, property, and vehicles caused by the animal
- injuries to students, staff members, volunteers, and visitors caused by the animal

Exclusion of a Service Animal

The service animal must be under the control of its handler at all times. The district may ask the handler to remove his/her animal from the premises if the animal is out of control and the handler does not take effective action to control it or if the animal is not housebroken. Additionally, if the presence of the animal poses a direct threat to the health or safety of others or would require a fundamental alteration to the services, programs, or activities of the district, the district may exclude the service animal.

Complaint Process

The following person has been designated to handle inquiries, questions, and grievances regarding the district's service animal policy:

Assistant Superintendent
205 King Street
Latta, SC 29565
Telephone: (843) 752-7101

Any individual who believes that he/she is being denied access to buildings or programs, or discriminated against based on disability, should contact:

Assistant Superintendent
205 King Street
Latta, SC 29565
Telephone: (843) 752-7101

Adopted 9/22/20

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Legal References:

- A. United States Code of Laws, as amended:
 - 1. Americans with Disabilities Act, 42 U.S.C.A. Section 12101, *et seq.*
 - 2. Individuals with Disabilities Education Act, 20 U.S.C.A. Section 1400, *et seq.*
 - 3. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. Section 701, *et seq.*