

SERVICE ANIMALS FOR STUDENTS AND EMPLOYEES

1.0 General Conditions

- 1.1 Only qualified individuals with disabilities are eligible to use service animals in school. Any person who believes he or she may be so qualified should address this issue with a building administrator.
- 1.2 "Service animal" means 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 but not limited to, guiding individuals with impaired vision and assisting individuals with impaired mobility.
- 1.3 This policy applies to the presence of special animals on school grounds, including exterior and interior property and school buses, and at school sponsored activities.
- 1.4 Use of a service animal by a student with a disability will be allowed in school when it has been determined that the student's disability requires such use for the student to have equal access to the services, programs, or activities being offered by the school.
- 1.5 Use of a service animal by an employee with a disability will be allowed when such use is necessary to enable the employee to perform the essential functions of his or her position, or to enable the employee to enjoy comparable benefits and privileges of employment as are enjoyed by other similarly situated employees without disabilities.
- 1.6 It shall be the responsibility of the individual with a disability to ensure the proper care and supervision of the service animal. The employee or, in the case of a student, the student's parents/guardians will be responsible for the training, feeding, grooming, or care of any service animal permitted to attend school under these procedures. The school department must approve any person who is authorized to assist in the care and supervision of the service animal.
- 1.7 All service animals will wear a harness/saddle bag, or vest that identifies them as service animals and will always be on a leash.
- 1.8 The employee, or in the case of a student, the student's parents/guardians, are liable for any damage to school or personal property and any injuries to individuals caused by the service animal.

2.0 Review of Service Animal Requests

- 2.1 The building administrator, in consultation with appropriate administrators, will make the decision to permit, exclude, limit, or remove a service animal under these procedures. In making such a decision, he/she will meet and discuss the issue with the employee making the request, or in the case of a student, with a student and the student's parents/guardians. This discussion should identify the precise limitations

resulting from the individual's disability and the ways in which the service animal may overcome those limitations.

- 2.2 The employee, or in the case of a student, the student's parents/guardians are required to provide the following in support of their request:
 - 2.2.a Documentation of adequate liability insurance;
 - 2.2.b Copy of current dog license;
 - 2.2.c Certification of current rabies and other vaccinations and certification of good health from a licensed veterinarian;
 - 2.2.d Certification of the service animal's training;
 - 2.2.e Appropriate documentation for any person besides the employee or student who is proposed to care for the service animal at school; and
 - 2.2.f Evidence that the employee or student can maintain appropriate care and control of the service animal in school.
- 2.3 If a service animal request is approved, the school department retains the right to require that updated or additional information be provided.
- 2.4 The school department may impose additional conditions based on the employee or student's particular circumstances and/or develop an individual plan regarding the service animal.

3.0 Removal or Exclusion of Service Animals from Schools

- 3.1 The school department may remove, limit, or exclude from the school any service animal for reasons such as the following:
 - 3.1.a The animal poses a direct threat to the health or safety of the student or others at school, causes a significant disruption of school activities, or otherwise jeopardizes the safe operation of the school;
 - 3.1.b The animal is unable to perform reliably the services for which it has been approved;
 - 3.1.c The animal is not under the full control of the student or employee with a disability;
 - 3.1.d The animal is a public health threat as a result of being infested with parasites, or having a communicable disease of the skin, mouth, or eyes;

- 3.1.e The animal lacks proof of current rabies and other appropriate vaccinations and/or is not properly licensed;
 - 3.1.f The animal is not properly trained to relieve itself outside the school building;
 - 3.1.g The animal's presence significantly impairs the learning of students;
 - 3.1.h The animal's presence fundamentally alters the nature of any school program;
or
 - 3.1.i The employee or, in the case of the student, the student's parents/guardians fail to provide or maintain current documentation required by this policy.
- 3.2 If the building administrator is considering excluding, limiting, or removing the animal for any of the reasons noted in 3.0 above, the building administrator will also discuss with the employee or the student and a student's parents/guardians what alternative methods may resolve the problems presented by the service animal. The building administrator may also discuss the issue with others who may be of help to him/her in making a decision.

Legal Reference: 42 U.S.C. § 12101 et seq.
36 C.F.R. § 104: 302
Maine Human Rights Commission Rule Chapter 7.01

Cross Reference: IMG

Adopted: October 2, 2008