

## USE OF SERVICE ANIMALS

- I. A service animal is an animal (primarily a 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. In order to be considered a service animal, the work or task the animal has been trained to provide must be directly related to the individual's disability. The District shall permit individuals with disabilities who require the assistance of a service animal to use that animal in District facilities and at school events under the conditions outlined in this policy.
- II. All service animals used in District facilities and at school events must be in compliance with legal requirements (e.g. be licensed and have required vaccinations) and be maintained under proper control.
- III. The District shall comply with the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, and any other applicable laws in implementing this policy. For any student who qualifies for service under the IDEA and/or Section 504, the student's Individualized Education Program (IEP)/Section 504 team shall meet and discuss whether the animal is a related service necessary for the student to effectively participate in the educational programs of the District. If it is, the animal shall be incorporated into the student's IEP/504 plan. The District shall also consider whether the animal shall have a harmful impact on other students or staff members or if the animal would pose a significant risk to the health and safety of others that cannot be eliminated by a modification of policies, practices or procedures.
- IV. The individual to be accompanied by a service animal is responsible for the following:
  - A. An animal shall be under the control of its handler at all times. An animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the animal's safe, effective performance of work or tasks, in which case the animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
  - B. Animals must have proper Wisconsin Licensure and be immunized against diseases common to that type of animal. All vaccinations must be current. Verification shall be required. Dogs must wear a rabies vaccination tag. [Wisconsin Statutes 95.21(2)(f)]
  - C. The care and supervision of an animal is solely the responsibility of the owner/keeper.

- D. Animals must be housebroken. Should an accident occur indoors, the owner/keeper of the animal must clean up after the animal. The owner/keeper of the animal is also responsible for clean-up outdoors on school property.
  - E. The animal is treated for and kept free from fleas and ticks.
  - F. The animal is kept clean and groomed to reduce shedding and dander.
  - G. The District strongly recommends that the individual obtain liability insurance coverage for any harm or injury caused by the animal to other students, staff, visitors, and/or property.
  - H. The District shall make reasonable accommodations if the presence of an animal results in health concerns for other individuals. These accommodations may include assignment of the student(s) to a different classroom in the District. Any person dissatisfied with a decision concerning a service animal can appeal that decision to the Superintendent or designee.
- V. Animal Separation/Removal**
- A. If an animal must be separated from the individual whom the animal is accompanying, it is the responsibility of that individual or the individual's family or guardian(s) to arrange for the care and supervision of the animal during the period of separation.
  - B. An individual with a disability may be asked to remove a service animal from the premises if:
    - 1. The animal is out of control and the animal's handler does not take effective action to control it; or
    - 2. The animal is not housebroken; or
    - 3. The animal's presence would fundamentally alter the nature of the service, program, or activity.
  - C. If an animal is properly excluded, the individual with a disability shall be given the opportunity to participate in the program, service or activity without having the animal on the premises.

**Legal References:**

Section 106.52(1)(fm), 106.52(3)(am), 118.13, 174.02(1)(a), 174.07(1), 95.21(2)(a) and (f), Wis. Stats.

ADA Regulations (28 C.F.R. Part 35)

Americans with Disabilities Act (ADA)

IDEA

Section 504 Rehabilitation Act

**Cross References:**

Board Policy 2260 Access to Equal Educational Opportunities

Board Policy 2460 Special Education

Administrative Guideline 8440 Animals in School Environments

Adopted: 3/09/15

The Port Washington-Saukville School District does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies: Director of Special Services, Port Washington-Saukville School District, 100 W. Monroe Street, Port Washington, WI 53074 - Duane.Woelfel@pwssd.k12.wi.us