

CULLMAN COUNTY BOARD OF EDUCATION

PROCEDURES FOR RESPONDING TO AN REQUESTS FOR ANY INDIVIDUAL WITH A DISABILITY TO BRING A SERVICE ANIMAL TO SCHOOL AND/OR TO A SCHOOL FUNCTION

PURPOSE

The purpose of these procedures is to provide a system for responding to a request for an individual with a disability to bring his/her service animal to school and/or to a school function.

GENERAL STATEMENT OF PROCEDURES

The Cullman County Board of Education will comply with all state and federal laws, regulations and rules regarding the use of service animals by individuals with disabilities under appropriate circumstances.

DEFINITION OF A "INDIVIDUAL WITH A DISABILITY"

An individually with a disability is defined as an individual with a physical or mental impairment that substantially limits one or more of the major life activities, as defined by Section 504 of the Rehabilitation Act of 1973 (Section 504) or Title II of the Americans with Disabilities Act of 1990 (ADA).

DEFINITION OF A "SERVICE ANIMAL"

As defined by Alabama Law and federal regulations implemented under Title II of the Americans with Disabilities Act (ADA), a service animal includes any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for purposes of this definition. (Note: The ADA regulations as to service animals also include "miniature horses" in appropriate circumstances).

DEFINITION OF "WORK OR TASKS" PERFORMED BY A SERVICE ANIMAL

The work or tasks performed by a service animal must be directly related to the individual with a 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 effect of an animal's presence and/or the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for purposes of these procedures.

PERSONS TRAINING A SERVICE ANIMAL

An individual training a service animal is entitled to the same privileges granted to an individual with a disability.

PROCEDURES/REQUIREMENTS

A request to bring a service animal to school and/or a school function by or on behalf of an individual with a disability is subject to the following procedures and requirements:

1. The District may ask if the animal is required because of a disability and what work or task the animal has been trained to perform. The District will not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. The District will not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (*e.g.*, the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).
2. Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the District's facilities where students, faculty, members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go, without prior notice to the District.
3. The District can require proof of immunization and all animal licensing and registration requirements under applicable Alabama and local law. In addition, individuals who have service animals are not exempt from local animal control or public health requirements. If the District is not provided proof of immunization as required by Alabama or local law, the District may refuse to allow the individual to bring the service animal to school and/or a school function.
4. A service animal shall be under the control of its handler. A service 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 the harness, lease, or other tether would interfere with the service animal's safe, effective performance or work or tasks, in which case the service animal must be otherwise under the handler's control (*e.g.*, voice control, signals, or other effective means).
5. The District is not responsible for the care or supervision of a service animal.
6. The District may ask the individual with a disability to remove a service animal from the premises if:
 - a. the animal is out of control and/or the animal's handler does not effectively control (*e.g.*, voice control, signals, or other effective means) the animal's behavior; or
 - b. the animal is not housebroken.

If the District excludes or removes a service animal consistent with the provisions of this paragraph, the individual shall be provided the opportunity to participate in the service, program, or activity *without* having the service animal on the premises.

7. The District will not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. If the District normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by his or her service animal.
8. If it is determined that the individual will not be allowed to bring his/her service animal to school and/or a school function, that determination will be considered a grievable discrimination issue and subject to the District's grievance or complaint procedures.

Authority: 4.12 Service Animals - *Cullman County Commission on Education Policy Manual*