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<p><u>636.</u> Adopted 4/27/11</p>	<p>From time to time, there may be educational reasons for animals to be brought into the school setting, or there may be a need for a student or staff member to be assisted by a service animal. This policy will provide guidance to district and school administrators regarding the presence of animals in schools.</p> <p>School principals shall utilize guidance published by the Massachusetts Department of Public Health to determine whether certain animals may be allowed in school for special presentations or other educational purposes. Principals shall consult with the nursing staff at their school at their discretion in order to consider the potential impact of animals on students with known allergies. Principals shall also consider the general safety and well being of the school community when deciding whether to permit the presence of animals for educational purposes and whether conditions will be placed on the presence of animals. The decision of the principal whether to permit the presence of an animal or animals shall be final.</p> <p>The Shrewsbury Public Schools acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a “service animal” in its school buildings, in classrooms, and at school functions, as required by the Title II of the Americans with Disabilities Act and its implementing regulations found at 28 CFR Part 35, subject to the following:</p> <ol style="list-style-type: none"> <li>1. All requests for an individual with a disability to be accompanied by a service animal must be addressed in writing to the Superintendent of Schools and must contain required documentation of vaccinations. The written request must be delivered to the Superintendent of School’s Office at least 10 business days prior to bringing the service animal to school or a school function.</li> <li>2. Only a dog or a miniature horse may qualify as a service animal pursuant to Title II of the ADA. No other species of animal, whether wild or domestic, will be permitted in schools as a “service animal”.</li> <li>3. Owners of a service animal must provide annual proof that the animal is up to date on all of its required vaccinations as determined by the animal’s veterinarian, or, if such proof is not available, then as determined by the school district’s veterinarian of choice. In order to provide the required proof, the animal’s veterinarian must certify in writing, signed by him/her, that all vaccinations are current.</li> <li>4. All service dogs must be spayed or neutered.</li> <li>5. All service animals must be treated for, and kept free of, fleas and ticks.</li> <li>6. All service animals must be kept clean and groomed to avoid shedding and dander.</li> <li>7. Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property. The student’s parents or legal guardian will be required to sign a waiver of liability prior to the service animal coming to the school or to the school sponsor’s activity.</li> <li>8. The animal must be “required” by the individual with a disability. The animal must be “individually trained” to do work or a task for the individual with a disability. The task performed by the service animal must address one of the following needs for the disabled individual: physical, sensory, psychiatric, intellectual and other mental disability.</li> <li>9. For students on an IEP or 504 plan, if a request is made to allow the student to have a service animal at school or at a school-sponsored function, the IEP or 504 Team will consider the request, and whether it can provide services and/or accommodations that would serve the stated purpose of the service animal. If the Team determines that it can and proposes alternative accommodations and/or services, then the request to allow a service animal may be denied. The determination will be made on a case by case basis.</li> </ol> <p style="text-align: right;">Continued on next page.</p>	

10. The school district is responsible for providing a safe learning environment for students, teachers and staff. If the presence of a service animal poses a health or safety risk to another member of the community, as documented by a physician, the school will weigh the needs of all parties and will put forth a plan to provide reasonable accommodations. This scenario is most likely to be raised in the context of a severe, life threatening allergy. The school district will assess each situation on a case by case basis and may exclude the service animal if the animal's presence poses a threat to the health, safety and well-being of anyone who will potentially come in contact with the service animal.
11. Special Provisions/ Miniature Horses: Requests to permit a miniature horse to accompany a student or adult with a disability in school buildings, in classroom, or at school functions, will be handled on a case-by-case basis considering:
  - a. The type, size and weight of the miniature horse and whether the facility can accommodate these features.
  - b. Whether the handler has sufficient control of the miniature horse.
  - c. Whether the miniature horse is housebroken.
  - d. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.
12. Removal of a Service Animal: A school administrator may ask an individual with a disability or his parents to remove a service animal from a school building, a classroom, or from a school function if any one of the following circumstances occurs:
  - a. The animal is out of the control of the animal's handler 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.
13. A service animal must have a harness, a 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 service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control.
14. The school system is not responsible for providing a staff member to walk the service animal or to provide other care or assistance to the animal.
15. Students with service animals are expected to care for and supervise their animal. In the case of a young child or a student with disabilities who is unable to care for or supervise his animal, the parent is responsible for providing care and supervision of the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis at the discretion of the building administrator.

Reference: ADA Regulation, 28 CFR Part 35 (as amended, 2010)

If the service animal does not meet this requirement at any time, the service animal may be removed by the school district. All costs associated with such removal and boarding, if necessary, will be borne by the owner of the service animal. The service animal will not be permitted to return to school property or any school activity until all costs associated with its removal have been paid.

See Footnote #1.

Adopted 4/27/11