

Board Policy

Code No. 105

ASSISTANCE ANIMALS

It is the policy of Bettendorf Community School District to foster an accessible education environment for all students, employees, and community members. The district shall allow the use of qualified service animals and assistive animals to accompany individuals with disabilities in all areas of district buildings where the public is normally allowed to go. This includes classrooms, cafeterias, school buses, and other areas open to the public.

An individual with a disability is a person who has a physical or mental impairment that substantially limits one or more major life activity.

Service animals are dogs trained to do work or perform tasks for individuals with disabilities. In some instances, miniature horses trained to do work or perform tasks for individuals with disabilities may also be service animals.

Assistive animals are simians or any other animal specially trained or in the process of being trained to assist a person with a disability.

Service animals and assistive animals must be current on all required vaccinations. Service animals and assistive animals also must be under control while on district grounds. The animal may be under control by either the individual with a disability or a handler of the service or assistive animal. Under control means harnessed, leashed, or tethered, unless these devices interfere with the animal's work, in which case the animal must be under voice, signal, or other effective control.

Miniature Horses as Service Animals

Miniature horses shall be allowed as service animals within the district when it is reasonable to allow them. Factors to consider when determining reasonableness include: whether the miniature horse is house broken; whether the miniature horse is under the owner's control; whether the facility can accommodate the miniature horse's type, size, and weight; and whether the miniature horse's presence will compromise legitimate safety requirements necessary for safe operation of the facility.

Establishing the Need for a Service Animal

When no prior notice is given to the district of the use of a service or assistive animal, the Superintendent and/or school administrators are permitted to ask the following questions:

“Do you need/require this animal because of a disability?”

If the animal's trained tasks are not readily apparent, the Superintendent or administrator may ask:

“What work or task has the animal been trained to perform?”

Service and Assistive Animals in training

Assuming the individual and animal are otherwise allowed, an individual who trains service and/or assistive animals will also be allowed access with the service/assistive animal in training to public areas of district buildings and property. The service or assistive animal in training is expected to abide by the same requirements as a service or assistive animal.

Exclusion of Service and Assistive Animals

In certain limited circumstances, it may be reasonable to exclude the use of a service or assistive animal from district property. The Superintendent is permitted to exclude service and assistive animals in the

following circumstances: the presence of the animal poses a direct threat to the health and safety of others; the owner or handler is unable to control the animal; the animal is not house broken; the presence of the animal significantly disrupts or interferes with the educational process; or the presence of the animal would require a fundamental alteration to the program. If a service or assistive animal is properly excluded from district property, the district shall provide the student, employee, or community member served by the animal the opportunity to participate in the program, service, or activity without having the service animal on district property.

Employee use of Therapy Animals as part of Education Environment

Before permission to use therapy animals is granted, staff members must provide:

- 1. Proof that the animal is certified to be a therapy animal;*
- 2. An explanation of how the animal will be used, including research supporting the use of therapy animals;*
- 3. A plan for how the staff member will provide for the care and control of the animal;*
- 4. A plan for how the staff member will accommodate students with allergies to the animal; and*
- 5. A current vaccination certificate for the animal.*

Legal References: 29 U.S.C. §794
 42 U.S.C. §12132
 28 C.F.R. 35
 Iowa Code §216C

Cross References: 606.3 Animals in the Classroom

Approved: September 4, 2018

Reviewed

Revised

