

Instruction

Administrative Procedure – Service Animal Access Requests

A student with a disability, as defined under the *Individuals With Disabilities Education Act* (“*IDEA*”) or Section 504 of the *Rehabilitation Act of 1973* (“Section 504”), is permitted to have a service animal, as defined in this Administrative Procedure, to accompany that student to all school and school-related functions, whether in or outside the classroom. The student’s right to have a service animal at school and school-related functions must be carefully balanced with the rights of other students and staff members. District personnel shall use this procedure to determine whether a request for a service animal to accompany a student with a disability at school and school-related functions will be granted.

Definitions

Service Animal – A dog or miniature horse that is individually trained to perform tasks or work for the benefit of a student with a disability.

Handler – An individual who has and maintains control over the service animal at school and school related functions. This individual may be the student using the service animal. Control of the service animal means using a harness, leash, or other tether, unless the handler is unable because of a disability to use one of these devices or their use would interfere with the service animal’s safe, effective performance of work or tasks. If or when these devices are not used, control of the service animal must be accomplished through voice control, signals, or other effective means. The school is not responsible for handling, caring for or cleaning up after the service animal.

Adult Handler - The adult who has been trained to handle and control the service animal (if the student is unable to do so due to his/her disability) and has agreed to handle and control the service animal at school and school-related functions.

Direct Threat – A significant risk to the health and safety of others posed by the service animal that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services. The determination of whether the service animal poses a direct threat must be based upon that particular animal’s actual behavior or history and not upon speculations, generalizations or stereotypes.

Fundamental Alteration – A change so significant that it alters the essential aspect of the program or activity.

Actor	Action
Parent/Guardian	<p>Informs the School District of the request for a service animal to accompany his/her child with a disability to school and/or school-related functions.</p> <p>May provide the School District with written documentation/information about the service animal’s training as requested (but may not be required) by District.</p> <p>Provides the School District with (1) information about the work or task(s) that the animal has been trained to perform for the student; and</p>

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	<p>(2) documentation of the animal’s rabies/vaccination status and any locally-required registration(s).</p> <p>Completes 6:120-AP3, E1, <i>Request for a Service Animal to Accompany a Student in School Facilities</i>.</p> <p>Cooperates with the District to successfully incorporate the service animal into the educational environment.</p>
<p>Superintendent or designee</p>	<p>Discusses this procedure with the Building Principal, other appropriate administrative and special education staff, and the Board Attorney.</p> <p>The Board Attorney will be a necessary participant in the District’s efforts to manage the issues presented by service animals being used in school facilities. The Superintendent may authorize the Building Principal to consult with the Board Attorney directly as needed for this issue.</p> <p>Contacts the District’s insurance carrier(s) to assess coverage for issues involving service animals, including but not limited to the presence and actions of the service animal and adult handler, if any.</p> <p>Consults with the Building Principal and Special Education Director and/or Coordinator to determine whether the student has been identified as a student with a disability under the IDEA or Section 504.</p> <ul style="list-style-type: none"> • If the student has not been identified as a student with a disability, refers the student to a building-level team to consider whether an evaluation is warranted under the IDEA or Section 504. • If it has been previously determined that the student is not eligible for special education and related services under the IDEA or Section 504, denies the service animal access request. • If the student has been found IDEA or Section 504 eligible, determine whether the requested animal meets the definition of a service animal. <p>Requests (but may not require) the parents/guardians to provide written documentation/ information about the animal’s training.</p> <p>Also requests the parents/guardians to (1) identify the work or task(s) that the animal has been trained to perform for the student; and (2) to provide documentation of the animal’s rabies/vaccination status and any locally-required registration(s).</p> <p>Consults with the Building Principal and Special Education Director and/or Coordinator and reviews the completed Service Animal Access Request form to determine whether the service animal (1) is housebroken, (2) is under the control of the student or adult handler, and</p>

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	<p>(3) poses a direct threat to the health or safety of any individual in the school or at a school-related function.</p> <p>Within ten (10) days after receiving the request, decides whether the service animal access request will be granted or denied.</p>
Building Principal	<p>When notice of the need for a service animal in a school facility is provided:</p> <p>Consults with the school nurse regarding any known allergies among students attending the school.</p> <p>Consults with school personnel about their known allergies to the service animal.</p> <p>Consults with the school personnel about any other known dangers relative to the presence of an animal in the school building(s).</p> <p>Consults with school personnel regarding alterations to the school program caused by the service animal.</p> <p>May consult with a medical doctor, a service animal trainer or other relevant expert as the school principal or superintendent deems necessary.</p> <p>When service animal access is allowed:</p> <p>Permits the service animal to accompany the student to school and school-related functions if the service animal will perform tasks for the benefit of a student with a disability, and all of the criteria in 6:120-AP3, E1, <i>Request for a Service Animal to Accompany a Student in School Facilities</i>, have been met and continue to be met.</p> <p>Ensures that the District conducts a criminal background check on the adult handler at no cost to the parent/guardian. See 6:250-AP, <i>Securing and Screening Resource Persons and Volunteers</i>, and 6:250-E, <i>Volunteer Information Form and Waiver of Liability</i>.</p> <p>Gathers input from school personnel, the student’s parent/guardian, and the adult handler, if any, and creates a plan for:</p> <ol style="list-style-type: none"> 1. Integrating the service animal into the student’s classroom(s), school environment (assemblies, cafeteria, library, etc.), and school-related activities; and 2. Meeting the service animal’s basic needs during the school day, such as where the student or adult handler will take the animal to urinate and defecate, how the student or adult handler will dispose of the waste, and if and where the student or adult handler will provide water and/or food to the animal.

Actor	Action
	<p>Manages identified competing interests posed by the service animal's presence at school or school-related functions by:</p> <ol style="list-style-type: none"> 1. Consulting the Board Attorney. 2. Minimizing/eliminating contact between any allergic students and/or school personnel and the service animal. 3. Creating a method to monitor identified competing interests. 4. Responding to future unidentified competing interests and managing them immediately. 5. Reasonably modifying any other conditions as the facts of the situation require. <p>Facilitates the dissemination of accurate information about the presence of the service animal at school while maintaining student privacy rights. See Policy 7:340, <i>Student Records</i>.</p> <p>The communication should inform other students and their parents/guardians about the presence of a service animal and adult handler, if any, at school and school-related functions.</p> <p>May prepare a list of frequently asked questions with answers to address anticipated questions from school personnel, other students, parents/guardians, and the community.</p> <p>Educates students, staff, and the community about service animals and the consequences for mistreatment of animals. See Humane Care of Animals Act (510 ILCS 70/4.03, 70/4.04, and 70/7.15: makes it unlawful to meddle or tamper with a service dog or to tease, strike or mistreat one); White Cane Law (775 ILCS 30/3: makes it unlawful to interfere with the rights of a disabled person); Guide Dog Access Act (720 ILCS 630/1: makes it unlawful to deny right of entry and use of facilities of any public place of accommodation).</p> <p>Directs the parents/guardians to remove the service animal from the premises if it (1) is out of control and the student or adult handler does not take effective action to control it; (2) poses a direct threat to the health and safety of others; (3) is not housebroken; or (4) fundamentally alters the school program.</p> <p>If needed, creates a plan for transportation of the service animal on school sponsored transportation including the animal's seating location and tethering, loading and unloading the service animal, balancing competing interests posed by the service animal's presence on the school bus or other transportation, and safety considerations.</p> <p>If an animal arrives at school without prior notice and approval: Contacts the student's parent/guardian and requests that the service animal be retrieved immediately.</p>

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	<p>Identifies a separate area/room for the student and animal to remain until the parent/guardian removes the animal.</p> <p>Informs school personnel that the student will not be in class until the animal is removed by the parent/guardian.</p> <p>Contacts Animal Control if the Principal or designee believes the animal is out of control, poses a direct threat to health or safety or is sick; if the parents/guardians cannot be reached and do not come to retrieve the animal immediately.</p> <p>Informs the parent/guardian upon retrieval of the animal of the requirements in this procedure.</p>
Board of Education	Charges the parents/guardians for any damage(s) caused by the service animal.

LEGAL REF.:

105 ILCS 5/14-6.02.
 Human Care for Animals Act, 510 ILCS 70/
 Service Animal Access Act, 720 ILCD 630/
 Illinois White Cane Act, 775 ILCS 30/
 28 C.F.R. Part 35
 28 C.F.R. §36.104.
 34 C.F.R. Parts 100 and 300.