

It is the policy of the Cedar Falls Community School District to foster an equal educational environment for all students, employees and community members within the district. The District shall comply with all state and federal laws, regulations, and rules regarding the use of service animals by staff or students with a qualifying disability. The District shall allow the use of service animals to accompany individuals with disabilities in all areas of District property where the individual is normally allowed to go. This may include, but is not limited to classrooms, cafeterias, and school buses. Individuals with disabilities are people who have a physical or mental impairment that substantially limits one or more major life activities.

Service Animals

Service animals are dogs and in some instances miniature horses trained to do work or perform tasks for individuals with disabilities. Service animals do not include any animal other than a dog or a miniature horse; wild animals, farm animals and rodents, or animals whose sole function is to provide emotional support, comfort, therapy, companionship, therapeutic benefits, or to promote emotional well-being are specifically excluded from this policy.

Service animals must be current on all required vaccinations. Service animals also must be under control at all times while on District property, either by the individual with a disability, or by a handler of the service animal. "Under control" means that the animal is harnessed, leashed, or tethered, unless these devices interfere with the animal's work or are impractical due to the individual's disability, in which case control may be established using voice, signal, or other effective means to maintain control.

Service animals will be allowed in District transportation vehicles only when the service animal is under the control of its handler, including while entering and exiting the vehicle.

Miniature Horses as Service Animals

Miniature horses shall be allowed as service animals within the District whenever it is reasonable to allow them. Factors to consider when determining reasonableness include:

- whether the animal is housebroken;
- whether the animal is under control;
- whether the facility can accommodate the animal's type, size and weight;
- and whether the animal's presence will not 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 animal; The Superintendent or designee are permitted to ask only 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 designee may ask:

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

Service Animals in Training

Employees requesting to bring service animals in training to school must receive written approval from the Superintendent or designee. Approval will be granted on a case by case basis, within the Superintendent or designee's sole discretion. Employees who are granted approval to bring a service animal in training to work must be able to fully perform their job duties for the District at all times.

Employees who train service animals will be allowed access with their service animal in training to those areas of District buildings and property where the employee would otherwise be permitted to go. The service animal in training is expected to abide by the same requirements as a service animal, as set forth in this policy.

Exclusion of Service Animals

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

- The presence of the animal poses a direct threat to health and safety of others;
- the owner or handler is unable to control the animal;
- the animal is not house broken;
- the animal is ill;
- the animal is not clean or has a foul odor;
- 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 animal is properly excluded from district property, the District shall provide the individual served by the animal the opportunity to participate in the program, service, or activity without having the service animal on district property.

Liability

The individual with a disability (and/or his/her parent, where the individual is a minor) is liable for any damage to the District's property, personal property, and any injuries to individuals caused by their service animal to the same extent that a non-disabled individual who caused such damage would be held liable by the District. The District further assumes no liability for any illness or injury sustained by a service animal on District property. The individual with a disability (and the parent/guardian, if the individual is a student) who uses a service animal on school district property will indemnify and hold harmless the District and its officers, employees, agents, and assigns from any such damages.

Grievances

Denial of access of a service animal for an individual with a disability may be appealed to the District's Section 504 Coordinator.

Date of Adoption: