

	<b>ABERDEEN SCHOOL DISTRICT 6-1</b>	<b>NEPN Code: IMGA</b>
	<b>POLICIES AND REGULATIONS</b>	

## **SERVICE DOGS**

The Aberdeen School District acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a service dog in its school buildings, in classrooms, and at school functions as required by the Americans with Disabilities Act, 28 CFR Part 35, subject to the following:

### **DEFINITION**

A service animal, as defined by Title II and Title III of the ADA, means a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service dog must be directly related to the individual's disability or necessary to mitigate a disability. A therapy dog is not included in the definition of a service animal.

### **REQUIREMENTS/RESPONSIBILITIES OF SERVICE DOG OWNER**

1. Under Title II and III of the ADA, service animals are limited to dogs. However, reasonable modifications to allow individuals with disabilities to use miniature horses if they have been individually trained to do work or perform tasks for individuals with disabilities may be considered.
2. Use of a service dog by a qualified student with a disability will be allowed in school when it is determined that the student's disability requires such use in order to have equal access to the instructional program, school services and/or school activities.
3. The dog must be individually trained to do work or a task for the individual with a disability. A therapy dog is not a service dog for the purposes of these policies and procedures. Proof of certification of training is required.
4. A service dog must have a harness, leash, or other tether. If the handler is unable because of a disability or if the use of the restraint would interfere with the service dog's safe, effective performance of work or tasks, the dog must be under the handler's control using voice control, signals, or other effective means.
5. The Aberdeen Public School District and its employees are not responsible for the care or supervision of a service dog including feeding, exercising, taking outside for performance of excretory functions, and cleaning up.
6. Students with service dogs are expected to care for and supervise their dog. In the case of a young child or a student with disabilities who is unable to care for or supervise his/her service dog, the parent is responsible for providing care and supervision of the dog. Issues related to the care and supervision of service dogs will be addressed on a case-by-case basis at the discretion of the building administrator.
7. All service dogs must be kept clean and groomed to limit shedding and dander.
8. Owners of service dogs are liable for any harm or injury caused by the dog to other students, staff, visitors, and/or property.

## **ADMINISTRATIVE REVIEW OF SERVICE DOG**

1. All requests for an individual with a disability to be accompanied by a service dog must complete the written request form (NEPN Policy IMGA-E). The request form and other required documentation must be delivered to the Superintendent's office at least 10 working days prior to bringing the service dog to school. The form should be sent to:  
Aberdeen School District  
Superintendent  
1224 South 3<sup>rd</sup> Street  
Aberdeen, SD 57401
2. Owners of a service dog must properly license and vaccinate in accordance with State law.
3. All service dogs must be spayed or neutered.
4. Certification of service dog training is required.
5. Verification of placid temperament (no history of aggression or biting) is required.

## **REMOVAL OF A SERVICE DOG FROM SCHOOL PROPERTY**

A school administrator may ask an individual with a disability or his/her parent/guardian to remove a service dog from a school building, a classroom, or from a school function if any one of the following circumstances occurs:

1. The dog is out of control and the dog's handler does not take effective action to control the animal.
2. The dog is not housebroken.
3. The dog's presence would fundamentally alter the nature of the service, program, or class activities.
4. The presence of the dog poses a direct threat to the health and safety of others.
5. The dog fails to consistently perform the function(s)/service(s) for which it has been trained.
6. If a service animal is removed or excluded, the individual with a disability shall still be provided the opportunity to participate in the service, program, or activity without having the service animal on the premises.

## **SERVICE DOGS AT SCHOOL-SPONSORED EVENTS OR ACTIVITIES**

Individuals with disabilities may be accompanied by their service dogs to events or activities open to the public that are held in schools or on school property. The use of a service dog may not be conditioned on the payment of a fee or security deposit, but the individual is liable for any damage done to the premises or facilities by such an animal.

The building administrator may revoke or exclude the service dog only if the animal poses a direct threat to the health and safety of others, the use of the dog would result in substantial physical damage to the property of others, or would substantially interfere with the reasonable enjoyment of the event or activity by others.

**REFERENCE:** AMERICANS WITH DISABILITIES ACT, 28 CFR PART 35

**ADOPTED:** July 13, 2015

**REVISED:** August 27, 2018