
Animals in School

Policy 1-105

Scope:

This policy applies to all District schools, facilities, programs, and activities. It governs the use of service animals.

Policy Statement:

The Governing Board recognizes that service animals play an essential role in enabling individuals with disabilities to participate fully in educational programs and school activities. The District will follow all state and federal law regarding service animals and emotional support animals for students, employees, parents/guardians, and visitors with disabilities.

Purpose

The Governing Board is committed to ensuring that individuals with disabilities have equal access to District programs, services, and activities. This policy establishes the District's commitment to permitting individuals with disabilities to be accompanied by service animals in accordance with federal and California law.

Equal Access:

The District shall permit service animals to accompany individuals with disabilities in all areas of District facilities where members of the public are allowed, subject to the requirements and limitations set forth in federal and state law.

- Individuals with disabilities shall not be denied access to District programs, services, or activities because they use a service animal.
- Service animals shall be permitted to accompany their handlers in all areas of District facilities where the public or program participants are normally allowed.
- To the extent required by law, the District shall make reasonable modifications to policies, practices, and procedures to accommodate service animals.

Adopted on: September 1, 2026
Revised on:

Page 1 of 6

The policies are developed in collaboration with the Small School Districts' Association for general informational, educational and procedural purposes only and are not intended to constitute legal advice for any specific situation.

Definition of Service Animal

Under the Americans with Disabilities Act (“ADA”), a service animal is defined as a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. In certain circumstances, miniature horses may also qualify as service animals. The work or tasks performed must be directly related to the individual’s disability.

Emotional support animals, comfort animals, and therapy animals are not considered service animals for visitors. However, emotional support animals may be permitted for students with disabilities and employees with disabilities on a case-by-case basis.

Handler Responsibilities

- The handler is responsible for the care, supervision, and control of the service animal at all times.
- Service animals must be housebroken and under the handler’s control through a harness, leash, or other tether, unless such devices interfere with the animal’s work or the individual’s disability prevents their use.
- The handler is responsible for any damage caused by the service animal and for the cleanup and disposal of the animal’s waste.

1. Limitations on Inquiries

When it is not readily apparent that a dog is a service animal, District staff may ask only two questions: (1) Is the dog a service animal required because of a disability? and (2) What work or task has the dog been trained to perform? Staff shall not require documentation, ask about the nature of the disability, or require the animal to demonstrate its task.

2. Exclusion of Service Animals

A service animal may be excluded from District premises as permissible by law, including if: (1) the animal is out of control, and the handler does not take effective action to control it; (2) the animal is not housebroken; or (3) the animal poses a direct threat to health or safety that cannot be mitigated by reasonable

modifications. If a service animal is properly excluded, the individual must be given the opportunity to participate in the program or activity without the animal.

3. Allergies and Fear of Animals

Allergies and fear of dogs are not valid reasons for denying access to individuals with service animals. The District shall make reasonable accommodations to address the needs of individuals with disabilities, allergies, or fears while ensuring equal access for the service animal handler.

Nondiscrimination and Complaints

The District prohibits discrimination against individuals with disabilities who use service animals. Any individual who believes the District has violated this policy or applicable disability rights laws may file a complaint through the District's Uniform Complaint Procedures (Board Policy and Administrative Regulation 2-204).

Students with Disabilities

Determinations regarding service and support animals for students with disabilities are made in accordance with the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, and all other state and federal law as applicable.

Complaint procedures for violation of federal and state special education laws are governed by Board Policy and Administrative Regulation 3-402f.

Employees with Disabilities

Determinations regarding assistive and support animals for employees with disabilities as reasonable accommodations are handled through the District's interactive process. The District will comply with all federal and state laws regarding assistive and support animals for employees.

Any complaints related to assistive and support animals for disabled employees as an accommodation are handled pursuant to Board Policy and Administrative Regulation 1-101.

Administrative Regulations

1. Definition of Service Animal

Under the Americans with Disabilities Act (28 C.F.R. § 35.104), a "service animal" means any dog that is 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.

- The work or tasks performed by a service animal must be directly related to the individual's disability. Examples include but are not limited to:
 - Guiding individuals who are blind or have low vision
 - Alerting individuals who are deaf or hard of hearing to sounds
 - Pulling a wheelchair
 - Assisting a person having a seizure

Service animals are working animals, not pets. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for purposes of this definition.

2. Miniature Horses

In certain circumstances, miniature horses that have been individually trained to do work or perform tasks for individuals with disabilities may also be permitted. The District shall assess requests for miniature horses on a case-by-case basis considering:

- Whether the miniature horse is housebroken
- Whether the miniature horse is under the handler's control
- Whether the facility can accommodate the miniature horse's type, size, and weight
- Whether the miniature horse's presence will not compromise legitimate safety requirements necessary for operation

The same requirements for service animals apply to miniature horses as well.

3. Access to District Facilities and Programs

To the extent required by law, service animals shall be permitted to accompany individuals with disabilities in all areas of District facilities and programs where members of the public, students, parents, or program participants are allowed to go.

4. Permissible Inquiries

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Page 4 of 6

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When it is not obvious that a dog is a service animal, District staff may ask only two questions:

- Is the dog a service animal required because of a disability?
- What work or task has the dog been trained to perform?

5. District staff shall not:

- Pet, feed, or otherwise interact with the service animal without the handler's permission
- Separate the service animal from the handler
- Assume responsibility for the care, feeding, or supervision of the service animal

When Service Animals May Be Excluded

A service animal may be excluded from District facilities or programs only under the following circumstances:

1. Animal is Out of Control

If the service animal is out of control and the handler does not take effective action to control it, District staff may request removal of the animal. The handler must be given the opportunity to gain control before the animal is excluded. If the handler is unable to control the animal, the District shall offer the person the opportunity to participate in the program or activity without the service animal.

2. Animal is Not Housebroken

If a service animal is not housebroken, it may be excluded. However, the handler must be given the opportunity to participate in the program or activity without the service animal.

3. Direct Threat to Health or Safety

If the service animal poses a direct threat to the health or safety of others that cannot be eliminated or reduced to an acceptable level through reasonable modifications to District policies, practices, or procedures, the animal may be excluded. This determination shall be based on an individualized assessment that considers:

- The nature, duration, and severity of the risk
- The probability that potential injury will actually occur
- Whether reasonable modifications of policies, practices, or procedures will mitigate the risk

The determination that a service animal poses a direct threat shall not be based on fear, speculation, or stereotypes about the animal's breed or past behavior.

Allergies and Fear of Animals

Allergies and fear of dogs are not valid reasons for denying access or refusing service to individuals with service animals. When a person who is allergic to dog dander or has another competing disability and a person who uses a service animal must spend time in the same room or facility, the District shall accommodate both individuals.