

BROWARD COUNTY PUBLIC SCHOOLS PROCEDURES FOR A SERVICE ANIMAL IN SCHOOL DISTRICT FACILITIES

All Principals/Department Heads and/or designees must comply with the following procedures for individuals (students, employees, volunteers, and/or visitors) with disabilities who are accompanied by a "service animal" in school district facilities (classrooms, school buildings, work locations and administrative sites) or at school/district sponsored events.

- A. A "service animal" is defined as any dog/minature horse that has been trained to do work or perform tasks for the benefit of an individual with a disability, including physical, sensory, psychiatric, intellectual, or other mental disability.
- B. The service animal must be a dog or, in specific circumstances, a miniature horse. No other species of animal, whether wild or domestic, will be permitted in school district facilities as a "service animal."
 - 1. The service animal must be "required" for the individual with a disability.
 - 2. The service animal must be "trained" to do work or a task for the individual with a disability. A "therapy animal" is not a "service animal" for the purposes of these procedures.
 - 3. Service Animal Standards of Behavior:
 - a. A service animal must not unreasonably or burdensomely interfere with the educational process or environment of any student and must not pose a health or safety threat to any student, employee, or other person. If the standards of behavior are not met, a Principal/Department Head and/or designee may be excluded for the following reasons:
 - i. Whether the service animal is out of control and the animal's handler does not take effective action to control it;
 - ii. If the service animal is not housebroken.
 - b. Training of the service animal
 - i. The service animal must be trained to perform a work or task to mitigate aspects of a disability;
 - ii. The service animal must have a harness, leash, or other tether, unless either the handler is unable because of his/her disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control.

4. The school district is not responsible for the care or supervision of a service animal.
 - a. The school district is not responsible for providing a staff member to walk the service animal for exercise or so that the animal can relieve themselves or to provide any other care or assistance to the service animal.
 - b. Students/Employees/Volunteers/Visitors, with a service animal are expected to care for and supervise their animal. In the case of a young child or a student with a disability who is unable to care for and supervise his/her service animal, a handler provided by the parent is responsible for providing care and supervision of the animal.

C. Service Animal Exclusions:

5. A service animal may be excluded from a District Facility for the following reasons:
 - a. The service animal is out of control and the animal's handler does not take effective action to control it
 - b. If the service animal is not housebroken.
6. If a service animal is legally excluded, the School District shall give the individual with a disability the opportunity to participate in the service, program, event or activity without having the service animal on the premises. 28 CFR § 35.136(c); F.S. 413.08.

D. Student Inquiries Related to a Service Animal

7. Notification that an individual with a disability will be accompanied by a service animal on a daily basis, can be addressed in writing at the time the service animal is brought to the District Facility. (Please use the attached Acknowledgement Form).

Note: Once the Notification is provided, the Principal must be informed and shall contact the District's Section 504 Liaison/Director of Student Support Services Department.

8. District representative may only make two inquiries to the Student/Employee/Visitor/Volunteer or service animal's handler to determine whether an animal qualifies as a service animal. 28 CFR §35.136 (f); F.S. 413.08:
 1. Is the animal a service animal required because of a disability?

2. What work or task has the animal been trained to perform?
 - a. A District representative may not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability {e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability). 28 CFR § 35.136(f).
 - b. No District representative shall ask about the nature or extent of a person's disability. 28 CFR §35.136(f); F.S. 413.08.
 - c. No District representative shall require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. 28 CFR §35.136(f).
9. Owner/Handler Responsibilities
 - a. The handler or owner of the service animal must submit a vaccination exemption or annual proof of vaccinations that meet veterinary requirements set forth in Florida law and applicable county ordinances and regulations, including but not limited to rabies vaccination, consistent with District requirements for all animals housed on District property or regularly brought onto District property. Florida Administrative Code (F.A.C.) 6A-2.0040; F.S. 828.30.
 - b. If the service animal's handler is not the student, the handler must have completed a Level I background screening, as outlined in the Volunteer Guidelines
 - c. The care or supervision of a service animal is the responsibility of the handler or individual owner. The District is not responsible for the care, supervision or handling of the service animal, including feeding or assisting with removing animal excrement. 28 CFR § 35.136(e); F.S. 413.08.
 - d. Handlers or owners of a service animal are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property, consistent with the liability for harm or injury caused by animals or pets of nondisabled persons; F.S. 413.08.
 - e. The parent/guardian of a student will be provided with guidelines and responsibilities regarding the service animal on school campus,

which will contain the information in items 1 through 10.

10. Student Implementation Plan: Upon receiving notification, the school will work with the student's parent and handler to:
 - a. familiarize the service animal and/or handler with the campus prior to actual start date;
 - b. orient the service animal to school faculty and students, particularly those in the student's classroom;
 - c. institute a schoolwide educational program to educate others on how to behave appropriately around the service animal;
 - d. establish a water or feeding break for the service animal;
 - e. establish a place for the service animal to urinate/defecate and a location for the handler to properly dispose the service animal's waste;
 - f. establish and practice a fire drill and an emergency evacuation plan to include the service animal
11. Transportation of service animals: If a student with a service animal uses district transportation services, the following provisions shall apply:
 - a. Training prior to the first transport of the student and the service animal:
 - i. The driver and any bus attendant shall meet with the service animal's owner. The owner is responsible for providing information to the driver and any bus attendant
 - ii. The service animal's owner shall ensure the service animal practices the bus evacuation drills with the student.
 - b. Cessation of Transportation. Situations that would cause cessation of transportation of the service animal include, without limitation, the following:
 - i. Whether the service animal is out of control and the animal's handler does not take effective action to control it;
 - ii. If the service animal is not housebroken.
12. Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

For additional questions or information regarding a request for a student with a disability

to be accompanied by a service animal, please contact the District's Section 504 Liaison/Director of the Student Services Department at 754-321-2460.

E. Employee & Volunteer Acknowledgement for Use of A Service Animal

13. All notifications that an employee/volunteer with a disability will be accompanied by a service animal can be addressed in writing and delivered to the Director, Equal Educational Opportunities/ADA Compliance and/or designee at 600 S.E Third Avenue, 14th Floor, Fort Lauderdale, Florida 33301. The notification must be at the time the service animal is brought to a school district facility. (Please see attached Acknowledgement Form)
14. Items 1 through 5, 8(a-e) above, of the Procedures for Service Animals in School District Facilities apply equally for employees and volunteers.

F. Visitor Acknowledgement for Use of A Service Animal

15. A Visitor with a disability accompanied by a Service Animal will be permitted to access a school district facility at District/School functions.
16. Items 1 through 5, 8(a-e) above, of the Procedures for Service Animals in School District Facilities apply equally for visitors.

For additional questions or information regarding employee, volunteer, or access for a visitor with a disability to be accompanied by a service animal, please contact the Director, Equal Educational Opportunities/ADA Compliance at 754-321-2150.