



SCHOOL BOARD OF BREVARD COUNTY, FLORIDA
School Board Policy Executive Summary
 Form D

Policy Number:	8390
Title of Policy:	Animals on District Property
Cabinet Member:	Christine Moore, Assistant Superintendent, Student Services
Purpose of Revisions:	The purpose of the proposed adoption of this policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. In addition, the proposed adoption of this policy promotes transparency and accountability.
Tentative Schedule:	<ul style="list-style-type: none"> • Cabinet – 12/16/19 • Work Session – 1/14/20 • Rule Development Workshop – 1/28/20 • School Board Meeting Information – 1/28/20 • School Board Meeting Approval – 2/11/20 • Effective Date – upon approval
Summary of Proposed Policy Revisions:	<ul style="list-style-type: none"> • This is a proposed new policy to address service animals on District Property for students, employees, parent/legal guardians, vendors, visitors, others, and other changes in compliance with applicable state and federal law. • There are currently a number of policies that mention animals on district property. The passage of this proposed new policy is in compliance with HB 71 in order to comply with F.S. 413.08 (titled, “Rights and responsibilities of an individual with a disability; use of a service animal; prohibited discrimination in public employment, public accommodations, and housing accommodations; penalties.”). • The proposed new policy includes a definition of service animal, clarifies a vaccination, licensing, veterinary requirements, eligibility for transportation of service animals, removing and/or excluding service animals and non-service animals on District Property. • New proposed Administrative Procedures 8390 Animals on District Property Procedures will be presented for approval related to this policy. • The proposed new policy reflect the requirements set forth in current State and Federal law.
Specific Authority:	§§381.0056, 413.08, 1001.41, 1006.22; F.S.; 28 C.F.R. 35.104, 28 C.F.R. 35.136, Section 504 of the Rehabilitation Act of 1973 (Section 504), The Americans with Disabilities Act (ADA), The Individuals with Disabilities Education Act (IDEA)
Next Steps:	<ul style="list-style-type: none"> • Approval of proposed Administrative Procedures 8390 Animals on District Property Procedures. • Revisions to internal procedures • Training for BPS employees regarding the new policy and associated procedures

**Current
Version**

**This is a
Proposed
New
Policy
for BPS**

Neola Template

Neola Template - BPS has not Adopted this Policy

8390 - ANIMALS ON DISTRICT PROPERTY

Introduction

The School Board recognizes that there are many occasions when animals are present on District property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents, vendors, and other members of the public may be accompanied at school by a service animal in accordance with Federal and State law and this policy.

This policy shall apply to all animals on District property, including service animals.

Definitions

- A. "Animal" shall be held to include every living dumb creature.
- B. "Service animal", pursuant to 28 C.F.R. 35.104 and F.S. 413.08, "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. 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 animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors, reminding an individual with a mental illness to take prescribed medications, calming an individual with posttraumatic stress disorder during an anxiety attack, or doing other specific work or performing other special tasks.. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition."

The Americans with Disabilities Act (ADA) and State law has also defined a miniature horse as an animal that can serve as a service animal, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. To better determine whether the Board must allow for the use of a miniature horse or make modifications to buildings, the Board should refer to Section 35.136 (c) through (h) of the ADA.

F.S. 413.08 also defines "service animal" as "an animal that is trained to perform tasks for an individual with a disability. The tasks may include, but are not limited to, guiding a person who is visually impaired or blind, alerting a person who is deaf or hard of hearing, pulling a wheelchair, assisting with mobility or balance, alerting and protecting a person who is having a seizure, retrieving objects, or performing other special tasks. A service animal is not a pet."

[NOTE: The following section should be included in the policy only if the District intends to require this of any animal brought onto District property for official purposes or on a regular/recurring basis]

[] Vaccination, Licensing and/or Veterinary Requirements

All animals housed on District property for any school purpose, such as to conduct random searches for illegal substances or to support classroom activities, or brought on District property on a regular basis for any purpose, including service animals, must meet every veterinary requirement set forth in State law and county regulation/ordinance, including but not limited to rabies vaccination or other inoculations required to be properly licensed. For example, all canines and cats must, at a minimum, be administered a rabies vaccine in accordance with F.S. 828.30.

Non-Service Animals in Schools and Elsewhere on District Property

Animals permitted in schools and elsewhere on District property shall be limited to those necessary to support specific curriculum-related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), or those that serve as service animals as required by Federal and State law.

Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the Principal may permit non-service animals to be present in classrooms to support curriculum-related projects and activities only under the following conditions:

- A. the staff member seeking approval to have a non-service animal in his/her classroom shall
 1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;
 2. take precautions deemed necessary to protect the health and safety of students and other staff;
 3. ensure that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and,
 4. keep the surrounding areas in a clean and sanitary condition at all times.
- B. other staff members and parents of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.

Except where required by law, the presence of a non-service animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.

Service Animals for Students

A service animal is permitted to accompany a student with a disability to whom the animal is assigned anywhere on the school campus where students are permitted to be.

A service animal is the personal property of the student and/or parents. The Board does not assume responsibility for training, daily care, or healthcare of service animals. The Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on Board property or at District-sponsored events.

A service animal that meets the definition set forth in the ADA, State law, and this policy shall be under the control of the student with a disability or, a separate handler if the student is unable to control the animal. A service animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a 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 student's control (e.g., voice control, signals, or other effective means), or under the control of a handler other than the student.

If the student with a disability is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Board policy.

If the animal's trainer intends or is required to be on school grounds when students are present, the trainer will be treated as a volunteer subject to Board policy.

Removing and/or Excluding a Student's Service Animal

If a service animal demonstrates that it is not under the control of the student or its handler, the Principal is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from school property.

Similarly, in instances when the service animal demonstrates that it is not housebroken, the Principal will be responsible for documenting such behavior and for determining that the service animal is to be removed and/or excluded from school property.

In instances when the service animal's behavior poses a direct threat to the health and safety of others, the Principal shall document such behavior and determine whether the service animal is to be removed and/or excluded from school property.

The Principal should notify the Superintendent when a service animal has been removed and/or excluded, and, immediately subsequent to such notification, document the reasons for the removal and/or exclusion.

The Principal's decision to remove and/or exclude a service animal from school property may be appealed in accordance with the complaint procedure set forth in Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity.

The procedures set forth in Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity do not interfere with the rights of a student and his/her parents or an eligible student to pursue a complaint of legally prohibited discrimination with the United States Department of Education's Office for Civil Rights, the Florida Civil Rights Commission, the Equal Employment Opportunity Commission, or the Department of Justice.

Eligibility of a Student's Service Animal for Transportation

A student with a disability shall be permitted to access School District transportation with his/her service animal. There may also be a need for the service animal's handler, if the handler is someone other than the student, to also access School District transportation.

When a service animal is going to ride on a school bus owned or leased by the District, the student and his/her parents, or eligible student, and the handler, if s/he is someone other than the student, shall meet with the () **Principal** () **Transportation Supervisor** () _____, and the driver and bus assistant, if any, to discuss critical commands needed for daily interaction and emergency/evacuation and to determine whether the service animal should be secured on bus/vehicle with a tether or harness.

At the discretion of the () **Principal** () **Transportation Supervisor** () _____, an orientation will take place for students and staff who will be riding the bus/vehicle with the service animal regarding the animal's functions and how students should interact with the animal.

The service animal shall board the bus by the steps with the student, not a lift, unless the student uses the lift to enter and exit the bus. The service animal must participate in bus evacuation drills with the student.

While the bus is in motion, the service animal shall remain positioned on the floor, at the student's feet. Situations that would cause cessation of transportation privileges for the service animal include:

- A. the student, or handler, is unable to control the service animal's behavior, which poses a threat to the health or safety of others; or
- B. the service animal urinates or defecates on the bus.

The student and his/her parents shall be informed of behaviors that could result in cessation of transportation privileges for the service animal, in writing, prior to the first day of transportation.

If it is necessary to suspend transportation privileges for the service animal for any of the above reasons, the decision may be appealed to the

() Transportation Supervisor.

() Principal.

() _____.

Although transportation may be suspended for the service animal, it remains the District's responsibility to transport the student. Furthermore, unless the behavior that resulted in the service animal's removal from the bus is also documented during the school day, the service animal may still accompany the student in school.

Service Animals for Employees

In accordance with Policy 1122.01, Policy 3122.01, and Policy 4122.01 Prohibition of Disability Discrimination in Employment, the District shall provide a reasonable accommodation for a qualified individual with disabilities with reasonable accommodation(s). An employee with a disability may request authorization to use a service animal while on duty as such an accommodation. The request will be handled in accordance with the ADA-mandated interactive process.

Service Animals for Parents, Vendors, Visitors, and Others

Individuals with disabilities who are accompanied by their service animals are permitted access to all areas of the District's facilities where members of the public, as participants in services, programs, or activities, as vendors, or as invitees, are permitted to go. Individuals who will access any area of the District's facilities with their service animals should notify the Principal that their service animal will accompany them during their visit.

An individual with a disability who attends a school event will be permitted to be accompanied by his/her service animal in accordance with Policy 9160 Public Attendance at School Events.

Any trainer of a service animal, while engaged in the training of such an animal, has the same right of access to public schools and the same liabilities for damage as is provided for those persons who are accompanied by service animals.

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Legal

28 C.F.R. 35.104

28 C.F.R. 35.136

F.S. 381.0056

F.S. 413.08

F.S. 1001.41

F.S. 1006.22

Section 504 of the Rehabilitation Act of 1973 (Section 504)

The Americans with Disabilities Act (ADA)

The Individuals with Disabilities Education Act (IDEA)

Cross References

po1122.01 - PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

po2260 - NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

po3122.01 - PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

po4122.01 - PROHIBITION AGAINST DISABILITY DISCRIMINATION IN
EMPLOYMENT

ap8390 - USE OF SERVICE ANIMALS

**Proposed
New
Policy**

8390 - ANIMALS ON DISTRICT PROPERTY

A. Introduction.

The Board recognizes that there are many occasions when animals are present on property owned or operated by the Board and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents/legal guardians, vendors, and other members of the public may be accompanied at school by a service animal in accordance with Federal and State law and this policy.

This policy shall apply to all animals on property owned or operated by the Board, including service animals.

B. Definitions.

1. **"Animal"** shall be held to include every living non-human creature.
2. **"Service animal"**, pursuant to 28 C.F.R. 35.104 and F.S. 413.08, 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. 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 animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors, reminding an individual with a mental illness to take prescribed medications, calming an individual with posttraumatic stress disorder during an anxiety attack, or doing other specific work or performing other special tasks. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

The Americans with Disabilities Act (ADA) and State law has also defined a miniature horse as an animal that can serve as a service animal, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. To better determine whether the Board must allow for the use of a miniature horse or make modifications to buildings, the Board should refer to Section 35.136 (c) through (h) of the ADA.

F.S. 413.08 also defines "service animal" as an animal that is trained to perform tasks for an individual with a disability. The tasks may include, but are not limited to, guiding a person who is visually impaired or blind, alerting a person who is deaf or hard of hearing, pulling a wheelchair, assisting with mobility or balance, alerting and protecting a person who is having a seizure, retrieving objects, or performing other special tasks. A service animal is not a pet.

C. Vaccination, Licensing, and/or Veterinary Requirements.

All animals housed on property owned or operated by the Board for any school purpose, such as to conduct random searches for illegal substances or to support classroom activities, or brought on property owned or operated by the Board on a regular basis for any purpose, including service animals, must meet every veterinary requirement set forth in State law and county regulation/ordinance,

including but not limited to rabies vaccination or other inoculations required to be properly licensed. For example, all canines and cats must, at a minimum, be administered a rabies vaccine in accordance with F.S. 828.30.

D. Non-Service Animals in Schools and Elsewhere on Property Owned or Operated by the Board.

1. Animals permitted in schools and elsewhere on property owned or operated by the Board shall be limited to those necessary to support specific curriculum- related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), or those that serve as service animals as required by Federal and State law. The principal or site administrator is authorized to determine what animals are permitted in these instances.
2. Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the principal or designee may permit non-service animals to be present in classrooms to support curriculum-related projects and activities only under the following conditions:
 - a. the staff member seeking approval to have an non-service animal in his/her classroom shall
 - i. take precautions deemed necessary to protect the health and safety of students and other staff;
 - ii. ensure that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and,
 - iii. keep the surrounding areas in a clean and sanitary condition at all times.
 - b. other staff members and parents/legal guardians of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.
3. Except where required by law, the presence of a non-service animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.

E. Service Animals for Students.

1. A service animal is permitted to accompany a student with a disability to whom the animal is assigned anywhere on the school campus where students are permitted to be.
2. A service animal is the personal property of the student and/or parents/legal guardians. The Board does not assume responsibility for training, daily care, or healthcare of service animals. The Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on property owned or operated by the Board or at District-sponsored events.
3. A service animal that meets the definition set forth in the ADA, State law, and this policy shall be under the control of the student with a disability or, a separate handler if the student is unable to control the animal. A service animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a 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 student's control (e.g., voice control, signals, or other effective means), or under the control of a handler other than the student.

4. If the student with a disability is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Board policy.
5. If the animal's trainer intends or is required to be on school grounds when students are present, the trainer will be treated as a volunteer subject to Board policy.

F. Removing and/or Excluding a Student's Service Animal.

1. If a service animal demonstrates that it is not under the control of the student or its handler, the principal or designee is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from school property.
2. Similarly, in instances when the service animal demonstrates that it is not housebroken, the principal or designee will be responsible for documenting such behavior and for determining that the service animal is to be removed and/or excluded from school property.
3. In instances when the service animal's behavior poses a direct threat to the health and safety of others, the principal or designee shall document such behavior and determine whether the service animal is to be removed and/or excluded from school property.
4. The principal or designee should notify the Superintendent or designee when a service animal has been removed and/or excluded, and, immediately subsequent to such notification, document the reasons for the removal and/or exclusion.
5. The principal's or designee's decision to remove and/or exclude a service animal from school property may be appealed in accordance with the complaint procedure set forth in Board Policy 2260 – Non-Discrimination and Access to Equal Educational Opportunity.
6. The procedures set forth in Board Policy 2260 – Non-Discrimination and Access to Equal Educational Opportunity do not interfere with the rights of a student and his/her parents/legal guardians or an eligible student to pursue a complaint of legally prohibited discrimination with the United States Department of Education's Office for Civil Rights, the Florida Civil Rights Commission, the Equal Employment Opportunity Commission, or the Department of Justice.

G. Eligibility of a Student's Service Animal for Transportation.

1. A student with a disability shall be permitted to access District transportation with his/her service animal. There may also be a need for the service animal's handler, if the handler is someone other than the student, to also access District transportation.
2. When a service animal is going to ride on a school bus owned or leased by the District, the student and his/her parents/legal guardians, or eligible student, and the handler, if he/she is someone other than the student, shall meet with the Transportation Supervisor, and the driver and bus assistant, if any, to discuss critical commands needed for daily interaction and emergency/evacuation and to determine whether the service animal should be secured on bus/vehicle with a tether or harness.
3. At the discretion of the Transportation Supervisor, an orientation will take place for students and staff who will be riding the bus/vehicle with the service animal regarding the animal's functions and how students should interact with the animal.
4. The service animal shall board the bus by the steps with the student, not a lift, unless the student uses the lift to enter and exit the bus. The service animal must participate in bus evacuation drills with the student.

5. While the bus is in motion, the service animal shall remain positioned on the floor, at the student's feet.
6. Situations that would cause cessation of transportation privileges for the service animal include:
 - a. The student, or handler, is unable to control the service animal's behavior, which poses a threat to the health or safety of others; or
 - b. The service animal's behavior poses a direct threat to the health or safety of others.
 - c. The service animal urinates or defecates on the bus.
 - d. The service animal does not remain in the designated area.
7. The student and his/her parents/legal guardians shall be informed of behaviors that could result in cessation of transportation privileges for the service animal, in writing, prior to the first day of transportation.
8. If it is necessary to suspend transportation privileges for the service animal for any of the above reasons, the decision may be appealed to the Transportation Director.
9. Although transportation may be suspended for the service animal, it remains the District's responsibility to transport the student. Furthermore, unless the behavior that resulted in the service animal's removal from the bus is also documented during the school day, the service animal may still accompany the student in school.

H. Service Animals for Employees.

In accordance with Board Policy 3122 Equal Employment Opportunity, the District shall provide a reasonable accommodation for a qualified individual with disabilities with reasonable accommodation(s). An employee with a disability may request authorization to use a service animal while on duty as such an accommodation. The request will be handled in accordance with the ADA-mandated interactive process.

I. Service Animals for Parents/Legal Guardians, Vendors, Visitors, and Others.

1. Individuals with disabilities who are accompanied by their service animals are permitted access to all areas of the District's facilities where members of the public, as participants in services, programs, or activities, as vendors, or as invitees, are permitted to go. Individuals who will access any area of the District's facilities with their service animals should notify the principal or site administrator that their service animal will accompany them during their visit.
2. If it is not readily apparent that the service animal is performing a task for a person with a disability, principals or site administrators may only ask the following questions of those parents/legal guardians, vendors, visitors, or others who bring a service animal onto property owned or operated by the Board:
 - a. Is the animal required because of a disability?
 - b. What work or task has the animal been trained to perform?
3. An individual with a disability who attends a school event will be permitted to be accompanied by his/her service animal in accordance with Board Policy 9160 Public Attendance at School Events.

4. Any external (non-employee) trainer of a service animal, while engaged in the training of such an animal, has the same right of access to public schools and the same liabilities for damage as is provided for those persons who are accompanied by service animals.

Adopted _____

Legal

F.S. 381.0056

F.S. 413.08

F.S. 1001.41

F.S. 1006.22

28 C.F.R. 35.104

28 C.F.R. 35.136

Section 504 of the Rehabilitation Act of 1973 (Section 504)

The Americans with Disabilities Act (ADA)

The Individuals with Disabilities Education Act (IDEA)

Cross References

po2260 – NON-DISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

ap8390 - USE OF SERVICE ANIMALS

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**Proposed
Administrative
Procedures**

8390 – ANIMALS ON DISTRICT PROPERTY PROCEDURES

A. General Information

1. A service animal is any dog, or miniature horse if deemed appropriate, that is individually trained to perform specific tasks for the benefit of an individual with a disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The tasks may include, but are not limited to, guiding a person who is visually impaired or blind; alerting a person who is deaf or hard of hearing; pulling a wheelchair; assisting with mobility or balance; alerting and protecting a person who is having a seizure; retrieving objects; or performing other special tasks. A service animal is not a pet. The use of a service animal could be a reasonable accommodation for a student with a disability on a school campus.
2. Service animals do not include animals whose sole function is to provide emotional support, comfort, therapy, companionship, therapeutic benefits, or to promote emotional well-being. The work or tasks performed by a service animal must be directly related to the student's (handler's) disability. Unless the animal is individually trained to do something that qualifies as work or a task, the animal is a pet or support animal and does not qualify for coverage as a service animal.

B. Approval Process for a Service Animal to Be On District Property

1. Parent/Legal Guardian completes the Request/Agreement to Use a Service Animal form and submits the form to the Principal. If the student is eighteen (18) years of age or older and emancipated, the student must complete this request form.
2. The parent/ legal guardian provides a copy of the current health certificate or report of examination to include current vaccination compliance from a Doctor of Veterinary Medicine. The District shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.
3. A service animal is personal property and cannot be brought onto a school campus without prior written approval from the District's designated Service Animal Review Team (SART) consisting of the Principal, Area Superintendent, and the District Section 504/ADA Coordinator. If the student is not the primary handler for the service animal, the handler must be qualified to be on a school property and must have passed the appropriate background checks if that handler is routinely around other students on School District property. When the school receives the written request, the SART team reviews the documents and either approves or disapproves the request.
4. The Principal or designee may ask the following questions:
 - a. Is the animal required because of a disability?
 - b. What work or task(s) has the animal been trained to perform?

These two (2) questions may not need to be asked 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). The Principal or designee may not ask additional questions in regard to the student's disability and need for a service animal other than the two (2) questions noted above.

C. School Establishes a Plan

1. After the SART approves a student's use of a service animal on a school campus, the school will work with the animal's owner to:

- a. Familiarize the service animal to the campus prior to the actual start date.
- b. Orient the service animal to the school faculty and students.
- c. Establish an educational program to educate others on proper behavior etiquette around a service animal.
- d. Establish a place for the service animal to urinate/defecate.
- e. Establish an evacuation plan to include the student with the service animal and practice this plan in accordance with emergency evacuation plan procedures.

D. Identification and Handling Requirements

1. The service animal must not in any way interfere with the educational process on the school campus. The behavioral expectations for the service animal and standards by which the request to use the service animal on a school campus will be evaluated are as follows:
 - a. Animal is clean and does not have a foul odor.
 - b. Animal is under control of its handler.
 - c. Animal does not urinate or defecate in inappropriate locations.
 - d. Animal shall not make unsolicited contact with persons while on school property or on the school bus.
 - e. Animal's conduct does not disrupt the normal course of school business.
 - f. Animal works without unnecessary vocalization.
 - g. Animal shows no aggression toward people or other animals.
 - h. Animal does not solicit or steal food or other items from persons while on school property including the school bus.
 - i. Animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use such device or the use of such device would interfere with the service animal's safe, effective performance of work or tasks. When a harness, leash, or other tether cannot be used due to the handler's disability or interference of such device, then the service animal must be under the handler's control through another method such as voice control, signals, or other effective means.
 - j. Animal has been specifically trained to perform its duties in public and is accustomed to being out in public.
 - k. Animal must be able to lie quietly beside the handler without blocking aisles, doorways, etc.
 - l. Animal is trained to urinate or defecate on command.
 - m. Animal stays within twenty-four (24) inches of the handler at all times unless the nature of a trained task requires it to be working at a greater distance.
2. The District has the discretion to exclude or remove the animal from the property if:

- a. the animal is out of control and the handler does not or cannot take effective action to control it; or
- b. the animal is not housebroken.

E. Transporting a Service Animal

1. Brevard Public Schools recommends that best practices for transporting a service animal be followed as found in the Florida Association for Pupil Transportation (FAPT), Service Animals on School Buses – Best Practices Guide (June 2004). The recommendations from FAPT are as follows:
 - a. The service animal's owner is responsible to provide information to the driver and bus assistant regarding what critical commands are needed for daily interaction and emergency/evacuation.
 - b. The animal's owner is responsible to provide an orientation to students riding the bus with the service animal regarding its functions and how students should interact with the animal.
 - c. It is recommended that the service animal be positioned on the floor, at the student's feet. A representative of the Transportation Office will meet with the animal's owner to determine whether the service animal should be secured on the bus with a harness, leash, or other tether.
 - d. The bus driver and attendant need to know the critical verbal commands for the service animal. The animal's owner is responsible to provide this information to the bus driver and bus assistant. The service animal should practice the bus evacuation drills with the student.
 - e. Situations that would cause cessation of District bus transportation of the service animal:
 - i. The service animal bites someone.
 - ii. The service animal's behavior poses a direct threat to the health or safety of others.
 - iii. The service animal urinates or defecates on the bus.
 - iv. The service animal does not remain in the designated area.
 - f. If transportation is suspended due to any of the above reasons, transportation could be reinstated after additional training or medical issues are resolved. Parent/Legal Guardians are informed of these procedures prior to the first day of transportation.

- F. Brevard Public Schools does not provide service animals and does not assume responsibility for training, daily care, or healthcare of service animals. The provision of a service animal is not documented on an Individual Educational Plan (IEP), Educational Plan (EP), or a Section 504/ADA Accommodation Plan. Upon disapproval of a student's use of a service animal on a school campus by the SART, the parent/legal guardian has the right to appeal per the IDEA Procedural Safeguards or the Section 504/ADA Procedural Safeguards, as appropriate.

Adopted _____

Legal

Board Policy 8400 - Environmental Health and Safety Issues

F.S. 413.08

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

29 U.S.C. Section 794, Rehabilitation Act of 1973

Florida Association for Pupil Transportation (FAPT), Service Animals on School Buses Best Practices Guide (June 2004).

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