

<b>Subject:</b>	SERVICE ANIMAL REGULATIONS	<b>Regulation Identifier:</b>	ADM-13
<b>Office:</b>	ADMINISTRATION		
<b>Reference:</b>			
<b>To:</b>	All Principals; Directors; Cabinet		
<b>Date:</b>	August, 2014	<b>Reissued By:</b>	Ray Galindo

**SERVICE ANIMAL REGULATIONS FOR ENROLLED STUDENTS,  
AUTHORIZED VISITORS AND EMPLOYEES OF  
NORTHSIDE INDEPENDENT SCHOOL DISTRICT**

The following regulations are designed to provide guidance regarding the use of service animals by enrolled students, authorized visitors and employees with disabilities on the campuses and other facilities of Northside Independent School District (hereinafter "District") and at school-sponsored events. This policy reflects the Americans with Disabilities Act (ADA) regulations regarding service animals effective March 15, 2011.

The District does not purchase or otherwise provide service animals or handlers of service animals for students, employees, or visitors.

Service animals are defined as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. The work or tasks performed must be directly related to the individual's disability. 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. 28 C.F.R. §35.104. A service animal is not a pet.

Animals that do no work or perform tasks for the benefit of an individual with a disability are not permitted on campus. The District permits service animals on campus and in its public facilities, subject to the following conditions:

- (1) The service animal must be under the control of the individual with a disability at all times. The District may ask the individual to remove a service animal from the premises if the animal is out of control and the individual does not take effective action to control it. 28 C.F.R. §35.136(b).
- (2) The individual, not the District, is responsible for the care, supervision and handling of the service animal. 28 C.F.R. §35.1369(e). Service animals must not be left unattended on campus at any time.
- (3) The service animal shall have a harness, leash, or other tether unless either: (a) the individual is unable because of a disability to use a harness, leash, or other tether; or (b) the use of such device would interfere with the service animal's safe, effective performance of work or tasks. In such circumstances, the service animal must be under the individual's control through another effective means such as voice control or signals. 28 C.F.R. §35.136(d).

- (4) The service animal must be housebroken. 28 C.F.R. §35.136(b)(2). **The service animal shall be allowed to eliminate waste only in designated areas and the individual is responsible for cleaning up after the animal. The animal must be treated for, and kept free of, fleas and ticks. The animal must be kept clean and groomed to avoid excessive shedding and dander. In the event of a health or emergency situation involving the animal, the owner of the animal shall provide all necessary transportation, care, and assistance for the animal.**
- (5) The individual, not the District, is responsible for any damage done by the animal and for the upkeep and cleanliness of any area traversed or occupied by the animal. Texas Human Resources Code Section 121.005.
- (6) District Administration may ask if the animal is required because of a disability and what work or task the animal has been trained to perform. 28 C.F.R. §35.136(f). If the animal does not perform work or tasks directly related to the individual's disability, the School District may instruct the individual to remove the animal from the premises. 28 C.F.R. §35.104.
- (7) District Administration may ask the individual to remove the animal if the animal poses a direct threat to the health or safety of others. 28 C.F.R. §35.139.
- (8) District Administration may ask the individual to remove the animal if the animal's presence or behavior fundamentally alters the nature of the District's service, program, or activity. 28 C.F.R. §35.130(b)(7).
- (9) Special provisions regarding miniature horses: requests to permit a miniature horse to accompany an individual with a disability in school buildings, classrooms, or at school functions will be handled on a case by case basis considering the type, size and weight of the horse and whether the facility can accommodate these features; whether the individual has sufficient control of the miniature horse; whether the miniature horse is housebroken; and whether the presence of the miniature horse in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

Individuals proposing to be served by miniature horses must provide annual written report of the following vaccinations: equine infectious anemia, rabies, tetanus, encephalomyelitis, rhinoneumonitis, influenza and strangles and any other vaccinations required by law in the State of Texas.

The Northside Independent School District and its employees shall be held harmless in the event that the animal damages property or causes harm to anyone on campus. It is the individual's responsibility to inform others that the animal is a service animal and should not be petted, bothered, harassed or fed. The use of a collar or harness that identifies the animal as a service animal is strongly recommended to communicate the animal's status.

Northside Independent School District follows all applicable laws and regulations to protect the health and safety of the campus community and those animals which it permits on campus. Any individual who believes that he/she is being denied access to buildings or programs should immediately inform the District's Superintendent.

#### Use of Service Animal on a Regular Basis

The following provisions apply only if the individual is accompanied by a service animal on a regular basis, such as if the individual is a student, employee, or regular visitor.

1. The individual must provide annual proof in writing of the following vaccinations: DHLPPC (distemper, hepatitis, leptospirosis, parainfluenza, parvovirus, coronavirus), bordetella, and rabies and any other vaccinations required by law in the State of Texas.
2. The request to be accompanied by a service animal on a regular basis must be addressed in writing to the Superintendent of Schools. The written request must attach required documentation of vaccinations. ***The request must be submitted on or before the 10th day that the service animal enters District property.***
3. **The District requires that any service animal who enters a District facility on a regular basis shall wear at all times the animal is on District property, an orange collar and a leash, or a vest to identify to all persons that the animal is a service animal.**
4. **The District, depending on the main location of the individual and service animal, may issue a notice letter to all persons who potentially will have contact with the service animal notifying them of the recurring attendance of the service animal at the location. The District has the sole discretion regarding when and to whom such notices shall be issued.**
5. If the individual is a student with a disability, an ARD Committee or Section 504 Team, as appropriate, may be asked to determine whether the service animal should be identified as a related aid or service or is otherwise necessary for the provision of a free appropriate public education.

**Any disputes or complaints by any person involving service animals should be made in writing to the Superintendent of Schools at 5900 Evers Road, San Antonio, Texas 78238. Some disputes may be subject to the grievance process outlined by School Board policy, the Student Handbook or the Employee Handbook.**