

# Policy

BOARD OF EDUCATION  
HORTONVILLE AREA SCHOOL DISTRICT

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## ANIMALS ON SCHOOL PROPERTY

The 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 laws and this policy.

This policy shall apply to all animals on District property.

### Definitions:

- A. "Animal": Includes any living creature that is not a human being.
- B. "Service animal": any guide dog, signal dog, or other animal that is individually trained or being 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 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 or fallen objects, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping person with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. 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) has also specifically 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.
- C. "Emotional Support Animal": Emotional support animals provide comfort to individuals but are not trained to perform a specific job or tasks. The definition does not include psychiatric service animals who are properly trained and certified as a "service animal". See 28 C.F.R. 36.104
- D. "Therapy animals": A therapy animal has been obedience trained and screened for its ability to interact favorably with humans and other animals. The primary purpose of a therapy animal is to provide affection and comfort to people in hospitals, retirement homes, nursing homes, schools, hospices, disaster areas, and to people with learning difficulties. (NSAR) A responsible, caring handler is an important member of the therapy animal team. Although therapy animals

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provide a very important therapeutic service to all kinds of people in need, they are NOT considered "service animals". (source: American Kennel Club / AKC)

Animals have educational value in the school setting, but only under conditions that insure the safety and well-being of the students, staff, and the animal.

Live animals in the classroom provide opportunities to learn about diversity, habitat, humane care, animal growth and development, reproduction, and behavior. A teacher must have a clear understanding of, and a strong commitment to, the responsible care of living animals before making any decision to use live animals for educational study. Preparation for the use of live animals should include acquisition or knowledge on care appropriate to the species being used including housing, food, exercise, and the appropriate placement of the animals at the conclusion of the study.

Prior approval must be received from the principal before any animals are brought into the school. Animals in schools shall be planned for and approved in accordance with established procedures and guidelines.

## **Implementation:**

These procedures and guidelines apply to various situations for which an animal could be brought into a school. General guidelines for the care of animals in school buildings are included as well as guidelines for specific situations.

### General Guidelines for Animals in School

- A. The teacher must assume primary responsibility for the humane treatment of the animal. Only students designated by the teacher are to handle the animals. (Exception: see guidelines for service dogs below.)
- B. Prior approval of the building principal must be obtained before animals are brought into the school. If the principal receives a parent complaint, he/she will take appropriate action, which may include having the animal removed from the school.
- C. Before an animal is brought into a classroom, the teacher must survey students in the class for any known allergies. If allergies exist, parents must be contacted to determine whether a potential allergic reaction might exist. In the event that any student or staff member demonstrates an allergic reaction to the animal, the animal must be removed.
- D. The teacher must notify parents in writing either at the beginning of the school year or prior to animals being brought to school.
- E. Only animals that are known to be in good health and appropriately immunized will be allowed in school.
- F. Animals may not be transported on school buses.
- G. If animals are to be kept in school on non-school days, the teacher must make arrangements for their care and safety. The practice of sending the animal home with a student for a weekend or holiday is not permitted.

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- H. Animals must be properly housed, e.g., in cages or aquariums specific to their species. They must have adequate food and water, and not be subjected to any abnormal environmental factors.
- I. If an animal bites a staff member or student and skin is pierced, the incident must be reported immediately to the building principal **and the parents of any students bitten.**
- J. If the building principal becomes aware of potentially harmful health or safety concerns, adverse smells, or disruptive sounds regarding a resident animal, the building principal is directed to take immediate steps including the removal of the animal from the building if necessary.

## Therapy Dogs

Therapy dogs are the personal property of the handler and are specially trained to help all students in the assigned classroom, program, or school. Authorization for a therapy dog to be on District grounds may be granted by the District Administrator provided the following conditions are met each year:

- A. Documentation of certification as a therapy dog from the AKC, Intermountain Therapy Animals (R.E.A.D.), Alliance of Therapy Dogs, Bright and Beautiful Therapy Dogs, Love on a Leash, Pet Partners, Therapy Dogs International, or another certification program recognized by the AKC
- B. Documentation of an educational purpose for the therapy dog and a regular appraisal period for continuation
- C. Documentation that the therapy dog is not younger than one (1) year-old and is properly licensed according to local requirements
- D. Documentation from a licensed veterinarian that the therapy dog is current on its vaccinations and immunizations, is free of fleas and ticks, is in good health, is housebroken, and does not pose a danger to the well-being of students or staff
- E. Documentation of an insurance policy that provides liability insurance for the therapy dog while on District grounds
- F. Documentation that the handler has completed a background check consistent with Board policy and is prepared to be solely responsible for the therapy dog, its care, cleaning, feeding, and cleanup while on District grounds
- G. Agreement that the therapy dog and handler will abide by school rules and any specific rules for the therapy dog's presence on District grounds

Authorization for a therapy dog to be on District grounds will be suspended if the therapy dog is the source of an allergic reaction, causes discomfort or distress of a student or staff member, shows aggression or disruptive behavior, relieves itself inappropriately, or otherwise interferes with the learning environment. Reinstatement of authorization for the therapy dog to be on District grounds requires approval by the District Administrator. Authorization for a therapy dog to be on District grounds may be withdrawn at any time by the District Administrator.

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## Resident Animal

A resident animal is kept in a classroom for more than a single school day. Only animals that are known to be in good health and appropriately immunized will be allowed in school. The following specific guidelines must be followed in order to have a resident animal in a classroom:

- A. A copy of the animal's immunization record must be given to the Principal at the school at least one day in advance.
- B. A teacher considering such an animal must assure that the animal is healthy and free of transmissible diseases or other problems that may endanger human health. Animals unacceptable as resident animals include:
  1. Wild animals are defined as any animal other than a domestic dog or cat, pet rabbit, or pet rodent (mice, rats, hamsters, gerbils, guinea pigs).
  2. Poisonous animals including certain types of reptiles, spiders, insects, and amphibians.
  3. Stray animals.
  4. Psittacine birds.
- C. A copy of a document designating the animal as a service or therapy animal is required. The district requests that the animal be identified with a visual such as a scarf or sweater.
- D. Prior approval of the principal must be obtained before consideration is given for a resident animal. The principal and teacher will consider all aspects of this policy prior to approving a study of risks to student and staff members that will be using the classroom space, which the animal will reside.
- E. Before an animal is brought to school, the classroom teacher will survey all students at the beginning of the school year concerning possible allergies related to the resident animal. New students will be given the survey when they enroll.
- F. When all student allergy surveys are returned, the principal and requesting teacher will review the data and make a final decision regarding the approval of a resident animal.
- G. The teacher will notify parents in writing prior to animals being brought to school.
- H. The classroom teacher must assume primary responsibility for the humane care and treatment of the resident animal. Animals must be properly housed, have adequate food and water, and their habitats must be kept clean.
- I. The classroom teacher is responsible for developing written guidelines for student/animal interaction. These guidelines should include student training on how to handle the animal.
- J. Education with animals should be used to emphasize proper hygiene and hand washing recommendations. All children who handle animals should be instructed to wash their hands immediately after handling them.
- K. Animals should not be allowed in the vicinity of serving lines, sinks, where children wash hands, in any area where food is stored, or served, or in areas used for the cleaning or storage of food utensils or dishes.
- L. Students are allowed to handle or clean up any form of animal waste after receiving instruction from the classroom teacher as to how animal wastes should be disposed of in accordance with universal precautions as referenced in the District's Policy #5031 Communicable Diseases.

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- M. Animals should not be allowed to roam freely around the classroom or school.
- N. If animals are to be kept in the classroom on days when classes are not in session, the teacher must make arrangements for their care and safety. Animals may be housed in the schools during the summer break with the permission of the building principal.
- O. Any time a resident animal bites or scratches a person breaking the skin, the classroom teacher will notify the building principal and parents of any affected student.
- P. A plan must be in place to care for resident animals in the event of an emergency school closing.
- Q. If the building principal becomes aware of potentially harmful health or safety concerns, adverse smells, or disruptive sounds regarding a resident animal, the building principal is directed to take immediate steps including the removal of the animal from the building if necessary.
- R. Animals may not be transported on school buses.

## Animal Visitation to Schools

Occasionally there will be a request by a student, parent, parent-teacher organization, or other organization to allow an animal to visit the school setting. The school principal must approve all requests for such visitation. The same guidelines as those considered when approving a resident animal must be taken into consideration when determining whether an animal visitation may occur.

Exceptions to the unacceptable list of resident animals may be made when the wild animals are presented at school by a professional who has experience handling wildlife, and are displayed in enclosed cages which prevent contact between the animal, staff, and students. Because of the high incidence of rabies in bats, raccoons, skunks, and wild carnivores, these animals (including recently dead animals) are not permitted on school grounds under any circumstances (with the exception of Taxidermy and Science classes in the high school level).

## Special Events

The school board must approve in advance any special event requiring the use or presence of animals. Attendance at such events must be optional. The school board may also require special event sponsors to include information in all related publicity to provide notice of the presence of animals.

## **Emotional Support Animals for Students**

An emotional support animal is not granted the same access to school buildings and classrooms as service animals. The District is not required to grant students' requests that they be permitted to bring an emotional support animal to classes or on school grounds for any purpose. The District Administrator may grant a student use of an emotional support animal on a case-by-case basis if necessary and not disruptive to the environment or other students.

## **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.

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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 District property or at District-sponsored events.

A service animal that meets the definitions set forth in the ADA 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 Policy 8120 – Volunteer.

## **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 demonstrated that it is not housebroken, 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 District Administrator prior to or as soon thereafter as is practicable when a service animal has been removed and / or excluded, and, immediately subsequent to such notification, document the reasons for 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 intend to 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 or the Department of Justice.

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## **Eligibility of 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, is s/he is someone other than the student, shall at the discretion of the Principal and Transportation Director, 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. A determination shall also be made regarding whether the service animal should be secured on the bus with a tether or harness.

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 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 1623, 3123, and 4123 – Section 504/ADA Prohibition Against Disability Discrimination in Employment, the Board provides qualified individuals with disabilities with reasonable accommodations. 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.

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## **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 follow the building's standard visitor registration procedures and are encouraged to 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.

## Field Trips and Specimen Collecting

Teachers who collect specimens anywhere in Wisconsin must secure a collectors permit from the Department of Natural Resources and must comply with Wisconsin Statute §§29.17. Field trips to sites such as local natural areas, farms and zoos should include appropriate educational objectives. Permission slips shall be used to inform parents/guardians of the trip. In addition the following guidelines will be followed:

- A. Plant and wildlife should not be removed from the field site unless pre-arranged and in accordance with Wisconsin Statute §§29.17.
- B. Neither teachers nor students should release non-native plant or animal species into the environment.
- C. Teachers and students should be careful not to harm the environment at the field trip site.

## Dissection

Teachers must follow the National Science Teachers Association (NSTA) guidelines regarding the use of animals in dissection activities. In addition the following guidelines will be followed:

- A. Dissection should not be done at the elementary level.
- B. Dissection at the middle school level should be allowed only if taught by appropriately trained staff.
- C. Dissection is recognized as an appropriate activity for high school students.
- D. Carefully planned objectives should be developed and other methods of teaching/learning the concept considered before selecting dissection as a classroom activity.
- E. Specimens should be chosen which are of the lowest order necessary to accomplish the desired educational objectives.
- F. Teachers should instruct students on safety precautions including tool usage and specimen handling and disposal prior to dissection activities.
- G. Students must always be given the option of an alternative activity. If dissection is selected as an activity, the following procedures shall be followed:
  1. Instructors should provide advance notification of dissection activities.
  2. Alternative activities of learning the same concepts should be announced to students at the time of the dissection notification



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3. Students should select an activity to learn the concept and inform the teacher so that the various learning activities can be provided.
4. All activities should employ the same rigorous stand and level of academic challenge as the dissection activity.

Legal References:

28 C.F.R. 35.104, 28 C.F.R. 35.136

Wis. Stat. 106.52, Section 504 of the Rehabilitation Act of 1973 (Section 504)

The Americans with Disabilities Act (ADA)

The Individuals with Disabilities Education Act (IDEA)

NEOLA 2020