

SERVICE ANIMALS IN PUBLIC SCHOOLS

SERVICE ANIMALS

Persons with disabilities have the same right as those without disabilities to the use and enjoyment of Alexandria City Public Schools (ACPS) facilities. As required by federal and state law, an individual with a disability is permitted to be accompanied by their service animal on school property, subject to the conditions of this policy.

Families of students have a right to know if a service animal will be in their school on a continuing basis.

Although Regulation JHC-R addresses procedures for animals in schools generally, this policy governs access for service animals on school property.

A “service animal” means a dog that has been 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. (See, however, the Miniature Horses section of this policy.) The work or tasks performed by a service animal must be directly related to the individual’s disability or necessary to mitigate the effects of a disability.

School officials can ask the owner or handler of an animal whether the animal is required because of a disability and what work or task the animal has been trained to do unless the answers to these inquiries are readily apparent. School officials may not ask about the nature or extent of a person’s disability and may not require documentary proof of certification or licensing as a service animal.

REQUIREMENTS FOR SERVICE ANIMALS ON SCHOOL PROPERTY ON A CONTINUING BASIS

Request: A person who wants to be accompanied by their service animal on a continuing basis must make a prior written request of the school’s principal if the service animal will come onto school property. For all other school division facilities, such requests should be made to the Superintendent. When a service animal accompanies a student as an Individualized Education Program (IEP) or 504 Plan accommodation or related service, the request may be reviewed annually through the IEP or 504 Plan renewal process. When a service animal accompanies a school division employee, this request may be updated during the employee’s annual review.

Vaccination: Service animals must be vaccinated as required by law, and the school principal may request copies of the vaccination documentation.

Health: The service animal must be in good health. The owner or handler of the animal must submit documentation to the school principal each school year from a licensed veterinarian of the following: a current veterinary health certificate and proof of the service animal’s current vaccinations and immunizations. When a service animal accompanies a student as an IEP or 504

47 plan accommodation, the documentation may be submitted at the student’s annual IEP meeting.

48
49 **Control:** A service animal must be under the control of its handler at all times. The service
50 animal must have a harness, backpack, vest identifying the dog as a trained service dog, leash, or
51 other tether unless either the handler is unable because of a disability to use a harness, backpack,
52 vest, leash, or other tether, or the use of a harness, backpack, vest, leash, or other tether would
53 interfere with the service animal’s safe, effective performance of work or tasks, in which case the
54 service animal must be otherwise under the handler’s control.

55
56 The Code of Virginia requires the following identifiers for service dogs:

- 57
- 58 ● for students with disabilities with visual impairment, including blindness: a harness.
 - 59 ● for students with disabilities with deafness or hearing impairment: a blaze orange leash.
 - 60 ● for students with disabilities with mobility impairment: harness, backpack, or vest
 - 61 identifying the dog as a trained dog.
- 62

63 **SERVICE DOGS IN TRAINING**

64
65 Experienced trainers of service animals may be accompanied on school property by a dog that is
66 in training to become a service animal. The dog must be at least six months of age. Trainers must
67 wear a jacket identifying the organization to which they belong. Persons conducting
68 continuing training of a service animal may be accompanied by a service animal while on school
69 property for the purpose of school business.

70
71 Persons who are part of a three-unit service dog team may be accompanied by a service dog while
72 on school property provided that they are conducting continuing training of a service dog. A three-
73 unit service dog team consists of a trained service dog, a person with a disability, and a person
74 who is an adult and who has been trained to handle the service dog. The dogs may accompany
75 these persons while on school property for school purposes.

76 Individual trainers and members of three-unit service dog teams must make a prior written request
77 of the school’s principal if the service animal in training will come into a school, and to the
78 Superintendent for all other locations. In addition, the trainer/team must comply with the
79 provisions of Policies KK School Visitors and KGB Public Conduct on School Property.

80 81 **USE OF HARNESESSES, VESTS, ETC**

- 82
- 83 ● A dog that is in training to become a guide dog or a currently trained guide dog that is
84 undergoing continuing training must be in a harness.
 - 85
86 ● A dog that is in training to become a hearing dog or a currently trained hearing dog that is
87 undergoing continuing training must be on a blaze orange leash.
 - 88
89 ● A dog that is in training to become a service dog or a currently trained service dog that is
90 undergoing continuing training must be in a harness, backpack, or a vest identifying the
91 dog as a trained service dog.
- 92

93
94 The training cannot disrupt or interfere with a school’s educational process. Although it is expected
95 that training would not normally take place in the classroom during instructional time, the trainer may
96 be present during normal class time when doing continuing training.

97
98 All requirements of this policy apply to service animals, such as health certificates, annual
99 written requests, and supervision, care and damages, also apply to dogs in training.

100
101

102 **MINIATURE HORSES**

103

104 ACPS will make reasonable modifications in policies, practices, or procedures to permit the use
105 of a miniature horse by an individual with a disability if the miniature horse has been
106 individually trained to do work, perform tasks, or provide stability for the benefit of the individual
107 with a disability. In determining whether reasonable modifications in policies, practices, or
108 procedures can be made to allow a miniature horse into a specific facility, the school division
109 considers the following factors:

110

- 111 1. The type, size, and weight of the miniature horse and whether the facility can
112 accommodate these features;
- 113 2. Whether the handler has sufficient control of the miniature horse;
- 114 3. Whether the miniature horse is housebroken; and
- 115 4. Whether the miniature horse’s presence in a specific facility compromises
116 legitimate safety requirements that are necessary for safe operation.

117

118 All additional requirements outlined in this policy, which apply to service animals, also apply to
119 miniature horses.

120

121 **EXTRA CHARGES**

122

123 The owner or handler of a service animal is not required to pay an admission fee or a charge for
124 the animal to attend events for which a fee is charged.

125

126 **SUPERVISION AND CARE OF SERVICE ANIMALS**

127

128 The owner or handler of a service animal is responsible for the supervision and care of the
129 animal, including any feeding, exercising, bathroom use in designated outdoor areas, and clean-
130 up.

131

132 **DAMAGES TO SCHOOL PROPERTY AND INJURIES**

133

134 The owner or handler of a service animal is solely responsible for any damage to school property
135 or injury to personnel, students, or others caused by the animal.

136

137 **REMOVAL OF SERVICE ANIMALS FROM SCHOOL PROPERTY**

138

139 In accordance with the Americans with Disabilities Act, allergies and fear of dogs are not valid

140 reasons for denying access to people using service animals. When a person who is allergic to a
141 service animal and a person who uses a service animal must spend time in the same room or
142 facility, they should both be accommodated by assigning them, if possible, to different locations
143 within the room or to different rooms within the facility. A school administrator may only
144 require an individual with a disability to remove a service animal from school property under the
145 following circumstances:

- 146
- 147 1. The animal is out of control and the animal’s handler does not take effective
148 action to control it;
 - 149 2. The animal is not housebroken;
 - 150 3. The presence of the animal poses a direct threat to the health or safety of others; or
 - 151 4. The presence of an animal would require a fundamental alteration to the service,
152 program, or activity of the school division.
- 153

154 If the service animal is removed, the individual with a disability shall be provided with the
155 opportunity to participate in the service, program, or activity without the service animal with other
156 accommodations.

157
158 **DENIAL OF ACCESS AND GRIEVANCE**

159
160 If a school official denies a request for access of a service animal or a dog in training, the
161 individual with the disability or parent or guardian can file a written grievance with the school
162 division’s Section 504 Coordinator.

163
164 **DEFINITIONS**

165
166 **“Hearing dog”** means a dog trained to alert its owner by touch to sounds of danger and sounds to
167 which the owner should respond.

168
169 **“Mobility impaired”** student means one who is unable to move about without the aid of
170 crutches, a wheelchair or any other form of support or because of limited functional ability to
171 ambulate, climb, descend, sit, rise or perform any related function.

172
173 **“Service animal”** means a dog that has been individually trained to do work or perform tasks for
174 the benefit of an individual with a disability, including a physical, sensory, psychiatric,
175 intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained
176 or untrained, are not service animals for the purposes of this definition. (See, however, Section D
177 regarding miniature horses.) The work or tasks performed by a service animal must be directly
178 related to the individual’s disability.

179
180 **“Three-unit service dog team”** means a team consisting of a trained service dog, a person with a
181 disability, and a person who is an adult and who has been trained to handle the service dog.

182
183 **“Work or tasks”** performed by a service animal must be directly related to the handler’s
184 disability. Examples include, but are not limited to, assisting individuals who are blind or have
185 low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to

186 the presence of people or sounds, providing non-violent protection or rescue work, pulling a
187 wheelchair, assisting an individual during a seizure, alerting individuals to the presence of
188 allergens, retrieving items such as medicine or the telephone, providing physical support and
189 assistance with balance and stability to individuals with mobility disabilities, and helping persons
190 with psychiatric and neurological disabilities by preventing or interrupting impulsive or
191 destructive behaviors.

192

193 Adopted: October 2, 2008

194 Amended: May 9, 2011

195 Amended: June 9, 2011

196 Amended: June 23, 2016

197

198 Legal Refs.: Americans with Disabilities Act, Amendments Act of 2008;
199 implementing regulations at 28 C.F.R. §§ 35.104; 36.104, 35.136

200

201 Virginians with Disabilities Act, Code of Virginia, 1950, as amended, § 51.5-44

202

203 Individuals with Disabilities Education Act;
204 implementing regulations at 34 CFR Part 300

205

206 The Rehabilitation Act of 1973, as amended

207

208 VDOE Guidelines for School Division Policy and Procedures Regarding Service
209 Animals in Virginia’s Public Schools - Revised 2011

210

211	Cross Refs.:	DJG	Vendor Relations
212		GB	Equal Employment Opportunity/Nondiscrimination
213		JB	Equal Educational Opportunities/Nondiscrimination
214		JBA	Section 504 Hearing Procedures
215		JFHA/GBA	Sexual Harassment/Harassment Based on Race, National Origin, 216 Disability and Religion
217		JHC-R	Animals in Schools
218		KK	School Visitors
219		KGB	Public Conduct on School Property
220		KN	Sex Offender and Crimes Against Minors Registry Information

221

222

223

SERVICE ANIMALS IN PUBLIC SCHOOLS

A. SERVICE ANIMALS

Persons with disabilities have the same right as those without disabilities to the use and enjoyment of Alexandria City Public Schools (ACPS) facilities. As required by federal and state law, an individual with a disability is permitted to be accompanied by their/his/her service animal on school property, subject to the conditions of this policy.

Families of students have a right to know if a service animal will be in their school on a continuing basis.

Although Regulation JHC-R addresses procedures for animals in schools generally, this policy governs access for service animals on school property.

A “service animal” means a dog ~~or miniature horse~~ that has been 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. (See, however, Section D regarding miniature horses the Miniature Horses section of this policy.)~~ The work or tasks performed by a service animal must be directly related to the individual’s disability or necessary to mitigate the effects of a disability.

School officials can ask the owner or handler of an animal whether the animal is required because of a disability and what work or task the animal has been trained to do unless the answers to these inquiries are readily apparent. School officials may not ask about the nature or extent of a person’s disability and may not require documentary proof of certification or licensing as a service animal.

B. REQUIREMENTS FOR SERVICE ANIMALS ON SCHOOL PROPERTY ON A CONTINUING BASIS

Request: A person who wants to be accompanied by their/his/her service animal on a continuing basis must make a prior written request of the school’s principal if the service animal will come onto school property. For all other school division facilities, such requests should be made to the Superintendent. When a service animal accompanies a student as an Individualized Education Program (IEP) or 504 Plan accommodation or related service, the request may be reviewed annually through the IEP or 504 Plan renewal process. When a service animal accompanies a school division employee, this request may be updated during the employee’s annual review.

Vaccination: Service animals must be ~~immunized annually against diseases common to that type of animal~~ vaccinated as required by law, and the school principal may request copies of the ~~immunization vaccination~~ documentation. ~~When a service animal accompanies a student as an Individualized Education Program (IEP) or 504 Plan accommodation or related service, it may be reviewed annually through the IEP or 504 Plan renewal process. When a service animal accompanies a school division employee, this documentation may be updated during the~~

Commented [1]: Do we need to add any language that specifies that we would communicate to families the presence of a service animal in the event that a student has an allergy to such animals. Families should be given notice and choice, right? Some people are highly allergic to animals.

Commented [MS2R1]: Added

Commented [3]: Struck to align with the model policy and to be consistent with the Miniature Horses section which states that they are an exception.

Commented [4]: Can we legally deny other animals that have been deemed service animals by a physician? Just curious

Commented [5R4]: Yes. The code only includes dogs and miniature horses.
<https://www.doe.virginia.gov/home/showpublisheddocument/36207/638058616015900000>

47 ~~employee's annual review.~~

Commented [MS6]: Removed redundant content.

48
49 **Health:** The service animal must be in good health. The owner or handler of the animal must
50 submit documentation to the school principal each school year from a licensed veterinarian of the
51 following: a current veterinary health certificate and proof of the service animal's current
52 vaccinations and immunizations. When a service animal accompanies a student as an IEP or 504
53 plan accommodation, the documentation may be submitted at the student's annual IEP meeting.

54
55 **Control:** A service animal must be under the control of its handler at all times. The service
56 animal must have a harness, backpack, vest identifying the dog as a trained service dog, leash, or
57 other tether unless either the handler is unable because of a disability to use a harness, backpack,
58 vest, leash, or other tether, or the use of a harness, backpack, vest, leash, or other tether would
59 interfere with the service animal's safe, effective performance of work or tasks, in which case the
60 service animal must be otherwise under the handler's control.

61
62 The Code of Virginia requires the following identifiers for service dogs:

- 63
- 64 ● for students with disabilities with visual impairment, including blindness: a harness.
- 65 ● for students with disabilities with deafness or hearing impairment: a blaze orange leash.
- 66 ● for students with disabilities with mobility impairment: harness, backpack, or vest
- 67 identifying the dog as a trained dog.
- 68

69 **C. SERVICE DOGS IN TRAINING**

70 Experienced trainers of service animals may be accompanied on school property by a dog that is
71 in training to become a service animal. ~~The trainer must make a prior written request of the school's~~
72 ~~principal if the service animal in training will come into a school, and to the Superintendent~~
73 ~~for all other locations. In addition, the trainer must comply with the provisions of Policies KK~~
74 ~~School Visitors and KGB Public Conduct on School Property.~~

Commented [MS7]: Content moved down to improve readability.

75
76
77 The dog must be at least six months of age. Trainers must wear a jacket identifying the
78 organization to which they belong. Persons conducting continuing training of a service animal may
79 be accompanied by a service animal while on school property for the purpose of school business.

80
81 ~~A person~~ who ~~is~~ part of a three-unit service dog team may be accompanied by a service dog
82 while on school property provided that ~~the team person is they are~~ conducting continuing training
83 of a service dog. A three-unit service dog team consists of a trained service dog, a person with a
84 disability, and a person who is an adult and who has been trained to handle the service dog. The
85 dogs may accompany these persons while on school property for school purposes. ~~All members of~~
86 ~~the service dog team must comply with the provisions of policies KK School Visitors and KGB~~
87 ~~Public Conduct on School Property.~~

88
89 Individual trainers and members of three-unit service dog teams must make a prior written request
90 of the school's principal if the service animal in training will come into a school, and to the
91 Superintendent for all other locations. In addition, the trainer/team must comply with the
92 provisions of Policies KK School Visitors and KGB Public Conduct on School Property.

93
94 **Use of Harnesses, Vests, etc.**

- 95
- 96 ● A dog that is in training to become a guide dog or a currently trained guide dog that is
97 undergoing continuing training must be in a harness.
- 98
- 99 ● A dog that is in training to become a hearing dog or a currently trained hearing dog that is
100 undergoing continuing training must be on a blaze orange leash.
- 101
- 102 ● A dog that is in training to become a service dog or a currently trained service dog that is
103 undergoing continuing training must be in a harness, backpack, or a vest identifying the
104 dog as a trained service dog.
- 105

106 **Identifiers for Service Dogs**

107
108 The training cannot disrupt or interfere with a school's educational process. Although it is expected
109 that training would not normally take place in the classroom during instructional time, the trainer may
110 be present during normal class time when doing continuing training.

111
112 All requirements of this policy apply to service animals, such as health certificates, annual
113 written requests, and supervision, care and damages, also apply to dogs in training.

116 ~~D.~~ **MINIATURE HORSES**

117
118 ~~Alexandria City Public Schools ACPS~~ will make reasonable modifications in policies, practices,
119 or procedures to permit the use of a miniature horse by an individual with a disability if the
120 miniature horse has been individually trained to do work, perform tasks, or provide stability for
121 the benefit of the individual with a disability. In determining whether reasonable modifications in
122 policies, practices, or procedures can be made to allow a miniature horse into a specific facility,
123 the school division ~~must consider~~ considers the following factors:

- 124
125 1. The type, size, and weight of the miniature horse and whether the facility can
126 accommodate these features;
127 2. Whether the handler has sufficient control of the miniature horse;
128 3. Whether the miniature horse is housebroken; and
129 4. Whether the miniature horse's presence in a specific facility compromises
130 legitimate safety requirements that are necessary for safe operation.

131
132 All additional requirements outlined in this policy, which apply to service animals, ~~shall also~~ apply
133 to miniature horses.

134
135 ~~E.~~ **EXTRA CHARGES**

136
137 The owner or handler of a service animal ~~shall not be~~ is not required to pay an admission fee or a
138 charge for the animal to attend events for which a fee is charged.

139
140 ~~F.~~ **SUPERVISION AND CARE OF SERVICE ANIMALS**

141
142 The owner or handler of a service animal is responsible for the supervision and care of the
143 animal, including any feeding, exercising, bathroom use in designated outdoor areas, and clean-
144 up.

145
146 ~~G.~~ **DAMAGES TO SCHOOL PROPERTY AND INJURIES**

147
148 The owner or handler of a service animal is solely responsible for any damage to school property
149 or injury to personnel, students, or others caused by the animal.

150
151 ~~H.~~ **REMOVAL OF SERVICE ANIMALS FROM SCHOOL PROPERTY**

152
153 In accordance with the Americans with Disabilities Act, allergies and fear of dogs are not valid
154 reasons for denying access to people using service animals. When a person who is allergic to a
155 service animal and a person who uses a service animal must spend time in the same room or
156 facility, they should both be accommodated by assigning them, if possible, to different locations
157 within the room or to different rooms within the facility. A school administrator may only
158 require an individual with a disability to remove a service animal from school property under the
159 following circumstances:

- 160
161 1. The animal is out of control and the animal's handler does not take effective

Commented [8]: Miniature horse was deleted in the first section above. Should we delete this section?

Commented [9R8]: This is to align with the code. Dogs are the official service animal, miniature horses are a limited exception.

- 162 action to control it;
- 163 2. The animal is not housebroken;
- 164 3. The presence of the animal poses a direct threat to the health or safety of others; or
- 165 4. The presence of an animal would require a fundamental alteration to the service,
- 166 program, or activity of the school division.

167

168 If the service animal is removed, the individual with a disability shall be provided with the

169 opportunity to participate in the service, program, or activity without the service animal with other

170 accommodations.

171

172 **I. DENIAL OF ACCESS AND GRIEVANCE**

173

174 If a school official denies a request for access of a service animal or a dog in training, the

175 individual with the disability or parent or guardian can file a written grievance with the school

176 division's Section 504 Coordinator.

177

178 **J. DEFINITIONS**

179

180 ~~“Service animal” means a dog that has been individually trained to do work or perform tasks for~~

181 ~~the benefit of an individual with a disability, including a physical, sensory, psychiatric,~~

182 ~~intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained~~

183 ~~or untrained, are not service animals for the purposes of this definition. (See, however, Section D~~

184 ~~regarding miniature horses.) The work or tasks performed by a service animal must be directly~~

185 ~~related to the individual's disability.~~

186

187 ~~“Work or tasks” performed by a service animal must be directly related to the handler's~~

188 ~~disability. Examples include, but are not limited to, assisting individuals who are blind or have low~~

189 ~~vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the~~

190 ~~presence of people or sounds, providing non-violent protection or rescue work, pulling a~~

191 ~~wheelchair, assisting an individual during a seizure, alerting individuals to the presence of~~

192 ~~allergens, retrieving items such as medicine or the telephone, providing physical support and~~

193 ~~assistance with balance and stability to individuals with mobility disabilities, and helping persons~~

194 ~~with psychiatric and neurological disabilities by preventing or interrupting impulsive or~~

195 ~~destructive behaviors.~~

196

Commented [10]: Placed definitions in alphabetical order.

197 **“Hearing dog”** means a dog trained to alert its owner by touch to sounds of danger and sounds to

198 which the owner should respond.

199

200 **“Mobility impaired”** student means one who is unable to move about without the aid of

201 crutches, a wheelchair or any other form of support or because of limited functional ability to

202 ambulate, climb, descend, sit, rise or perform any related function.

203

204 “Service animal” means a dog that has been individually trained to do work or perform tasks for

205 the benefit of an individual with a disability, including a physical, sensory, psychiatric,

206 intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained

207 or untrained, are not service animals for the purposes of this definition. (See, however, Section D

208 regarding miniature horses.) The work or tasks performed by a service animal must be directly
209 related to the individual's disability.

210
211 ~~“Service animal” means any dog (or trained miniature horse) that is individually trained to do~~
212 ~~work or perform tasks for the benefit of an individual with a disability, including a physical,~~
213 ~~sensory, psychiatric, intellectual, or other mental disability.~~

Commented [11]: Removed the second definition of Service Animal

214
215 **“Three-unit service dog team”** means a team consisting of a trained service dog, a person with a
216 disability, and a person who is an adult and who has been trained to handle the service dog.

217
218 “Work or tasks” performed by a service animal must be directly related to the handler's
219 disability. Examples include, but are not limited to, assisting individuals who are blind or have
220 low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to
221 the presence of people or sounds, providing non-violent protection or rescue work, pulling a
222 wheelchair, assisting an individual during a seizure, alerting individuals to the presence of
223 allergens, retrieving items such as medicine or the telephone, providing physical support and
224 assistance with balance and stability to individuals with mobility disabilities, and helping persons
225 with psychiatric and neurological disabilities by preventing or interrupting impulsive or
226 destructive behaviors.

227
228 Adopted: October 2, 2008
229 Amended: May 9, 2011
230 Amended: June 9, 2011
231 Amended: June 23, 2016

232
233 Legal Refs.: Americans with Disabilities Act, Amendments Act of 2008;
234 implementing regulations at 28 C.F.R. §§ 35.104; 36.104, 35.136
235
236 Virginians with Disabilities Act, Code of Virginia, 1950, as amended, ~~§ 51.5-44§~~
237 51.5-44
238
239 Individuals with Disabilities Education Act;
240 implementing regulations at 34 CFR Part 300
241
242 The Rehabilitation Act of 1973, as amended
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244 VDOE Guidelines for School Division Policy and Procedures Regarding Service
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247 Cross Refs.: DJG Vendor Relations
248 GB Equal Employment Opportunity/Nondiscrimination
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251 JFHA/GBA Sexual Harassment/Harassment Based on Race, National Origin,
252 Disability and Religion
253 JHC-R Animals in Schools

File: KKA

254 KK School Visitors
255 KGB Public Conduct on School Property
256 KN Sex Offender ~~Registry Notification and Crimes Against Minors~~
257 Registry Information
258 ~~KNA Violent Sex Offenders on School Property~~
259
260
261