



ANIMALS IN DISTRICT FACILITIES

General Requirements

1. Only qualified individuals with disabilities are eligible to use or bring service animals into school facilities or on to school grounds. An individual who believes he/she may be eligible should bring this issue to the attention of the school principal.
2. Service animals are animals trained to perform some of the functions and tasks that people with disabilities cannot perform for himself or herself. A service animal is as follows:
 - Any guide dog, signal dog, or other animal individually trained to work or perform tasks for the benefit of an individual with a disability, including but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing and assisting individuals with impaired mobility.
 - While service animals have been traditionally identified as dogs, it should be recognized that a variety of animals may be used as service animals.
3. Use of a service animal by a student with a disability will be allowed in school when it has been determined that the student's disability requires such use for the student to have equal access to and benefit from the services, programs or activities offered by the school.
4. Use of a service animal by an employee with a disability will be allowed when such use is necessary to enable the employee to perform essential functions of his/her position, or to enable the employee to enjoy equal benefits and privileges of employment as are being enjoyed by other similarly situated employees without disabilities.
5. It shall be the responsibility of the individual with the disability to insure the proper care and supervision of a service animal. The school district shall not be responsible for the training, feeding, grooming or care of any service animal permitted to attend school under this policy. The district must approve any person who is authorized to assist in the care and supervision of the service animal while on school property.
6. All service animals shall wear a harness/saddle bag or vest that identifies them as service animals and shall always be on a leash.
7. The employee, or in the case of a student, the student's parents, are liable for any and all damages to school or personal property and any injuries to individuals caused by the service animal.
8. Arrangements for the transportation of students with service animals shall be initiated by the school principal through the school district's Director of Transportation.
9. The employee, student, or guests are responsible to clean up animal waste and properly dispose of it.

Service Animal Request Procedure

1. The decision to allow a service animal to accompany a student at school shall be made by a Team, including, but not limited to, the school principal, the student's parent(s) and/or the eligible student [for students under 18 years of age with parent(s) permission], the student's teacher, and any other persons with specialized knowledge regarding the student's disability and/or the training and capabilities of the service animal.

2. Requests by employees for the use of a service animal shall be made to the school principal in writing. The decision to allow the use of a service animal shall be made by the school administration after meeting with the employee and reviewing the relevant information regarding the employee's disability and limitations and the purpose for the service animal.
3. The employee, eligible student or the student's parents shall provide the following information and documentation in support of their request:
 - Documentation of adequate liability insurance with the McMinnville School District named as a third party beneficiary of said policy;
 - Copy of current dog license;
 - Certificate of current rabies and other vaccinations and certification of good health from a licensed veterinarian;
 - Documentation of a service animal's training, including the nature, duration and results of said training;
 - Appropriate documentation for any person other than the employee or student, who is proposed to care for this service animal at school; and
 - Evidence that the employee or student can maintain appropriate care and control of the service animal while it is on school property.
4. Should the request for a service animal be approved, the school district retains the right to require that updated or additional information be provided. The requirements regarding dog licensure, certification of current rabies and other vaccinations and certificate of good health from a licensed veterinarian shall be considered as ongoing requirements and it shall be the employee's or the student's parents' obligation to provide proof of said licensing, vaccinations and health information in a timely manner.

Requirements for Employees and Students

The following requirements apply to McMinnville School District employees, students and guests in regard to their contact with an approved service animal:

1. An individual will be allowed to have their service animal accompany them at all times and everywhere on school grounds, except where service animals are specifically prohibited.
2. Service animals should not be petted, touched or spoken to unless authorized by the animal's owner.
3. No individual other than the service animal's owner, unless authorized, should feed that animal.
4. Service animals should not be deliberately startled.
5. If a service animal becomes unruly, disruptive, or threatening, this behavior should be immediately reported to the animal's owner and to the school principal.

Restrictions and Off-Limits Areas for Service Animals:

1. The school district imposes some restrictions on service animals for health and safety reasons. Service animals may be excluded or have limited access to certain areas of school facilities or certain programs for health and safety reasons. Areas or programs which may be considered off-limits for service animals include, but are not limited to:
 - Laboratories, mechanical rooms, custodial closets, food preparation areas, areas where protective clothing is necessary, areas which have exposed sharp metal cuttings or other sharp objects which may pose a threat to the service animal's safety, areas with high levels of dust, and areas where there is moving machinery.
2. The determination to deny or limit the access of a service animal to specific programs or areas of that school facility will be on a case-by-case basis.

Conflicting Disabilities

Employees or parents of students with medical issues that are impacted by animals (such as respiratory diseases) should contact the school principal if they have a concern about exposure to a service animal. The employee or parent(s) of the student will be asked to provide medical documentation that identifies the disability and the need for an accommodation. The school principal will facilitate a process to resolve the conflict that considers the conflicting needs/accommodations of all persons involved.

Limiting, Removing or Excluding Service Animals from School

- The school district may limit, remove or exclude from school facilities or property any service animal for reasons, such as the following:
 - The service animal poses a direct threat to the health or safety of the employee or student or others at school, causes a significant disruption of school activities or otherwise jeopardizes the safe operation of the school or a school event.
 - The service animal is unable to perform reliably the service for which it has been approved.
 - The student or employee with the disability cannot maintain appropriate care or control of the service animal.
 - The service animal is a public health threat as a result of being infested with parasites or having a communicable disease of the skin, mouth or eyes.
 - The service animal is unclean or unsanitary.
 - The service animal lacks proof of current rabies and other appropriate vaccinations and/or is not properly licensed.
 - The service animal is not properly trained to relieve itself outside the school building.
 - The service animal's presence significantly impairs the learning of students.
 - The service animal's presence fundamentally alters the nature of any school program.
 - The employee, or in the case of the student, the student's parents, fail to provide or maintain current documentation required by this policy.
 - The employee, student or student's parents fail to abide by any additional conditions or the terms of an individual plan regarding their service animal.
1. If the building principal recommends excluding, limiting or removing a student's service animal for any of the reasons noted above, the principal shall convene a meeting of the Team to discuss the reason(s) that may require the exclusion, placing of limitations or removal of the service animal and what alternative methods or actions may resolve the problem(s) presented by the service animal.
 2. If the building principal is recommending excluding, limiting or removing a service animal of an employee for any of the reasons noted above, the principal shall meet with the employee to discuss the reason(s) that may require the exclusion, placing of limitations or removal of the service animal and what alternative methods or actions may resolve the problem(s) presented by the service animal. The building principal may also discuss the issue with other school district employees and administrators who may be able to assist in reaching a decision regarding the service animal's continued presence on school property.
 3. A school principal shall have the right to require the immediate removal from school property of a service animal that poses a direct or immediate threat to the health or safety of persons at the school.
 4. Any employee or student with a service animal who is aggrieved by a decision to remove, limit or exclude a service animal may appeal that decision to the superintendent of the school district. That appeal must be in writing and provide detailed information regarding the basis of the appeal.

Adoption Date: 6/13/11

Legal Reference(s):

[ORS 336.067](#)

[ORS 346.620](#)

[OAR 581-053-0010](#)

[OAR 581-053-0015](#)

[OAR 581-053-0545\(4\)\(c\)\(V\)](#)

[OAR 581-053-0550\(5\)\(u\)](#)

Americans with Disabilities Act of 1990, 104 Stat. 327, 42 U.S.C. § 12101 et seq. (2006).

28 CFR §§ 35.104, 35.136 (2006).

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