

Brevard Academy: A Challenge Foundation Academy (BA-CFA) acknowledges its responsibility to permit individuals with disabilities to be accompanied by a “service animal” in its building, classrooms and at school functions, as required by the Americans with Disabilities Act (ADA).

Definitions:

1. **Service Animal:** A service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including 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 or necessary to mitigate a disability.
 - a. The animal must be “individually trained” to do something that qualifies as work or a task. There are no size or weight limitations on a service animal. Federal regulation [28 C.F.R. 35.104](#) provides examples of types of work or tasks that would qualify.
 - b. Service animals do not include any other species of animal, whether wild or domestic, trained or untrained, except that a miniature horse will be permitted for use as a service animal if reasonable modifications can be made after assessing the specific factors listed in [28 C.F.R. 35.136\(i\)](#).
 - c. Animals whose sole function is to provide emotional support, well-being, comfort, companionship, or therapeutic benefits, or to act as a crime deterrent, are not service animals for the purposes of this policy.

USE OF A SERVICE ANIMAL ON SCHOOL PROPERTY BY STUDENTS AND EMPLOYEES

Introduction of a Service Animal

School Director or his/her designee shall facilitate the introduction of an eligible service animal into the school environment. To promote a successful integration of the service animal into the educational program and to minimize unnecessary disruption, an employee or student with a disability who intends to bring a service animal to school during the school day is encouraged to follow these guidelines.

- The employee, student, or student's parent should notify the School Director in writing at least ten (10) work days prior to the date proposed to bring the service animal onto school property.
- The employee, student, or student's parent should work with school personnel to create a plan addressing the presence of the service animal during the school day. A plan to integrate a service animal into the school environment should include the following:
 - appropriate training for school personnel and students regarding interaction with the service animal;
 - arrangements for meeting the service animal's basic needs during the school day;
 - any necessary modifications to the educational program so that the employee or student with a disability may be accompanied by the service animal; and

- when necessary, provisions for the presence of a handler other than the employee or student with the disability to control or care for the service animal.
- It is recommended, but not required, that the service animal wear identification to provide adequate notice to students, school personnel, and school visitors that the dog is a service animal.
- The service animal should be treated for and kept free from fleas, ticks and other parasites
- The employee, student, or student's parent will provide initial and annual proof of the following vaccinations for service dogs DHLPPC (Distemper, Hepatitis, Leptospirosis, Parainfluenza, Parvovirus, Coranovirus, Bordetella and Rabies)
- The service animal will be kept clean and groomed to reduce shedding and dander

Presence of a Service Animal on School Property

An employee or student with a disability accompanied by a service animal must meet the following requirements for a service animal to be present on school property.

- A student or employee who elects to be accompanied by a service animal will be expected to care for and supervise the animal. If a student is not capable of providing adequate care and supervision, the parent will be responsible for providing such care and supervision.
- If a student requires assistance from a parent or handler to control and care for the service animal while on school property, that individual must submit to a background screening, which may include a criminal history check in accordance with state law and any procedures established by the School Director.
- The service animal must be on a leash or other mechanical restraint at all times. If mechanical restraint is not feasible due to a student's disability, the animal must be under other sufficient means of control.
- The service animal must be housebroken, under the control of its handler, and have received all necessary vaccinations as required by state law.
- The School Director or designee shall notify all security personnel of the existence and possible locations of any service animals on school property.

USE OF A SERVICE ANIMAL ON SCHOOL PROPERTY BY SCHOOL VISITORS

A school visitor who is an individual with a disability may be accompanied by a service animal in accordance with all applicable state and federal laws and regulations. A service animal that is accompanying a school visitor may be properly excluded from school property for a reason(s) set forth in the EXCLUSION OF SERVICE ANIMAL FROM SCHOOL PROPERTY Section of this policy.

LIABILITY

BA-CFA may hold the owner or handler of a service animal liable for any property damage caused by the animal to the same extent required by other school policy or administrative rules that impose liability for property damage. In addition, either the owner or handler, or both, may be liable for personal injury caused by the animal or related to the presence of the animal on school property.

EXCLUSION OF A SERVICE ANIMAL FROM SCHOOL PROPERTY

School personnel shall not ask an individual with a disability about the nature or extent of his or her disability or for proof of a service animal training as a condition of allowing the animal onto school property. However, when not readily apparent to school personnel, School Director or designee may inquire as to whether the animal is required because of a disability and what work or task the animal has been trained to perform. Such inquiries may be made to confirm that the dog is a service animal and is rightfully present on school property.

The School Director or designee may exclude a service animal from school property for the following reasons:

1. The animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications.
2. The animal is out of control and the animal's handler does not take effective action to control it.
3. The animal is not housebroken.
4. The presence or behavior of the animal fundamentally alters the service, program, or activity of the school system.

If the Compliance Director or designee excludes a dog or service animal from school property, the Compliance Director or designee must document the reasons for the exclusion and notify the superintendent School Director in writing of the decision within five (5) work days of the initial exclusion. If the School Director determines that an animal does not meet the definition of a service animal or that a service animal should be excluded for one or more of the reasons described in this section, the student's Section 504 or IEP Team shall meet to consider and document whether the animal's presence is necessary for the child to receive an appropriate education or to have equal access to the educational program and, if not, whether the child needs other aids and services or accommodations.

If a service animal is excluded, an individual with a disability will be provided the opportunity to participate in educational services, programs or activities as required by law without having the service animal on the premises.

APPEAL OF AN EXCLUSION OF A SERVICE ANIMAL FROM SCHOOL PROPERTY

A parent may follow the BA-CFA 2100/4400 Student and Parent Grievance Policy to appeal.