

### **Animals in the Classroom**

Live animals will not be allowed in school district facilities except under special circumstances and only for an educational purpose. The Dubuque Community School District acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a “service animal” in its school buildings, on school vehicles, and at school functions to ensure that individuals with disabilities are permitted to participate in and benefit from district programs, activities and services, and to ensure that the district does not discriminate on the basis of disability.

#### Service Animal

Under the Americans with Disabilities Act (“ADA”) a service animal may include any dog and when “reasonable,” in specific circumstances, a miniature horse. Iowa law allows for additional species (including nonhuman primates) to be service animals. A service animal is defined as being 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. The work or tasks performed by the service animal must be directly related to the individual’s disability. If an animal meets this definition then it is considered a service animal under the ADA regardless of whether it has been licensed or certified by a state or local government.

#### Therapy Dog

The school district supports the use of therapy dogs by teachers or other qualified school personnel (“Handler”) for the benefit of its students subject to the conditions of this policy. A “therapy dog” is a dog that has been individually trained and certified to work with its Handler to provide emotional support, well-being, comfort, or companionship to school district students. Therapy dogs are not “service animals” as defined under the ADA. A therapy dog must be well behaved and have a temperament that is suitable for interaction with students and others in a public school. Therapy dogs are personal property of the teacher or employee and are not owned by the school district.

Adopted: September 12, 2016

Legal Reference:  
Iowa Code 279.8  
ADA 28 CFR Part 35  
Iowa Administration Code 216C

## Animals in the Classroom

Service Animal

A service animal is not a pet. Service animal means an animal trained to accompany its owner and/or Handler for purposes including, but not limited to: guiding people who are blind; alerting people who are deaf; pulling a wheelchair; detecting the onset of a seizure; protecting a person who is having a seizure; reminding a person with mental illness to take prescribed medications; detecting the onset of an anxiety attack and taking specific action to avoid or lessen the attack. Emotional support, therapy, comfort, or companion animals who provide comfort just by being with a person and have not been trained to perform a specific job or task, do not qualify as service animals under the ADA.

If necessary to determine whether an individual being accompanied by a service animal has the right to do so under the ADA and Iowa law, school officials may ask the individual or parent:

1. Do you need/require this animal because of a disability?
2. What work or task has the animal been trained to perform?

If the individual or parent satisfactorily answers the above questions, or if the disability, need or work/tasks of the service animal are readily apparent, they have the right to be accompanied by a service animal.

**All service animals must be:**

1. Harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case the individual must maintain control of the animal through voice, signal, or other effective controls;
2. In compliance with local animal licensing and registration requirements; and
3. Housebroken

The school must allow the service animal to accompany individuals with disabilities in all areas where the public is normally allowed to go, including classrooms and school common areas. The individual/Handler must provide a rest place for the animal (such as a crate) and the school will provide space.

An individual with a disability who uses a service animal cannot be required to pay any fee attributed to the presence of the service animal accompanying them, whether it to be classes, extracurricular activities, or other school functions. (Including any person assisting a disabled individual by controlling a service animal, or a person training a service animal.)

The school's emergency evacuation plan will be shared with the individual/Handler as appropriate. The service animal will participate in all fire and tornado drills. The individual/parent/guardian and school will develop an alternate accommodation plan in the event the animal is not able to accompany the person with the disability to school due to illness, injury, or death.

**Service animals may not:**

1. Post a direct threat to others;
2. Be out of control if the Handler does not take effective action to control it; or
3. Fundamentally alter the educational environment

If the service animal does any of the above, the school district may exclude the animal from its premises. If the school district properly excludes a service animal, it shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises. The individual's parent/guardian will be immediately notified and requested to come to the school to retrieve the animal. If safe, the Individual/Handler will remain with the animal under the parent/guardian or other identified persons removes the animal from school property. When safe, the animal will not be "confiscated" and taken away from the Individual/Handler.

If another student has a phobia or allergies that may be triggered by a service animal, the school will ensure that the rights of all are protected. When a person who is allergic to the animal dander and a person who uses a service animal must spend time in the same room or facility, they both will be accommodate by assigning them, if possible, to different locations within the room or different rooms in the facility.

**The Individual/Handler is liable for any damage to premises or facilities; injuries to students, employees, volunteers, and visitors caused by the service animal.**

## Therapy Dog

The following requirements must be satisfied before a therapy dog will be allowed in school buildings or on school grounds:

1. **Request.** A teacher or school employee (“Handler”) who wants to bring a therapy dog to school must submit a written request form to the Forum Business Office (see attached request form). The request must be renewed each school year or whenever a different therapy dog will be used.
2. **Training and Certification.** The Handler must submit proper certification with the request form.
3. **Health and Vaccination.** The therapy dog must be clean, well groomed, in good health, housebroken, and immunized against diseases common to dogs. The Handler must submit proof of current licensure from the local licensing authority and proof of the therapy dog’s current vaccinations and immunizations from a licensed veterinarian.

**Student/Staff Notification.** After 1, 2, and 3 have been submitted to the Forum Business Office, the Handler and school principal will be notified. At that time, a letter from the school principal (see attached letter to parents/staff) must be sent to school families and staff notifying them that it has been requested that a therapy dog come to school. A copy of that communication will also be forwarded to the Forum Business Office. Families/staff will have ten (10) days to notify the school of any concerns. If concerns are received that could not be addressed by the school, it is the responsibility of the principal to notify the Forum Business Office. If no concerns are received within the communicated deadline, the Forum Business Office will notify the Handler that the request has been approved and the therapy dog can begin the next school day.

**Control.** A therapy dog must be under the control of the Handler (or designee assigned by Handler) through the use of a leash or other tether unless the use of a leash or other tether would interfere with the therapy dog’s safe, effective performance of its work or tasks. However, the therapy dog must be under the Handler’s control at all times.

**Identification.** The therapy dog must have appropriate identification identifying it as a therapy dog.

**No Disruption.** The therapy dog must not disrupt the educational process by barking, seeking attention, or any other behavior.

**Health and Safety.** The therapy dog must not pose a health or safety risk to any student, employee, or other person at school.

**Supervision and Care.** The Handler is solely responsible for the supervision and care of the therapy dog, including any feeding, exercising, and clean up while the animal is in a school building or on school property. The school district is not responsible for providing any care, supervision, or assistance for a therapy dog.

**Authorized Area(s).** The Handler shall only allow the therapy dog to be in areas in school buildings or on school property that are authorized by the principal.

**Insurance.** The Owner must submit a copy of an insurance policy that provides liability coverage for a therapy dog while on school property.

**Exclusion or Removal from School.** A therapy dog may be excluded from school property and buildings if a principal determines that:

1. A Handler does not have control of the therapy dog;
2. The therapy dog is not housebroken;
3. The therapy dog presents a direct and immediate threat to others in the school; or
4. The animal's presence otherwise interferes with the educational process.

The Handler shall be required to remove the therapy dog from school premises immediately upon such a determination.

**Allergic Reactions.** If any student or school employee assigned to a classroom in which a therapy dog is permitted suffers an allergic reaction to the therapy dog, the Handler of the animal will be required to remove the animal to a different location designated by the principal.

**The Handler is liable for any damage to premises or facilities; injuries to students, employees, volunteers, and visitors caused by the therapy dog.**



[Insert Date]

Dear Parents,

We are very excited to share with you that a therapy dog will be coming to school. A therapy dog is a dog that has been individually trained and certified to work with its Handler to provide emotional support, well-being, comfort, or companionship to school district students. A therapy dog must be well behaved and have a temperament that is suitable for interaction with students and others in a public school. Proper training and certification, as well as health and vaccination paperwork are on file as required by board policy 7202. Please see the web sites listed below for additional information stating the benefits of therapy dogs in the classroom:

<http://www.webmd.com/add-adhd/childhood-adhd/features/integrating-pet-therapy#1> “Integrating Pet Therapy Into Daily School Life”

[www.educationworld.com/a\\_admin/admin/admin559.shtml](http://www.educationworld.com/a_admin/admin/admin559.shtml) “Lessons Learned from Dogs in the Classroom”

<http://therapyanimals.org> “Canine Visitors: The Influence of Therapy Dogs on Young Children’s Learning and Well-Being”

If your child is allergic or you have other concerns regarding the presence of a therapy dog at school, please respond in writing within ten (10) days of receiving this communication.

Sincerely,

[Insert Principal Name]

[Insert School]

THERAPY DOG REQUEST FORM

\_\_\_\_\_  
School

\_\_\_\_\_  
Employee/Animal Owner/Handler

Type of Dog: \_\_\_\_\_ Name of Dog: \_\_\_\_\_

Is the dog AKC Canine Good Citizen certified:  Yes  No

Has the dog received training or certification from another organization?  Yes  No

If yes, please provide details: \_\_\_\_\_

\_\_\_\_\_  
Is the dog current on all required immunizations and vaccinations:  Yes  No

Does the dog have an ID that indicates it is a therapy dog?  Yes  No

I have attached the following documentation:

- Proof of current licensure
- Proof of current vaccinations and immunizations from a licensed veterinarian
- Declaration page indicating adequate liability insurance coverage

I have read and understand the school district’s policy #7202. I will abide by the terms of said policy. I understand that if the therapy dog is out of control, not housebroken, presents a direct and immediate threat to others in the school, or otherwise interferes with the educational process, the principal may exclude or remove my therapy dog from district property.

I agree to be responsible for any damage to school property or injury to personnel, students, or others caused by the therapy dog. I agree to indemnify, defend, and hold harmless the school district from and against any and all claims, actions, suits, judgments and demands brought by any party arising on account of, or in connection with, any activity of or damage caused by my therapy dog.

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Date

APPROVAL

\_\_\_\_\_  
Dubuque Community School District

\_\_\_\_\_  
Date