

1. Policy.

The Kenai Peninsula Borough School District acknowledges its responsibility under the Americans with Disabilities Act (ADA) to allow students and/or adults with disabilities to be accompanied by a “service animal” in District buildings, including classrooms. As used in this policy disability means a physical or mental impairment that substantially limits one or more major life activities.

2. Definition of Service Animal.

a. A “service animal” is defined as any dog that is 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 purpose of this definition, with the exception of miniature horses as further detailed in paragraph 8 of these guidelines. The work or tasks performed by a service animal must be directly related to the individual’s disability.

b. Examples of work or tasks performed by a service animal 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, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

c. The following items do not constitute work or tasks under the ADA: 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.

3. Acceptable Inquiries.

a. School officials may ask an individual with a disability only two questions to determine whether an animal qualifies as a service animal:

- i. Whether the animal is required because of a disability; and
- ii. What task or work the animal has been trained to do.

b. Note: These inquiries should not be made if it is readily apparent that the individual has a disability or that the animal is trained to do work or perform tasks for the individual with a disability.

c. The following inquiries are not permitted:

- i. Questions regarding the nature or extent of a person's disability.
- ii. A request that the individual with a disability produce a certificate or documentation establishing the dog's qualifications as a service animal.
- iii. Requests that the dog perform the work or task.

4. Access.

a. Individuals with disabilities are permitted to be accompanied by a service animal in all areas of Kenai Peninsula Borough School District's facilities where members of the public, participants in services, program, or activities, as relevant, are allowed to go.

b. This access to Kenai Peninsula Borough School District facilities applies to students attending the school with a service animal and to employees and visitors with service animals as well.

c. The Board may prohibit the use of service dogs in certain locations due to health or safety restriction or where service dogs may be in danger. Such restricted locations include, but are not limited to, food preparation areas, certain research laboratories, mechanical rooms/custodial closets, classrooms with demonstration/research animals, areas where protective clothing is necessary and other areas where the dog's presence may constitute a danger or a fundamental alteration of the program or activity conducted in the area. Access to restricted areas may be granted on a case-by-case basis by contacting the Human Resources Director.

5. Service animals must comply with all state and local laws regarding licensing, health and vaccinations.

6. All service animals must be kept free of fleas and ticks.

7. All service animals must be kept clean and groomed to avoid shedding and dander.

8. The animal must be a dog or, in specific circumstances, a miniature horse. No other species of animal, whether wild or domestic, will be permitted in District buildings as a “service animal.”

9. The animal must be “required” for the individual with a disability.

10. The animal must be “individually trained” to do work or a task for the individual with a disability.

11. Fees.

a. The Kenai Peninsula Borough School District will not charge fees to individuals using service animals that are not charged to individuals without service animals.

b. The Kenai Peninsula Borough School District can charge an individual with a disability for any damage to school property caused by his or her service animal provided the school district normally charges individuals for the damage they cause.

12. Removal of a Service Animal.

A District Office Administrator or School Administrator may ask an individual with a disability or his/her parents to remove a service animal from a District building, including a classroom, or from a District function if any one of the following circumstances occurs:

a. The animal is out of control and the animal’s handler does not take effective action to control the animal.

b. The animal is not housebroken.

c. The animal’s presence would “fundamentally alter” the nature of the service, program, or activity.

- d. The animal poses a direct threat to the health and safety of others.

13. Control.

A service animal must have a harness, leash or other tether, unless either handler is unable because of 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 handler's control.

14. Care and Handling.

The District is not responsible for the care or supervision of a service animal, including feeding, exercise and clean up.

- a. The District is not responsible for providing a staff member to walk the animal or to provide any other care or assistance to the animal.

- b. Students with service animals are expected to care for and supervise their animal. In the case of a young child or a student with disabilities who is unable to care for or supervise his/her service animal, the child's parent or guardian is responsible for providing care and supervision of the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis in the discretion of the appropriate District Office Administrator or School Administrator.

15. Special Provisions/Miniature Horses.

Requests to permit a miniature horse to accompany a student or adult with a disability in District buildings, including classrooms, or at District functions, will be handled on a case-by-case basis, considering:

- a. The type, size and weight of the miniature horse and whether the facility can accommodate these features.
- b. Whether the handler has sufficient control of the miniature horse.
- c. Whether the miniature horse is housebroken.

d. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

e. All the rules set forth in the guidelines applicable to service animals and their owners and handlers are applicable to miniature horses.

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Adoption Date: 1/12/2015