

SERVICE ANIMALS IN SCHOOLS- AR

I. Access to Public Services, Program, or Activities

Individuals with disabilities are permitted to be accompanied by their service animal in all areas of TCPS properties, as relevant, where members of the public, students, and employees are allowed to go.

A. When an individual with a disability brings a service animal to an TCPS property, TCPS employees shall not ask about the nature or extent of a person's disability, but may make the following two inquiries to determine whether an animal qualifies as a service animal:

a. Is the animal required because of a disability?

b. What work or task has the animal been trained to perform?

B. TCPS employees shall not make these inquiries of an individual with a disability bringing a service animal to a TCPS property when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability.

C. An individual with a disability may not be required to provide documentation such as proof that the animal has been certified, trained, or licensed as a service animal.

II. Requirements

A. The animal must be a dog or, under certain conditions, a miniature horse.

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

C. The animal must be immunized against diseases common to that type of animal.

D. The animal must be under the control of its handler. A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animals safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g. voice control, signals, or other effective means).

- E. TCPS is not responsible for the care or supervision of a service animal. The owner or handler of a service animal is solely responsible for the supervision and care of the animal, including any feeding, exercising, or clean up.

III. Making arrangements for Service Animals Required by Employees or Students

- A. The Department of Human Resources is the contact for TCPS employees who may require service animals and is responsible for assisting employees and schools, as necessary, with making arrangements for service animals required by employees.
- B. The TCPS Office of Special Education is the resource for parents of students who may require service animals and is responsible for assisting parents, students, and schools with making arrangements for service animals required by students.
- C. Employees using service animals and parents of students with disabilities using service animals should proactively collaborate with school staff members to make arrangements for the service animal at school. The following are examples of arrangements that may be considered, as necessary:
 - 1. A rest place and rest time for the service animal
 - 2. Appropriate areas and times of the day for the service animal to relieve itself
 - 3. Information, as needed, for employees and students about the service animal
 - 4. Clarification, as needed, of emergency procedures
- D. Individuals with disabilities, employees, or parents of students with disabilities, who are assisted by service animals, are responsible for providing supplies and equipment needed by the service animal.
- E. An individual with a service animal cannot be refused transportation service nor can the individual be segregated from other passengers. The service animal must be permitted to accompany its owner on school buses or other school use vehicles. However, service animals may not block aisles or exits, or otherwise interfere with the movement of or access to other passengers.

IV. Liability and Care

- A. Owners of service animals are liable for any harm or injury caused by the service animal to other students, staff, visitors, and/or property.
- B. The Board of Education of Talbot County and its staff will not be held liable for any harm or injury caused by the service animal to other students, staff, visitors, and/or property.

C. Students with service animals are expected to care for and supervise their animals. 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 parent/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 at the discretion of the building administrator.

V. Removal or Exclusion of a Service Animal

A. A school administrator may ask an individual with a disability or parent/guardians of a student with a disability to remove a service animal from any TCPS property if any one of the following circumstances occurs:

1. The animal is out of control and the animal's handler does not take effective action to control it
2. The animal is not housebroken
3. The animal's presence would fundamentally alter the nature of the service, program, or activity

B. If staff properly excludes a service animal, the individual with a disability shall be given the opportunity to participate in the school related service, program, or activity without having the service animal on the premises, with the use of alternative accommodations.

VI. Responsibilities of Students and Staff Regarding a Service Animal

A. Service animals work and perform tasks and are not pets. The recommended "best practices" when interacting with service animals include:

1. Do not touch or feed service animals unless invited to do so.
2. Do not deliberately distract or startle a service animal.
3. Do not physically separate, or attempt to separate, a service animal from the individual using the animals service.

VII. Service Dog "In Training"

A service animal trainer may accompany a service animal in training to any facility where a person with a disability would be permitted to bring a service animal. Service animals in training may only be excluded if there would be a clear danger of disturbance or physical harm to those in the facility.

VIII. Other Animals in Schools

Any agency or person wishing to bring any animal into a TCPS school, must obtain prior approval from the Superintendent or designee.