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**School Committee Policy:**

**#534**

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### **Animals in Schools**

No animal shall be brought to school without prior permission of the building Principal.

The Maynard Public Schools is committed to providing a high quality educational program to all students in a safe and healthy environment.

School Principals, in consultation with the Health Services Providers in each building, shall utilize the Department of Public Health publication "Guidelines for Animals in Schools or on School Grounds" and review student health records to determine which animals may be allowed in the school building. The decision of the Principal shall be final.

#### **Educational Program**

Use of animals to achieve specific curriculum objectives may be allowed by the building Principal provided student health and safety is not jeopardized and the individual requesting that the animal be brought to school is responsible for adhering to the "Guidelines for Animals in Schools or on School Grounds" and any other conditions established by the Principal to protect the health and well-being of students.

#### **Student Health**

The health and well-being of students is the District's highest priority. Animals may cause an allergic reaction or otherwise impair the health of students. No animals may be brought to school or kept in the school, classroom, office or common area that may negatively impact the health of any student who must utilize that area. Animals that cause an allergic reaction or impair the health of students shall be removed from the school immediately so that no student shall have his/her health impaired and each student shall have full access to available educational opportunities.

#### **Animals Prohibited from School**

Rabies is a growing problem and any fur-bearing animal is susceptible to this very serious fatal disease. Infected animals can transmit this disease to students and staff. Based on the Massachusetts Departments of Health and Education recommendations the following animals are prohibited from schools within the Maynard Public Schools.

Wild Animals and Domestic Stray Animals - Because of the high incidence of rabies in bats, raccoons, skunks, foxes and other wild carnivores, these animals should not be permitted in school buildings under any circumstances (including dead animals).

Fur-Bearing Animals (pet dogs,\* cats, wolf-hybrids, ferrets, etc.) - These animals may pose a risk for transmitting rabies, as well as parasites, fleas, other diseases and injuries.

Bats - Bats pose a high risk for transmitting rabies. Bat houses should not be installed on school grounds and bats should not be brought into the school building.

Poisonous Animals - Spiders, venomous insects and poisonous snakes, reptiles and lizards are prohibited for safety reasons.

\*Exception: Guide, Hearing and Other Service Dogs or Law Enforcement Dogs - These animals may be allowed in school or on school grounds with proof of current rabies vaccination.

Exceptions may be made with the prior approval of the Superintendent of Schools.

### **Service Animals and Animal Assisted Therapy Service Animals**

The Maynard Public Schools acknowledges its responsibility, within certain limitations, to permit students and/or adults with disabilities to be accompanied by a "service animal" in its school buildings, in classrooms and at school functions, as required by the Title II of the Americans with Disabilities Act and its implementing regulations found at 28 CFR Part 35, subject to the following:

1. All requests for an individual with a disability to be accompanied by a service animal must be addressed in writing to the Superintendent and must contain required documentation of vaccinations. This written request must be delivered to the Superintendent's Office at least 10 business days prior to bringing the service animal to school or to a school function.
2. Only a dog or a miniature horse may qualify as a service animal pursuant to Title II of the ADA. No other species of animal, whether wild or domestic, will be permitted in schools as a "service animal."
3. Owners of a service animal must provide annual proof that the animal is up to date on all of its required vaccinations as determined by the animal's veterinarian, or, if such proof is not available, then as determined by the school district's veterinarian of choice. In order to provide the required proof, the animal's veterinarian must certify in writing, signed by him/her, that all vaccinations are current.\*
4. All service animals must be spayed or neutered.\*
5. All service animals must be treated for, and kept free of, fleas and ticks.\*
6. All service animals must be kept clean and groomed to avoid shedding and dander.\*
7. Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors and/or property. The student's parent or legal guardian will be required to sign a waiver of liability prior to the service animal coming to the school or to a school sponsored activity.

***\*The Company or owner providing the service or therapy animal must have a liability insurance coverage with limits of a minimum of \$1,000,000.***

8. Service animals perform some of the functions and tasks that individuals with disabilities cannot perform themselves. The animal must be required and "individually trained" to do work or to assist the individual with a disability. Service animals are not pets. There are several kinds of service animals that assist individuals with disabilities. Examples include, but are not limited to, animals that:

- Assist individuals who are blind or have severe sight impairments as "seeing eye dogs" or "guide dogs;"
- Alert individuals with hearing impairments to sounds;
- Pull wheelchairs or carry and pick up items for individuals with mobility impairments; and
- Assist mobility-impaired individuals with balance.

9. The Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act allows a student to use an animal that does not meet the ADA definition of a service animal if that student's Individual Education Plan (IEP) or Section 504 team decides the animal is necessary for the student to receive a free and appropriate education. Ultimately, the determination whether a student may utilize an animal other than a service animal should be made on a case-by-case basis by the IEP or 504 team.

10. MPS is responsible for providing a safe learning environment for students, teacher and staff. If the presence of a service animal poses a health or safety risk to another member of the MPS community, as documented by a physician, MPS will weigh the needs of all parties and will put forth a plan to provide reasonable accommodations. This scenario is most likely to be raised in the context of a severe allergy. MPS will assess each situation on a case-by-case basis and may exclude the service animal if the animal's presence poses a threat to the health, safety and well being of anyone who will potentially come in contact with the service animal.

11. Special Provisions/Miniature Horses: Requests to permit a miniature horse to accompany a student or adult with a disability in school buildings, in classroom or at school 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.

12. Removal of a Service Animal: An administrator may ask an individual with a disability or his parents to remove a service animal from a school building, a classroom or from a MPS 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 it.
- b. The animal is not housebroken.
- c. The animal's presence would "fundamentally alter" the nature of the service, program or activity.

13. 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 animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control.

14. MPS is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself.

- a. MPS is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
- b. MPS students with service animals are expected to care 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 service animal, the parent 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 program administrator.

### **Animal Assisted Therapy**

Although "therapy animals" are not legally defined or protected, MPS recognizes the many benefits of animal assisted therapy in helping children with disabilities build self-esteem, reduce anxiety and develop self-regulation. MPS will allow Therapy Animals in our school programs under the following conditions:

1. The animal must be certified by a recognized organization such as Therapy Dog International.
2. The animal must be owned by an employee or volunteer who takes full responsibility for the care of that animal. This includes walking, feeding or any expenses related to care of the animal.
3. The owner of the animal must provide annual proof that the animal is up to date on all of its required vaccinations and certifications.
4. All animals must be treated for, and kept free of, fleas and ticks.\*
5. All animals must be kept clean and groomed to avoid shedding and dander.\*
6. Owners of animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.
7. MPS is not liable for any harm to the animal while on MPS premises.
8. The animal will not interact directly with any students unless the parent/guardian has provided written permission.
9. If the presence of the therapy animal poses a health or safety risk to another member of the MPS community, as documented by a physician, most likely to be raised in the context of a severe allergy, MPS may need to discontinue the animal assisted therapy in that location.

\*If the service animal does not meet this requirement at any time, the service animal may be removed by MPS. All costs associated with such removal and boarding, if necessary, will be borne by the owner of the service animal. The service animal will not be permitted to return to school property or any school activity until all costs associated with its removal have been paid.

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Legal References: Title II of the Americans with Disabilities Act, 28 CFR Part 35.

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