

## ANIMALS ON SCHOOL PROPERTY

### Introduction

The Board recognizes that there are occasions when animals are present on school property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. This policy shall apply to all animals on Discovery Charter School property, including service/therapy animals.

### Definitions

- A. **Animals** shall be held to include every living creature other than a plant or a human.
- B. **Service/therapy animal** as used in this policy has the meaning of the term in I.C. 16-32-3-1.5 and means an animal trained and providing services constituting a reasonable accommodation of performing tasks directly related to the person's disability. The term includes but is not limited to:
1. a hearing animal;
  2. a guide animal;
  3. an assistance animal;
  4. a seizure alert animal;
  5. a mobility animal;
  6. a psychiatric service animal; or
  7. an autism service animal.

### Vaccination, Licensing and/or Veterinary Requirements

Animals admitted or housed on Discovery Charter School property or brought on Discovery Charter School property for any school purpose, such as to conduct random searches for illegal substances or to

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support classroom activities, or brought onto Discovery Charter School property on a regular basis for any purpose, including service animals, must meet every veterinary health and inoculation requirement set forth in State law and local regulation or ordinance, including but not limited to a current rabies vaccination.

### **Non-Service Animals in Schools and Elsewhere on Discovery Charter School Property**

Animals permitted in the school and elsewhere on Discovery Charter School property shall be limited to those necessary to support specific curriculum-related projects and activities, those that provide assistance to a student or staff member due to a disability, those that provide a reasonable accommodation to a student in accordance with any Individualized Education Program or a Section 504 Plan, or those that serve as service animals as required by Federal and State law.

A non-service animal that is poisonous, a bite risk, or is otherwise dangerous to persons shall be housed and maintained in a manner so as to eliminate a risk of injury to a person. The risk of injury shall take into account that a student may not follow safety directives established for the handling of the non-service animal. This evaluation may result in a decision that despite the educational value of the non-service animal's presence, the educational value does not outweigh the risk of injury to a person.

Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the principal may permit animals other than service animals to be present in school to support curriculum-related projects and activities only under the following conditions:

- A. The staff member seeking approval to have a non-service animal in his/her classroom shall:
  1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;
  2. take precautions deemed necessary to protect the health and safety of students and other staff;
  3. ensure that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and
  4. keep the surrounding areas in a clean and sanitary condition at all times.

- B. Other staff members and parents/guardians of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.

**Humane Treatment of Animals:** Animals kept on school premises shall be treated humanely and shall not be subjected to cruel treatment or housed in unsanitary or unnecessarily restrictive conditions. For purposes of this provision, "humanely" includes the provision of adequate food and fresh water, and the term "animal" means a sentient creature capable of assessing and responding to its environment. The person with disability accompanied by a service animal is considered to also be the responsible handler.

All persons are prohibited by Indiana Code 35-46-3-11.5 from knowingly or intentionally interfering with the actions of a service animal or striking, tormenting, injuring or otherwise mistreating a service animal while the service animal is engaged in assisting an impaired person in navigation, assistance in performing daily activities, or alert signals regarding the onset of the person's medical condition.

The handler is responsible for caring for and supervising the service animal, which includes toileting, feeding, watering, grooming, and veterinary care. The handler should encourage the animal to use marked toileting areas. The Discovery Charter School is not responsible for the care or supervision of a service animal.

Service animals must be kept free of fleas and ticks. Service animals must be appropriately clean and groomed. A service animal shall 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 (e.g., voice control, signals, or other effective means). "Under control" also means that a service animal shall not be allowed to bark repeatedly in a quiet place. The handler may not allow the service animal to wander away from his/her and must maintain control of the animal, even if it is retrieving an item at a distance from the handler.

### **Service Animals for Students**

A service animal shall be the personal property of the student and/or parents/guardians. The Board shall not assume responsibility for training, daily care, or healthcare of a student's service animal. By admitting a service animal to Corporation property, the Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on Corporation property or at Corporation-sponsored events. The owner and/or individual accompanied by a service animal is liable for any damage, harm, or injury caused by the service animal to other students, staff, visitors, and/or property. An individual with a disability may be charged for damage, harm, or injury caused by his/her service animal. If the person accompanied by the service animal is unable to handle the service animal appropriately, then the school and parent shall meet to review reasonable [MC3] accommodations for care and supervision of the animal. At all times, any handler shall be subject to all school corporation policies and procedures.

A service animal that meets the definition set forth in this policy shall be under the control of a student or the service animal's handler

The principal will be responsible for reviewing and determining whether the required documentation has been provided for the student's service animal. Services to a student shall begin following receipt of the requisite documentation.

A service animal shall be permitted to accompany the disabled student anywhere on the school campus where students are permitted to be.

### **Removing and/or Excluding a Student's Service Animal**

If a service animal is not housebroken, if the service animal is out of control and the handler does not take effective action to control it, if the service animal behaves in a way that poses a direct threat to the health and safety of others or has a history of such behavior, or if the service animal's presence would fundamentally alter the nature of the service, program, or activity, the Discovery Charter School may request that the animal be removed from the premises.

In instances when a service animal has demonstrated that it is not under the control of the student or its handler, the administrative staff will document such behavior and determine if and when the service animal is to be removed and/or excluded from Discovery Charter School property.

