

Descriptor Term:
Service Dogs

ICC

ISSUE DATE: 10/14/17

The Jackson County School District does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The District will comply with Mississippi and federal law concerning the rights of persons with guide or assistance dogs.

All request for an individual with a disability to be accompanied by a service dog must be addressed in writing to the building level principal with proper documentation. The owner of the dog must provide proof that the dog is properly certified and required. Authorization from a licensed physician is also required. This documentation must be kept on file in the principal's office.

With proof of current vaccinations, the District will permit such animals on school premises and on school transportation. For purposes of this policy, a "service animal includes any dog that has been individually trained to do the work or perform tasks for the benefit of an individual with a disability."

The federal regulations further state that "a public entity shall make reasonable modifications in policies, practices, or procedures to permit the use of a service animal.

Service animals perform some of the functions and tasks that individuals with disabilities cannot perform themselves. Service animals are not pets. Examples include but are not limited to:

- 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.

The District shall not assume or take custody or control of, or responsibility for, the care or feeding of any service animal. The owner or person having custody and control of the animal shall be liable for any damage to persons, premises, property, or facilities caused by the service animal, including, but not limited to, clean up and stain removal. Reasonable accommodations can be made due to the student's age and disability.

If, in the opinion of the building Principal or his or her designee, any service animal is not in the control of its handler, or if it is not housebroken, the service animal may be excluded from the school or program. The service animal can also be excluded if it presents a direct and immediate threat to others in the school.

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The parent or guardian of the student having custody and control of the animal will be required to remove the service animal from District premises immediately.

In providing accommodations for students, the parent of a child with such illness or disability, the teacher or teachers of the student and the appropriate school administrator shall meet and develop a written 504 Plan consistent with the provisions of Chapter 23, Title 37, Mississippi Code of 1972, that would permit the use of service dogs in the school facility. Also, in providing accommodations for students, the teacher or teachers of the student and the appropriate school administrator shall develop a plan designed to educate other students of the appropriate behavior in the presence of such dogs, as well as the proper handling of such dogs in the presence of those students who may have an allergic reaction to the dog and the reasonable care to be taken in efforts to prevent contact by students who are allergic with such dogs.

If any student or staff member assigned to the classroom in which a service animal is permitted suffers an allergic reaction to the animal, the person having custody and control of the animal will be required to remove the animal to a different location designated by the building Principal or his or her designee and an alternative plan will be developed with appropriate District staff.

Such plan could include the reassignment of the person having custody and control of the animal to a different classroom. If an individual on school transportation suffers an allergic reaction to a service animal, an alternate transportation plan will be developed in coordination with appropriate school, District, and transportation staff and the parents/guardian of the student.

When a student will be accompanied by a service animal at school or in other District facilities on a regular basis, the staff member assigned to the student's classroom, the student's parent or guardian, as well as the animal's owner and any other person who will have custody and control of the animal, will be required to sign a document stating that they have read and understood this policy.

The Superintendent or his/her designee shall be responsible for developing procedures to accommodate a student's use of an assistance dog in District facilities and on school transportation vehicles.

Legal References: Mississippi Code of 1972 § 37-7-342 and Federal regulations under the Americans with Disabilities Act: 28 CFR Part 35

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