

Service Animals in Schools

Policy Code: 4202/5029/7272

The Guilford County Board of Education (the “Board”) will make reasonable accommodations for qualified persons with disabilities in accordance with policy [1730/4022/7231](#), Nondiscrimination on the Basis of Disabilities, and the requirements of state and federal law. An individual with a disability may be accompanied by his or her service animal on school property subject to the requirements of this policy. If necessary, the Superintendent may establish administrative regulations for the use of service animals on school property.

A. DEFINITION OF “SERVICE ANIMAL”

A “service animal” for purposes of this policy is any dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual’s disability or necessary to mitigate a disability. Federal regulation [28 C.F.R. 35.104](#) provides examples of types of work or tasks that would qualify. Service animals do not include any other species of animal, whether wild or domestic, trained or untrained, except that a miniature horse will be permitted for use as a service animal if reasonable modifications can be made after assessing the specific factors listed in [28 C.F.R. 35.136\(i\)](#). Animals whose sole function is to provide emotional support, well-being, comfort, companionship, or therapeutic benefits, or to act as a crime deterrent, are not service animals for the purposes of this policy, [but requests for the use of a non-service animal by a qualified individual with a disability may be assessed on a case-by-case basis and additional restrictions applied.](#)

B. USE OF A SERVICE ANIMAL ON SCHOOL PROPERTY BY STUDENTS AND EMPLOYEES

1. Introduction of a Service Animal

School administrators shall facilitate the introduction of an eligible service animal into the school environment. To promote a successful integration of the service animal into the educational program and to minimize unnecessary disruption, an employee or student with a disability who intends to bring a service animal to school during the school day is encouraged to reference 4202/5029/7272-R.

2. Presence of a Service Animal on School Property

An employee or student with a disability accompanied by a service animal must meet the following requirements for a service animal to be present on school property.

- a. A student or employee who elects to be accompanied by a service animal will be expected to care for and supervise the animal. If a student is not capable of providing adequate care and supervision, the parent will be responsible for providing such care and supervision.
- b. If a student requires assistance from a parent or handler to control and care for the service animal while on school property, that individual must submit to a background screening, which may include a criminal history check in accordance with state law and any procedures established by the Superintendent.
- c. The service animal must be on a leash or other mechanical restraint at all times. If mechanical restraint is not feasible due to a student’s disability, the animal must be under other sufficient means of control.

- d. The service animal must be housebroken, under the control of its handler, and have received all necessary vaccinations as required by state law.
3. The principal or designee shall notify all security personnel of the existence and possible locations of any service animals on school property.

C. USE OF A SERVICE ANIMAL ON SCHOOL PROPERTY BY SCHOOL VISITORS

A school visitor who is an individual with a disability may be accompanied by a service animal in accordance with all applicable state and federal laws and regulations and with policy 5020, Visitors to the Schools. A service animal that is accompanying a school visitor may be properly excluded from school property for a reason(s) set forth in section E of this policy.

~~School personnel shall not ask an individual visitor with a disability about the nature or extent of his or her disability or for proof of a service animal's training as a condition of allowing the animal onto school property. However, when not readily apparent to school personnel, a principal or designee may inquire as to whether the animal is required because of a disability and what work or task the animal has been trained to perform. Such inquiries may be made to confirm that the dog/creature is a service animal and is rightfully present on school property.~~

D. LIABILITY

The Board may hold the owner or handler of a service animal liable for any property damage caused by the animal to the same extent required by other Board policy or administrative rules that impose liability for property damage. In addition, either the owner or handler, or both, may be liable for personal injury caused by the animal or related to the presence of the animal on school property.

E. EXCLUSION OF A SERVICE ANIMAL FROM SCHOOL PROPERTY

A service animal may be excluded from school property in the following circumstances:

1. the person seeking to bring the service animal to campus does not abide by the requirements of this policy or the animal is otherwise not qualified to be a service animal;
2. the animal is not properly supervised or is not kept on a leash or mechanical restraint at all times;
3. it becomes clear that the animal is not house-broken or has not received all necessary vaccinations;
4. the animal displays signs of aggression or violent behavior; or
5. the animal causes an unreasonable disturbance to the learning environment that cannot be mitigated with reasonable accommodations.

~~School personnel shall not ask an individual with a disability about the nature or extent of his or her disability or for proof of a service animal's training as a condition of allowing the animal onto school property. However, when not readily apparent to school personnel, a principal or designee may inquire as to whether the animal is required because of a disability and what work or task the animal has been trained to perform. Such inquiries may be made to confirm that the dog is a service animal and is rightfully present on school property.~~

~~If a service animal is excluded, an individual with a disability will be provided the opportunity to participate in educational services, programs or activities as required by law without having the~~

~~service animal on the premises.~~

~~**E. — APPEAL OF AN EXCLUSION OF A SERVICE ANIMAL FROM SCHOOL PROPERTY**~~

~~The Superintendent's decision regarding exclusion of a service animal from school property in accordance with this policy may be appealed consistent with the procedure established by the Superintendent under policy [1710/4021/7230](#), Prohibition Against Discrimination, Harassment, and Bullying, and any other procedure established by the Superintendent under policy [1730/4022/7231](#), Nondiscrimination on the Basis of Disabilities.~~

Legal References: Americans with Disabilities Act, [42 U.S.C. 12101](#) *et seq.*, [28 C.F.R. pt. 35](#); Individuals with Disabilities Education Act, [20 U.S.C. 1400](#) *et seq.*, Rehabilitation Act of 1973, [29 U.S.C. 705](#)(20), [794](#), [34 C.F.R. pt. 104](#); [G.S. 130A-185](#), [168 art. 1](#), [168A-3 through -7](#)

Cross References: Prohibition Against Discrimination, Harassment, and Bullying (policy [1710/2021/7230](#)), Nondiscrimination on the Basis of Disabilities (policy [1730/4022/7231](#)), School Volunteers (policy 5015), Visitors to the Schools (policy 5020)

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Revised: TBD