

Volusia County Schools – Service Animal Guidelines and Procedures

The Volusia County School District wants to ensure that all individuals with disabilities are permitted to participate in and benefit from district programs, activities, and services, and to ensure that the district does not discriminate based on disability. This procedure is being established for the use of service animals in the Volusia County School District, including school buildings, vehicles, and other property; and to ensure the School District's compliance with state and federal laws. Service animals are governed by state and federal law. These guidelines shall not be interpreted or applied to conflict with applicable state and federal law.

1. A Service animal is defined as the following:
 - a. An animal that is trained to perform tasks for an individual with a disability, as defined by Sec. 413.08, Fla. Stat., OR
 - b. Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability, as defined by 28 CFR 35.104.
2. A service animal does not include: (1) other species of animals, whether wild or domestic, or trained or untrained; and (2) animals whose sole function is to provide emotional support, comfort, therapy, companionship, therapeutic benefits, or to promote general emotional well-being.
3. In accordance with law, the School District shall strive to make reasonable accommodations so that its facilities, vehicles, grounds, and functions are accessible for an individual with a disability who is accompanied by a service animal, unless the accommodation would impose an "undue hardship." All decisions regarding the accommodations of a student or employee with a disability shall be made on an individual basis.
4. **Students.** A student with a disability may be accompanied by a service animal regardless of whether the service animal is written into a 504 plan or IEP, subject to any conditions or limitations of this procedure or applicable law. Parents/guardians or students shall submit any requests for the use of a service animal to the Assistant Director of Equity (Equity Officer).
5. **Employees.** Use of a service animal by an employee with a disability will be allowed when such use is necessary to enable the employee to perform the essential functions of his or her position, or to enable the employee to enjoy comparable benefits and privileges of employment as are enjoyed by other similarly situated employees without disabilities. Employees shall submit any requests for the use of a service animal to perform essential functions of his or her position to the Assistant Director of Equity (Equity Officer).
6. **General - Public.** Any person with a disability who is accompanied by a service dog shall be provided access to Board properties with his or her service dog and be accompanied by

the service dog while on the premises. Access will be in accordance with normal security procedures, and shall be to those areas where the public or third parties customarily have access. If a member of the general - public has any issues or requests regarding accessibility, the Assistant Director of Equity (Equity Officer), shall be contacted.

7. Responsibility of Parties.

a. **The District** is not responsible for the care or supervision of the service animal. The School through District or school administrative staff shall be responsible for determining whether the service animal meets the standards for acceptance in the school or work setting, by addressing:

1. whether the animal is a trained service animal; and
2. by identifying the specific work or tasks the service animal is trained to perform.

b. **The student (or the student's parents/guardians) or an employee** with a service animal shall be solely responsible for:

1. supervision and care of the service animal, including any feeding, exercising, walking to relieve, cleaning-up, and stain removal;
2. leashing and properly restraining the service animal at all times, unless the handler/student is unable because of a disability to use a leash or other restraining device or the use of such device would interfere with the service animal's performance of work or tasks, in which case the animal must be under the handler's/student's control (e. g., voice, signals or other effective means);
3. annual submission of documentation of vaccinations and immunizations;
4. damages to District buildings, property, and vehicles caused by the service animal; and injuries to students, staff, or others caused by the service animal or service-animal in training.

8. Exclusion of Service Animals

a. District administrators may exclude a service animal from District facilities, vehicles, and functions under the following circumstances:

1. The service animal's behavior poses a direct threat to the health and safety of another student, school personnel, or another person. Allergies or fear of animals are not valid reasons for denying access or refusal of services.

2. The service animal is out of control and the student/handler does not take effective action to control the animal.
 3. The service animal is not on a harness, leash, or other tether, or otherwise under the voice control of the handler/student (e. g., voice control, signals, or other effective means).
 4. The service animal's presence fundamentally alters the nature of the program, activity, or service.
 5. The service animal is not housebroken.
- b. If a District administrator excludes a service animal for one or more of the above reasons, the District administrator shall give the student (e. g., parents/guardians), employee, or other person with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises.
9. **Grievance Procedures.** A student or employee with a service animal who believes the District has discriminated against him or her on the basis of a disability by excluding the service animal may file a grievance in accordance with the District's Grievance Procedures as provided for in Policy 508.
10. **Exception/Liability.** A service animal is the personal property of the student, employer, or member of the public. The School Board is not responsible for the training, care, or supervision of a service animal. Furthermore, the student/parent, owner, handler, or employee is liable for any damage to District property, or personal property and any injuries to individuals caused by their service animals.
11. **Appeal of Exclusion of Service Animal from District Property.** If a school official denies a request for access of a service animal or a dog in training, the individual or parents/guardians may file a grievance in accordance with the District's Grievance Procedures as provided for in Policy 508.

Questions, complaints, or requests for additional information regarding the above guidelines and procedures should be made to:

For Employees/General Public

Anne Marie Wrenn, PHR, SHRM-CP
Assistant Director, Equity
(Equity Officer)
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DeLand, Florida
(386) 734-7190, ext. 20313
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For Student/Section 504

Dr. Rolanda Fabian
Assistant Director
ESE & Student Services
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