

LIONSGATE ACADEMY

618 ANIMALS IN SCHOOL

Original Adoption Date: February 17, 2015

Revision Date(s): February 8, 2018

Review Date(s): February 8, 2018, January 5, 2021

I. PURPOSE

The purpose of this policy is to specify the conditions under which animals may be allowed within the building.

II. DEFINITIONS

The implementing regulations of the Americans with Disabilities Act (ADA) define a service animal as :

Service animal means 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. Emotional support animals, comfort animals, and therapy dogs are not service animals under Title II and Title III of the ADA. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. (*Title II and III of the ADA*)

Dogs meeting this definition are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government.

III. GENERAL STATEMENT OF POLICY

Animals other than Service Animals

Animals may be used as an educational tool, when and where appropriate; however, alternative teaching methods should be used whenever possible. Employees and students are prohibited from bringing animals into the workplace for any non-instructional purpose.

- A. "Request for Animals in the Classroom" must be submitted to and authorized by the executive director prior to any animal being brought into the school.
- B. The owner or requestor must agree to clean cages daily and dispose of waste appropriately. This schedule includes weekends, vacations, and holidays.
- C. The administration may require removal of animals from classrooms for any reason deemed appropriate.

Service Animals

Title II of the ADA provides that no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity. This includes individuals with a disability who have service animals in schools.

In addition to the provisions about service dogs, revised ADA regulations have a separate provision about miniature horses that have been individually trained to do work or perform tasks for people with disabilities.

Exclusion of Service Animals

In accordance with the ADA, Lionsgate may exclude any animal, including a service animal, from the facility when that animal's behavior poses a direct threat to the health or safety of others. For example, any service animal that displays vicious behavior towards other students or staff may be excluded. Each situation will be considered individually.

Although a public entity may exclude any service animal that is out of control, the individual with a disability who uses the service animal shall not be excluded from school.

There may be a few circumstances when a public entity is not required to accommodate a service animal--that is, when doing so would fundamentally alter the learning environment by being disruptive (e.g., dog barking during class, for example).

Lionsgate Academy requires the following of service animals:

- All animals must meet state and local immunization and license requirements.
- Animals must be clean and free from offensive odors.
- Animals must be housebroken.
- Animals must be on a leash, harness or other type of restraint at all times, unless the owner/partner is unable to retain an animal on leash due to a disability.

Consideration of others must be taken into account when providing maintenance and hygiene of service animals. The owner is expected to clean and dispose of all animal waste.

Legal References:

Minn. Stat. § 125A.55 Accommodating Students with Disabilities

ADA, 42 U.S.C. § 12131

PL 101-336 Americans with Disabilities Act