

**SERVICE ANIMALS ON DISTRICT PROPERTY**

- 1.0 As required by law and in accordance with this policy, District students, employees and other persons with disabilities have the right to be accompanied in District schools, buildings and/or vehicles by a “service animal.” Also as required by law and in accordance with this policy, District employees and other persons who are qualified trainers of service animals have the right to be accompanied in District schools, buildings and/or vehicles by a service animal they are in the process of training, hereinafter referred to in this policy as “service animal-in-training.”
- 2.0 As used in this policy, “service animal” is defined as any dog that is individually trained to do work or perform tasks required for the benefit of a person with a disability that are directly related to that person’s disability, in accordance with applicable law. Neither the crime deterrent effects of an animal’s presence nor the provision of emotional support, well-being, comfort or companionship constitute work or tasks for the purposes of this definition. If reasonable modifications in District policies, practices or procedures can be made to permit their use, miniature horses may also serve as “service animals” under this policy.
- 3.0 As provided by law, District officials shall not ask about the nature or extent of a person’s disability if that person is using or wishes to use a service animal at one or more District schools, other buildings or vehicles. District officials may, however, make two inquiries to determine whether an animal qualifies as a service animal:
  - 3.1 Is the animal required because of a disability?
  - 3.2 What work or task has the animal been trained to perform?
- 4.0 District students and employees who wish to be accompanied by a service animal on an ongoing basis in District schools, buildings and/or vehicles shall provide at least ten (10) working days’ advance written notice to the District’s Title IX/Nondiscrimination Coordinator. The contact information for the District’s Title IX/Nondiscrimination Coordinator is included in Policy 8400.
- 5.0 A District employee who is a qualified trainer of service animals and who wishes to bring a service animal-in-training to the his/her place of employment shall provide at least ten (10) working days’ advance written notice to his/her building principal or supervisor. The building principal or supervisor shall then confer with Human Resources and/or the District’s Title IX/Nondiscrimination Coordinator, as appropriate.
- 6.0 All service animals and service animals-in-training in District schools, other buildings and/or vehicles must have all required vaccinations current.
- 7.0 All service animals and service animals-in-training must at all times be under the control of their handlers when in District schools, other buildings and/or vehicles.
  - 7.1 Such control shall be maintained by use of 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 animal's safe, effective performance of work or tasks, in which case the animal must be otherwise under the handler's control.
  - 7.2 When on District vehicles, service animals and service animals-in-training must also be kept near the individual they are accompanying and out of the aisle, and must not disturb the other passengers.

- 8.0 Service animals and service animals-in-training may be excluded from District schools, other buildings and/or vehicles as follows:
  - 8.1 to the extent the animal's presence would fundamentally alter the nature of a District service, program or activity;
  - 8.2 if the animal poses a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services;
  - 8.3 if the animal is not kept under the handler's control; or
  - 8.4 if the animal is not housebroken.
- 9.0 The owner of a service animal or service animal-in-training and the person having control or custody of the service animal or service animal-in-training are liable for any damage to persons, premises, buildings, or vehicles caused by the service animal or service animal-in-training.
- 10.0 The District shall not be responsible for the care or supervision of a service animal or service animal in training, including but not limited to walking the animal, responding to the animal's need to relieve itself or providing any other care or assistance to the animal.
- 11.0 Issues related to the care or supervision of service animals and service animals-in- training shall be addressed on a case-by-case basis. Building principals are responsible for seeking guidance from General Counsel when an issue regarding service animals or service animals-in-training arises.

LEGAL REFERENCE:

28 C.F.R. 34.104, 35.136 and 35.139  
C.R.S. 24-34-301, -803 and -804

CROSS REFERENCE:

Code: 8400