

3400-POLICY ON SERVICE ANIMALS
NORTH COUNTY CHARTER SCHOOL

Effective Date:

This Policy of North County Charter School (“School”) shall govern the use of service animals at the school. This Policy shall at all times be construed in accordance with section 413.08, Florida Statutes, Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the Individuals with Disabilities Education Act, and any other applicable laws.

I. General Statement

The School will allow a student to bring a service animal to school when student has a disability, the need for the service animal is documented in the student’s IEP or Section 504 Plan, the service animal is trained to do work or perform tasks to assist the disabled student, and the service animal has been approved by the Principal.

II. Definitions.

- a. “Major life activity” means a function such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
- b. “Physical or mental impairment” means:
 - i. A physiological disorder or condition, disfigurement, or anatomical loss that affects one or more bodily functions; or
 - ii. A mental or psychological disorder that meets one of the diagnostic categories specified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association, such as an intellectual or developmental disability, organic brain syndrome, traumatic brain injury, posttraumatic stress disorder, or an emotional or mental illness.
- c. “Individual with a disability” means a person who has a physical or mental impairment that substantially limits one or more major life activities of the individual.

III. Who Can Bring a Service Animal?

In order to qualify to bring a service animal to school, the student must be an “individual with a disability” as defined in section 413.08, Florida Statutes, and this Policy.

IV. Rights of a Qualified Student with a Service Animal

A student who qualifies and has been approved to bring a service animal to school has the right to be accompanied by the service animal in all areas of the school unless the student’s IEP or Section 504 Plan dictates otherwise.

V. Types of Animals that Qualify as a Service Animal

A service animal is not a pet. A service animal must be either a dog or a miniature horse. Further, the dog or miniature horse must be trained to do work or perform tasks for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work done or tasks performed must be directly related to the individual’s disability and may include, but are not limited to, guiding an individual who is visually impaired or blind, alerting an individual who is deaf or hard of hearing, pulling a wheelchair, assisting with mobility or balance, alerting and protecting an individual who is having

a seizure, retrieving objects, alerting an individual to the presence of allergens, providing physical support and assistance with balance and stability to an individual with a mobility disability, helping an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors, reminding an individual with mental illness to take prescribed medications, calming an individual with posttraumatic stress disorder during an anxiety attack, or doing other specific work or performing other special tasks.

VI. Types of Animals that Do Not Qualify as Service Animals

A service animal is not a pet. § 413.08(1)(d), Fla. Stat. A service animal must be either a dog or a miniature horse. An animal whose sole function is to deter crime or provide emotional support, comfort, therapy, companionship, therapeutic benefits, or promote general emotional well-being is not a service animal.

VII. Requesting Approval of a Service Animal

The parent or guardian of the student must make a written request to the Principal to have the service animal on campus and the Principal must approve the request. The service animal must meet the definition of a “service animal” as described in this Policy. Further, the need for the service animal must be documented in the student’s IEP or Section 504 Plan. No student will be allowed to have a service animal on campus if the need for the service animal is not documented in the student’s IEP or Section 504 Plan. Upon approval of the service animal, the School will work with the parents/guardians and the student to establish an implementation plan for having the service animal on campus.

The School is prohibited from requiring the student to provide documentation to prove that the service animal is trained. Further, the School is prohibited from requiring the student to pay a deposit or surcharge in order to have the service animal on campus.

VIII. Expectations of the Service Animal

The service animal must not in any way interfere with the educational process of any student and must not pose a serious health or safety threat to any student or staff member. The behavioral expectations for the service animal and standards by which the request to use the service animal on school premises will be evaluated are as follows:

- a. Public appropriateness – The animal
 - Is clean, well groomed, and does not have an offensive odor
 - Does not urinate or defecate in inappropriate locations
- b. Behavior – The animal
 - Does not solicit attention, visit, or annoy any member of the general public
 - Does not disrupt the normal course of business
 - Does not vocalize unnecessarily (i.e., barking, growling, or whining)
 - Shows no aggression toward people or other animals
 - Does not solicit or steal food or other items from the general public
- c. Training – The animal
 - Is specifically trained to perform more than one task to mitigate aspects of the client’s disability
 - Works calmly and quietly
 - Is able to perform its tasks in public
 - Must be able to lie quietly beside the handler without blocking aisles, doorways, etc.
 - Is trained to urinate and defecate on command

— Stays within 24” of its handler at all times unless the nature of a trained task requires it to be working at a greater distance

IX. Responsibilities of the Student & Parent/Guardian Relative to the Service Animal

The service animal is the personal property of the student or parents/guardians. The care and supervision of the service animal is the responsibility of the student and his or her parents/guardians. The student is responsible for transporting the service animal to and from the campus. The student is responsible for handling and controlling the animal, providing food and water for the animal, and removing any excrement of the service animal. The student and the student’s parent/guardians are responsible for any damage caused by the service animal.

The service animal must have a harness, leash, or other tether unless the student is unable to use a harness, leash, or tether because of the student’s disability or the use of a harness, leash, or other tether would interfere with the service animal’s safe, effective performance of work or tasks, in which case the service animal must be otherwise under the student’s control by means of voice control, signals, or other effective means.

Where appropriate, the student may be accompanied by another individual tasked with handling and controlling the service animal, but in no case shall personnel of the School be responsible for handling or controlling the animal.

X. Responsibilities of the School Relative to the Service Animal

Control, supervision, and care of the service animal is not the responsibility of the School. The School is not required to handle the service animal or provide it food, water, or a designated area, nor is the School responsible for removing the service animal’s excrement. Nothing in this Policy shall be construed to prevent school personnel from voluntarily assisting with the service animal. However, school personnel shall not assume any liability by reason of assisting the student with the service animal.

XI. Circumstances Under Which the School May Exclude the Service Animal

The School may exclude the service animal from the premises only if one of the following conditions is met: the service animal is out of control and the student or handler does not take effective action to control it; the service animal is not housebroken; the service animal’s behavior poses a direct threat to the health and safety of others; the animal is not housebroken; the animal’s presence would fundamentally alter the nature of the service program or activity. If a service animal is excluded or removed from the campus, the school must provide the student the option of continuing to access the campus without the service animal.

Allergies and fear of animals are not valid reasons for denying access to a service animal, per section 413.08(3)(f), Florida Statutes.

If any of the above circumstances are evident, the Principal will be responsible for documenting such and for determining if and when the service animal is to be removed and/or excluded from school property, or a school function.

XII. Employees Requiring a Service Animal

The same policies and procedures outlined in this Policy will apply equally to an employee of the School that wishes to bring a service animal.

Board Secretary Certificate

I hereby certify that the foregoing Policy was adopted by a majority vote of a quorum of the Governing Board of Directors at a duly noticed meeting held on ___September 11____, 2024.

Board Secretary

__Maria Smith_____
Printed Name

__Sept 11, 2024_____
Date