

KANAWHA COUNTY BOARD OF EDUCATION POLICY
Series: C59 - Animals on School Property

59.1. Policy Statement. No animals will be permitted on Kanawha County School Properties except those outlined in this document. Service Animals (including guide or assistance dogs), Therapy Dogs (on an approved case by case basis) and Police Working Dogs will be permitted subject to the provisions of this policy. Any other animal on school property may be permitted on a case-by-case basis as long as the animal is being used for an educational purpose benefiting all students and the animal is not deemed unsafe.

59.2. Nondiscrimination. The Kanawha County Public School District does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The District will comply with West Virginia and federal law concerning the rights of persons with guide or service animals. With proof of current rabies vaccination, the District will permit such animals on school premises and on school transportation.

59.3. Service Animals. Service animals perform some of the functions and tasks that individuals with disabilities cannot perform themselves. Service animals are not pets. There are several kinds of service animals that assist individuals with disabilities. Examples include, but are not limited to, animals that:

- 59.3.1. Assist individuals who are blind or have severe sight impairments.
- 59.3.2. Alert individuals with hearing impairments to sound.
- 59.3.3. Pull wheelchairs or carry and pick up items for individuals with mobility impairments.
- 59.3.4. Assist mobility-impaired individuals with balance.

For purposes of this policy, a service animal must be “required” by the individual with a disability. In most instances, as defined by the ADA, a service animal will be “any dog or miniature horse that has been individually trained to do the work or perform tasks for the benefit of an individual with a disability.

59.4. Therapy Dogs. Therapy dogs may be trained to provide affection and comfort to students in schools especially students with autism. Therapy dogs are usually not assistance or service dogs, but can be one or both with some organizations. In the U.S., therapy dogs are not service animals and are not afforded the same privileges. Thus, Kanawha County Schools must approve therapy dogs in classrooms on a case-by-case basis.

59.5. Police Dogs. Police working dogs will be granted access to all Kanawha County Schools as deemed necessary in support of identifying contraband, explosives, extra security details or at the discretion of the safety/security department or by the Superintendent of Schools.

59.6. Emotional Support Animals. Animals that have been licensed solely as Emotional Support Animals and which are not being used for an education purpose are not permitted on school property.

59.7. General Provisions.

The District is not required to assume responsibility for, or take custody or control of, or the care or feeding of any animal on school property. The owner or person having custody and control of the animal shall be liable for any damage to persons, premises, property, or facilities caused by these animals, including, but not limited to, clean up, stain removal, etc.

If, in the opinion of the School Principal or authorized designee, any service, therapy or police animal is not in the control of its handler, or if it is not housebroken or is otherwise a safety concern to students, the animal may be excluded from the school or program. The owner having custody and control of the animal will be required to remove the animal from the District premises immediately.

If any student or staff member assigned to the classroom in which an animal is permitted suffers an allergic or other adverse reaction to the animal, the Building Principal will take the necessary action to immediately ensure the safety of all involved. The Building Principal or designee will be responsible for developing an alternative plan with appropriate District staff. Such plan could include the reassignment of student(s), including the student with the animal, to a different classroom. This will also apply if an individual on school transportation suffers an allergic or other adverse reaction. In this case, an alternate plan will be developed in coordination with appropriate school, District, and transportation staff including the involvement of the parents/guardian, police agency or the student.

When a student or staff member will be accompanied by an animal at school or in other District facilities on a regular basis, such staff member or such student's parent or guardian, as well as the animal's owner and any other person who will have custody and control of the animal will be required to sign a document stating that they have read and understood the foregoing requirements.

The Principal or his/her designee shall be responsible for developing procedures to accommodate a student's use of an animal in District facilities and on school transportation vehicles.

59.8. Exceptions. This policy shall not prohibit animals on school property which are being used for curricular or other school purposes and approved in advance by the principal.