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DISTRICT ADMINISTRATIVE RULE

IFD-R Animals in Schools

~~12/8/22~~ x/x/24

1 RATIONALE/OBJECTIVE:

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3 The Cobb County School District (District) recognizes that the use of animals in schools can
4 provide a benefit to students and staff and adheres to the requirement of the Americans with
5 Disabilities Act (ADA) in reference to animals in schools.
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7 8 RULE:

9 10 A. DEFINITIONS:

11 1. Handler:

12 a. For Service Animals:

13 An individual with a disability for whose benefit a service animal has been trained to do
14 work or perform tasks. The principal or other designated building supervisor may
15 consider on a case-by-case basis requests from parents for another person to be the
16 animal's handler if the disabled person is physically or mentally unable to exercise the
17 proper amount of control over the animal.

18 b. For Emotional Support/Comfort Animals and Therapy Dog Teams:

19 A District school counselor, school social worker, or school psychologist who
20 has received appropriate training.

21 2. Service Animal:

22 Any dog that is individually trained to do work or perform tasks for the benefit of an
23 individual with a disability, including a physical, sensory, psychiatric, intellectual, or other
24 mental disability. Other species of animals, whether wild or domestic, trained or untrained,
25 are not Service Animals for the purposes of this definition. (See, however, Section G
26 below). The work or tasks performed by a Service Animal must be directly related to the
27 individual's disability. Examples of work or tasks include, but are not limited to, assisting
28 individuals who are blind or have low vision with navigation and other tasks, alerting
29 individuals who are deaf or hard of hearing to the presence of people or sounds, providing
30 non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a
31 seizure, alerting individuals to the presence of allergens, retrieving items such as medicine
32 or the telephone, providing physical support and assistance with balance and stability to
33 individuals with mobility disabilities, and helping persons with psychiatric and neurological
34 disabilities by preventing or interrupting impulsive or destructive behaviors. The crime
35 deterrent effects of an animal's presence and the provision of emotional support, well-
36 being, comfort, or companionship do not constitute work or tasks for the purposes of this
37 definition.

38 3. Emotional Support/Comfort Animal:

39 a. An Emotional Support/Comfort Animal is an animal whose function is to provide
40 comfort, companionship, therapeutic benefits, or to promote general emotional well-
41 being. Emotional Support/Comfort Animals are not trained to perform a disability-
42 specific task and are not Service Animals as defined by law or this rule.

- b. An Emotional Support/Comfort Animal may be used at the discretion of the principal as part of a specific crisis intervention program **and as approved by the appropriate assistant superintendent.**
 - c. The use of an Emotional Support/Comfort Animal is subject to the same guidelines and expectations as outlined for service animals as listed herein.
 - d. **An Emotional Support/Comfort Animal and the associated interventions is to be used only by District school counselors, school social workers, or school psychologists that utilizes interventions for students within the scope of their job description as approved by the appropriate assistant superintendent.**
 - e. **Emotional Support/Comfort Animals must be fully certified by a recognized organization and proof of certification shall be provided prior to allowing the animal on campus.**
4. **Therapy Dog Team:**
- a. **A registered therapy dog and their handler who utilizes Animal Assisted Interventions (AAI) to assist students who are struggling with emotional regulation (anger management, bullying behavior, anti-social conduct, and reduce stress and anxiety) while also contributing to the improvement of academics.**
 - b. **A therapy dog and the associated interventions are to be used only by District school counselors, school social worker, or school psychologist who utilizes interventions for students within the scope of their job description as approved by the appropriate assistant superintendent.**
 - c. **Therapy Dog Teams must be fully certified by a recognized organization and proof of certification shall be provided prior to allowing the animal on campus.**
5. **Approved Animal:**
Collectively refers to a Service Animal, Emotional Support/Comfort Animal and Therapy Dog Team.

B. REQUIREMENTS FOR SERVICE ANIMALS/EMOTIONAL SUPPORT/COMFORT ANIMALS/THERAPY DOG TEAMS AND HANDLERS:

The District and its employees are generally not responsible for the care and supervision of a ~~Service Animal~~ **an Approved Animal**. A ~~Service Animal~~ **An Approved Animal** is the personal property of the Handler and/or his parent(s) or guardian(s). The District does not assume responsibility for training, daily care, or healthcare of ~~Service Animals~~ **Approved Animals**. The Handler shall be responsible for ensuring that the ~~Service Animal~~ **Approved Animal** complies with each of the following requirements:

1. **Control:**

- a. A Handler must exercise control over their ~~Service Animal~~ **Approved Animal** at all times. A Handler shall be prohibited from transferring control of a ~~Service Animal~~ **an Approved Animal** to another person for any period of time. In addition, a Handler's control over a ~~Service Animal~~ **an Approved Animal** shall be sufficient to prevent the ~~Service Animal~~ **Approved Animal** from engaging in unruly or disruptive behavior, including but not limited to barking, biting, growling, whining, attacking, jumping at others, jumping on others, or running around.
- b. A ~~Service Animal~~ **An Approved Animal** shall have 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 ~~Service Animal's~~ **an Approved Animal's** safe, effective performance of work or tasks, in which case the ~~Service Animal~~ **Approved Animal** must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
- c. If a ~~Service Animal~~ **an Approved Animal** is out of control and the Handler does not take effective action to control it, the Handler may be asked to remove the ~~Service Animal~~ **Approved Animal** from District facilities until such time as the Handler is capable of exercising control over the ~~Service Animal~~ **Approved Animal**.
- d. In the event the Handler is not capable of exercising control over their ~~Service Animal~~ **Approved Animal**, the Handler shall be responsible for providing an individual to

assist the Handler in exercising and maintaining control over the ~~Service Animal~~
Approved Animal.

2. **Housebroken:**

- a. All ~~Service Animal~~ **Approved Animal** must be housebroken.
- b. Handlers, in coordination with local school or location staff, shall identify an appropriate location isolated from student activities for a ~~Service Animal~~ **an Approved Animal** to eliminate liquid and solid waste. All solid waste generated by the ~~Service Animal~~ **Approved Animal** shall be collected in a plastic bag, removed and disposed of in a trash receptacle immediately by the Handler. It is the responsibility of the handler to provide plastic bags or other materials required to implement this provision in a sanitary manner.
- c. Where a ~~Service Animal~~ **an Approved Animal** fails to control its bodily functions due to an isolated illness or accident, the Handler shall immediately clean and disinfect the exposed area and dispose of all fluid and solid waste.
- d. In the event that the Handler is not capable of attending to the bodily functions of the ~~Service Animal~~ **Approved Animal**, the Handler shall be responsible for providing an individual to assist the Handler.

3. **Vaccinations, Illness, and Grooming:**

- a. All ~~Service Animals~~ **Approved Animals** shall be inoculated for the prevention of rabies and all other vaccines required by local law or ordinance. School officials shall be provided, upon request, copies of inoculation or vaccination certificates from the animal's veterinarian.
- b. A Handler shall not bring a ~~Service Animal~~ **an Approved Animal** to a District facility whenever the ~~Service Animal~~ **Approved Animal** is ill. Whenever a ~~Service Animal~~ **an Approved Animal** becomes ill while at a District facility, the ~~Service Animal~~ **Approved Animal** shall be removed immediately.
- c. Handlers shall ensure that their ~~Service Animal~~ **Approved Animal** is clean and well groomed. ~~Service Animals~~ **Approved Animals** shall be free of fleas and other insects, free of foul odors, and appropriately groomed. Where a Handler is notified that a ~~Service Animal~~ **an Approved Animal** is not clean and well groomed, the Handler shall not return to a District facility with the ~~Service Animal~~ **Approved Animal** until the ~~Service Animal~~ **Approved Animal** has been appropriately treated, cleaned or groomed.

4. **Liability:**

- a. The Handler and his/her parents/guardians are liable for all damages caused by the Service Animal, including, but not limited to, injuries to other students or staff, damages to District property, damages to staff or student property, cleaning costs, etc.
- b. **Handlers of Emotional Support/Comfort Animals and Therapy Dog Teams are liable for all damages caused by the Emotional Support/Comfort Animals and Therapy Dog Teams, including, but not limited to, injuries to other students or staff, damages to District property, damages to staff and student property, cleaning costs, etc. Prior to bringing a dog on campus, Handlers of Emotional Support/Comfort Animals and Therapy Dog Teams must provide proof of insurance.**
- c. ~~b.~~ The Handler shall immediately report all incidents of property damage or personal injury caused by the ~~Service Animal~~ **Approved Animal** at a District facility or a District event to the local school principal.
- d. **Proof of current registration/certificate (from an AKC approved organization) must be kept on hand at all times by Emotional Support/Comfort Animal and Therapy Dog Handlers.**

5. **Exceptions:**

In the event that the Handler is incapable of exercising control over their ~~Service Animal~~ **Approved Animal** or attending to the bodily functions of the Service Animal the appropriate school-based team may consider accommodations on a case-by-case basis.

C. ACCESS SPECIFIC TO SERVICE ANIMALS:

1. **General Rule:**

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- a. Handlers accompanied by Service Animals shall generally be permitted to be accompanied by their Service Animals in all areas of a District facility where the student would otherwise be permitted, subject to the same terms and conditions applicable to other students.
 - b. Handlers will not be subject to any additional fee or surcharge because they are accompanied by a Service Animal.
 - c. If it is obvious what service the Service Animal provides to the individual with a disability, then District staff should not make any further inquiries regarding the tasks performed by the service animal (i.e. a guide dog for an individual with impaired vision). Only limited inquiries are allowed by District staff to determine if a dog is a service animal when it is not obvious what service the dog provides, and staff may ask only the following two questions:
 - (1) Is the service animal required because of a disability?
 - (2) What work or task has the service animal been trained to perform?
 - d. District staff shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.
2. **Exceptions:**
- a. **Control:**
A Service Animal may be removed from a District facility where the Handler fails to exercise control over the Service Animal.
 - b. **Housebroken:**
A Service Animal may be removed from a District facility where the Service Animal is not housebroken. Isolated accidents and illness will be tolerated on a case-by-case basis.
 - c. **Illness:**
A Service Animal may be removed from a District facility where the Service Animal is ill.
 - d. **Grooming:**
A Service Animal may be removed from a District facility where the Service Animal is not clean and well groomed, including free of fleas and other insects, and free of foul odors.
3. **Health and Safety of the Handler, Animal or Other Persons:**
- a. Where the presence of the Service Animal would pose a direct threat to the health, or safety of the Handler, students, staff, or others, the Service Animal may be denied access. Examples: Food Preparation Areas, and Science Laboratories. These areas should be identified in the service implementation plan (see Paragraph D below).
 - b. In determining whether a Service Animal pose a direct threat to the health or safety of others, the Teaching and Learning Support and Specialized Services Assistant Superintendent (or designee) will conduct an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk.
4. **Fundamental Alteration:**
A Service Animal may be removed from a District facility where the presence of the Service Animal would cause or require a fundamental alteration of a program or activity. For example, an animal that continually interrupts the classroom or educational program may be removed from the building. However, isolated events of misbehavior from an otherwise controlled animal will not give rise to a removal.
5. **Opportunity to Participate:**
Where a Service Animal is denied access to a District facility on any of the foregoing grounds, the student Handler shall be given the opportunity to participate in the service, program, or activity without having the Service Animal on the premises.

D. IMPLEMENTATION PLAN FOR ALL SERVICE ANIMALS:

1. Notification:

214 The District encourages parents and guardians of Handlers to notify the principal of the
215 local school they will be attending as far in advance as possible of the fact that their child
216 intends to be accompanied by a Service Animal while attending school.

217 **2. Implementation Plan:**

- 218 a. Upon receipt of notification that a student seeks to be accompanied by a Service
219 Animal trained to assist them with their disability, the principal of the local school, or
220 designee, should invite the parent(s), guardian(s), and Handler to the school to assist
221 in the development of an Implementation Plan to facilitate the Handler and the Service
222 Animals school attendance.
- 223 b. The Implementation Plan should be developed with the input and assistance of
224 appropriate District staff members. Implementation Plan Team members may include,
225 but not be limited to, administrators, teachers, paraprofessionals, cafeteria staff, and
226 transportation staff.
- 227 c. The Implementation Plan may include but is not limited to:
- 228 (1) Plans to familiarize the Handler and Service Animal with the school campus;
 - 229 (2) Plans to orient the Service Animal to school faculty and students;
 - 230 (3) Plans to educate others on proper behavior around a Service Animal;
 - 231 (4) Plans, procedures and locations for the Service Animal's bodily functions;
 - 232 (5) Plans to accommodate the Service Animals need for rest time;
 - 233 (6) Plans to accommodate the Service Animals need for water;
 - 234 (7) Plans to evacuate the Service Animal and the Handler in the event of an
235 emergency; and,
 - 236 (8) Areas where the presence of the Service Animal may pose a direct threat, as
237 outlined above.
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239 **E. IMPLEMENTATION AND DISPUTES FOR SERVICE ANIMALS:**

- 240 1. This procedure shall be implemented by the principal of the local school, or the individual
241 in charge of District facility where the Handler and Service Animal seek access.
- 242 2. In the event that a parent or guardian of a Handler believes that a Handler and his or her
243 Service Animal have been improperly denied access to District facility, the parent or
244 guardian shall first notify the principal of the local school, or individual in charge of specific
245 facility where the Handler and Service Animal seek access in writing of the facts or
246 circumstances under which they contend access was improperly denied. The principal of
247 the local school or individual in charge of the facility where the Handler and Service Animal
248 seek access shall review the facts and circumstances of the parent or guardian's complaint
249 and issue a decision in a reasonable time, not to exceed twenty (20) school days from the
250 receipt of the parent or guardian's complaint.
- 251 3. In the event that the parent or guardian of a Handler believes that the decision of the
252 principal of the local school or the individual in charge of the facility where the Handler and
253 Service Animal seek access is in error, then a parent or guardian shall file a written
254 complaint with the Teaching and Learning Support and Specialized Services Assistant
255 Superintendent. Upon receipt of a complaint the assistant superintendent (or designee)
256 shall conduct an investigation to determine whether a Handler or his or her Service Animal
257 have been improperly denied access to the District's facilities. The investigation shall, in
258 the discretion of the investigator, include discussions with the parent, guardian, Handler,
259 District staff members, medical and veterinary professionals, and any other relevant
260 source.
- 261 4. The investigator shall issue a written decision on the complaint within a reasonable time,
262 not to exceed twenty (20) days from the receipt of the parent or guardian's complaint.
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264 **F. IDEA AND SECTION 504 REMEDIES RELATED TO SERVICE ANIMALS:**

- 265 1. In the event that a parent, guardian of eligible Handler contend the additional
266 accommodations are necessary to provide a disabled student with a Free Appropriate
267 Public Education, beyond those offered by this policy, the Student's IEP Committee and/or
268 504 Committee shall address those concerns on a case-by-case basis.
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270 **G. MINIATURE HORSES**

- 271 1. Reasonable modifications in policies, practices, or procedures will be made to permit the
272 use of a miniature horse by an individual with a disability if the miniature horse has been
273 individually trained to do work or perform tasks for the benefit of the individual with a
274 disability.
275 2. In determining whether reasonable modifications in policies, practices, and procedures can
276 be made to allow a miniature horse into a specific District facility, the District must
277 consider the following factors:
278 a. The type, size, and weight of the miniature horse and whether the facility can
279 accommodate these features;
280 b. Whether the Handler has sufficient control of the miniature horse;
281 c. Whether the miniature horse is housebroken; and
282 d. Whether the miniature horse's presence in a specific facility compromises legitimate
283 safety requirements that are necessary for safe operation.
284 3. All additional requirements for Service Animals in these regulations shall apply to
285 miniature horses.
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287 **H. EMOTIONAL SUPPORT/COMFORT ANIMALS:**

- 288 1. ~~An emotional support/comfort animal is an animal that's function is to provide comfort,~~
289 ~~companionship, therapeutic benefits, or to promote general emotional well-being.~~
290 ~~Emotional support/comfort animals are not trained to perform a disability-specific task and~~
291 ~~are not Service Animals as defined by law or this rule.~~
292 2. ~~An emotional support/comfort animal may be used at the discretion of the principal as part~~
293 ~~of a specific crisis intervention program.~~
294 3. ~~The use of an emotional support/comfort animal is subject to the same guidelines and~~
295 ~~expectations as outlined for service animals as listed above.~~
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297 **I. CLASSROOM PETS:**

298 Classroom pets can provide opportunities to achieve a variety of learning objectives. Due to
299 the issues such as allergies, injuries, and zoonotic diseases, however, teachers should
300 exercise restraint and take appropriate measures to limit the risks associated with classroom
301 pets.

- 302 1. Classroom pets shall be allowed at the discretion of the building principal.
303 2. Classroom pets should be limited to animals that are bred in captivity, and necessary to
304 achieve the learning objectives. Animals appropriate for the classroom include fish,
305 psittacine birds, reptiles and amphibians, and pocket pets (e.g., hamsters, guinea pigs,
306 gerbils).
307 3. Students should not be permitted to handle any pet or be given caring or cleaning duties
308 without prior parent/guardian consent.
309 4. Cleaning of pet enclosures should be done as often as necessary following procedures
310 outlined below, to keep the animal healthy, prevent odors from building up, and eliminate
311 any unsanitary conditions.
312 5. Procedures:
313 a. Fish – Use disposable gloves when cleaning aquariums, and do not dispose of aquarium
314 water in sinks used for food preparation or for obtaining drinking water.
315 b. Psittacine birds – Because these birds (parrots, parakeets, budgies, cockatiels) can
316 carry disease, they cannot be handled by students. Staff members should clean cages
317 when students are not present. Birds must be treated or test negative for psittacosis
318 (chlamydiosis).
319 c. Reptiles and Amphibians – Because of the risk of Salmonella bacteria, special
320 precautions must be taken when students handle these animals. Students under the
321 age of five should not have contact with reptiles and amphibians. No turtles with a
322 carapace length less than four inches are allowed in schools. Any child handling a
323 reptile or amphibian must wash his/her hands thoroughly with warm water and soap
324 afterwards. Hand sanitizer or "wet wipes" can only be used as an adjunct to soap and
325 water.
326 d. Hamsters, Guinea pigs, and Gerbils – Because these "pocket pets" can carry
327 Salmonella bacteria and Lymphocytic choriomeningitis virus, special care must be

328 taken when students handle these animals. Students under the age of five must not
329 handle these animals. Any student handling a "pocket pet" should be instructed to
330 wash his/her hands thoroughly with warm water and soap afterwards. Hand sanitizer
331 or "wet wipes" can only be used as an adjunct to soap and water.
332 6. Any animal bites or scratches from a classroom pet should be immediately reported to the
333 school nurse.

334 **I. LIMITATIONS:**

- 335 1. **Nothing in this Rule shall infringe upon any right provided to students with**
336 **individualized education programs or plans pursuant to the Individuals with**
337 **Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973**
338 **(Section 504), or the Americans with Disabilities Act (ADA).**
339 2. **Nothing in this Rule shall infringe upon the use of trained animals by law**
340 **enforcement as part of their duties and responsibilities.**

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342 Adopted: 12/8/22
343 **Revised: x/x/24**

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345 Legal Reference:
346 O.C.G.A. 20-2-1160 LBOE tribunal power to determine local school controversies; appeals; special ed provisions
347 O.C.G.A. 30-4-2 Equal accommodations for blind and deaf persons, and persons with visual or physical
348 disabilities; use of guide or service dogs; rights of dog trainers and raisers
349 28 CFR 35.136 Non-Discrimination in State and Local Government Services: Service Animals
350 34 CFR 104.7 Section 504 - Designation of responsible employee and adoption of grievance procedures
351 34 CFR 100.7(c) Title VI - Conduct of investigations
352 34 CFR 106.8 Title IX - Designation of responsible employee and adoption of grievance procedures for sex
353 discrimination
354 20 USC 1681 Title IX of the Education Amendments of 1972