

NORTH PROVIDENCE SCHOOL DEPARTMENT SERVICE ANIMALS IN SCHOOL POLICY	Approved: 1/24/2024

SECTION I: PURPOSE

The North Providence School Department is committed to providing a quality educational program for all students in a safe and healthy environment. The Department acknowledges its specific obligation and responsibility to permit students and adults to be accompanied by an Assistant Animal (as hereinafter defined) in its school buildings, classrooms and school functions under the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, the Individuals with Disabilities Education Act, and all federal and state laws that may apply. This policy addresses the health and safety requirements as well as expectations for the use of Assistant Animals in the Department’s school buildings.

SECTION II: DEFINITIONS

Assistant Animal means any Service Animal, Therapy Pet, or Emotional Support Animal as defined herein.

Service Animal means a dog or miniature horse (referred to collectively as “Animal” for the purposes of this definition) that is individually trained to do work or perform tasks for the benefit of the individual with the disability.

The work or tasks the Animal is trained to perform must be directly related to the individual’s disability. Animals that are utilized solely for the purposes to deter others from committing crimes against the individual (e.g., assault, battery, thievery) or that provide the individual with emotional support, well-being, comfort, or companionship are not considered Service Animals.

Emotional Support Animal means an animal certified to provide emotional support, well-being, comfort, or companionship to its Handler.

Handler means an individual who shall maintain control over an Assistant Animal. In all instances the Handler shall be the individual who requires the services of the Assistant Animal, unless, in order to access the services of the Assistant Animal, the individual requires another, non-school employee to aid in handling the Assistant Animal. In such cases, the other non-school employee individual shall be considered the Handler. Under no circumstances shall a school employee serve as a Handler for another individual.

Therapy Pet means an animal which has been trained and evaluated to provide animal-assisted therapy and animal-assisted interactions pursuant to R.I. Gen. Laws § 40-9.1-5

SECTION III: REQUESTS, REQUIREMENTS, AND REMOVALS

1. Requests

All individuals who wish to be accompanied by their Assistant Animal must make a prior written request to the Superintendent of Schools or his/her designee as defined within protocols promulgated under this policy.

All requirements for such a request shall be contained in a protocol promulgated by the Superintendent. All approved Assistant Animals and their Handlers shall be subject to strict requirements and monitoring which shall also be contained in a corresponding protocol.

2. Immediate Removal

Grounds for immediate removal shall be as follows:

- The inability of the Handler to control the Assistant Animal or utilize effective action to take control of the Assistant Animal;
- the fact that the Assistant Animal is not housebroken;
- the presence of the Assistant Animal fundamentally alters the nature of the service, program, or activity; or
- after an individual assessment of the objective evidence the Assistant Animal poses a direct threat to the health or safety of others and such threat cannot be eliminated by modification of policies, practices, or procedures, or by the provision of auxiliary aides or services.

The Superintendent shall promulgate further protocols in regard to proper removal of an Assistant Animal while ensuring that reasonable access to the individual who requires the Assistant Animal in accordance with state and federal law.

3. Liability and Responsibility

The individual who requires the Assistant Animal, or in the case of a minor student, his or her parents shall be liable for any damage, harm or injury caused by the Assistant Animal to students, staff, visitors, property, premises, and/or facility. In the event the Handler is someone other than the individual who requires the Assistant Animal he or she shall also be held liable for any damage, harm, or injury caused by the Assistant Animal to students, staff, visitors, property, premises, and/or facilities.

North Providence Public Schools does not assume or take custody or control, or responsibility for any Assistant Animal it approves as an Assistant Animal permitted within school buildings and grounds. All responsibilities of supervision and care, as well as legal liability fall onto the Handler and the individual who requires the Assistant Animal. The Handler is solely responsible for the Service Animal.

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