



# NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

---

**SECTION:** E – Support Services  
**POLICY TITLE:** Animals in Schools  
**FILE No.:** EG  
**DATED:** January 10, 2024

---

## TABLE OF CONTENTS

1. PURPOSE AND PHILOSOPHY
  2. CLASS PETS
  3. STUDENT PETS
  4. INSTRUCTIONAL ANIMALS
  5. THERAPY ANIMALS
  6. SERVICE ANIMAL DEFINITION
  7. SERVICE ANIMALS POLICY
  8. STUDENT AND EMPLOYEE USE OF A SERVICE ANIMAL
  9. EXCLUDING A SERVICE ANIMAL
  10. SERVICE ANIMAL HANDLERS
  11. MINIATURE HORSES
- 

### **1. PURPOSE AND PHILOSOPHY**

- 1.1 Animals are sometimes authorized on school premises. The Board recognizes that under the proper conditions, animals can be an effective teaching aid or otherwise support the education of students. Additionally, there are situations when federal and state statutes allow people with disabilities to bring animals onto District premises.
- 1.2 The Board also recognizes that animals can bring not only benefits but also risks. This policy is adopted to guide employees, students, and the public in the use and presence animals in school-sponsored activities.
- 1.3 Animals may be present under the following circumstances, each of which is more fully described in the corresponding sections of this policy.
  - 1.3.1 Class pets
  - 1.3.2 Student pets
  - 1.3.3 Instructional animals
  - 1.3.4 Therapy animals
  - 1.3.5 Service animals.

### **2. CLASS PETS**

- 2.1 If authorized by the school principal, a teacher may provide a small classroom pet. A classroom pet is an animal owned or provided by the teacher and may be kept in the classroom for longer than one day.
- 2.2 A teacher must request approval from the school principal before bringing a classroom pet to school. The principal may approve or deny the request. Principal approval may be overridden by the superintendent or designee.

- 2.3 Before approving the request, the principal or designee shall determine whether any child has a health condition (such as allergies), or other concern that could be exacerbated by exposure to the pet. Parents must be notified of the plans to have an animal in the classroom so that accommodations may be made for their student.
- 2.4 Teacher responsibilities for class pets.
  - 2.4.1 Teachers must assume primary responsibility for the humane and proper treatment of any animals in the classroom. If animals are to be kept in the classroom on days when classes are not in session, the teacher must arrange for their care and safety.
  - 2.4.2 The pet must be kept in a secure enclosure. The teacher is responsible for maintaining the living space of the animal. Spilled food and/or bedding materials must be cleaned up daily, and odors must be mitigated.
  - 2.4.3 Each teacher is responsible for the proper supervision and control of students whenever the students interact with the classroom pet. Teachers must ensure that students wash their hands and take necessary action to prevent the spread of disease.
  - 2.4.4 All animal food must be stored in secure containers with tight-fitting lids for pest prevention. The teacher is responsible to ensure the animal is fed on a regular and healthy schedule.
- 2.5 If a class pet bites, scratches, or otherwise injures a student, the teacher should contact emergency medical professionals if necessary. Injuries should also be reported to the school principal and the District Risk Manager.
- 2.6 Venomous animals, such as rattlesnakes and black widow spiders, are prohibited and may not be used as classroom pets.
- 2.7 The principal or district administration may prohibit or remove a class pet for any or no reason. Pets should be removed if they pose a danger, nuisance, or disruption to the learning of students.

### **3. STUDENT PETS**

- 3.1 If authorized by the school principal, a teacher may allow students to bring a pet to school for a single activity such as “show and tell.” A student pet is an animal owned by a student or the student’s family
- 3.2 A teacher must request approval from the school principal before allowing students to bring their pets to school. The principal may approve or deny the request. Principal approval may be overridden by the superintendent or designee.
- 3.3 Before approving the request, the principal or designee shall determine whether any child has a health condition (such as allergies) that could be exacerbated by exposure to the pet. Parents must be notified of the plans to have an animal in the classroom so that accommodations may be made for their student.
- 3.4 Parents are encouraged and may be required to bring the pet and take the pet home immediately following the activity. Students should not have their pet with them in times or locations beyond the specific activity for which the pet was brought.
- 3.5 Pet owners are solely responsible for the care and safety of their animals and for injuries sustained to the animal or to people due to the presence of the animal at the school.
- 3.6 All animals brought must be restrained by their owner or handler and must follow city or county ordinances regarding leashing and sanitation.

#### 4. INSTRUCTIONAL ANIMALS

- 4.1 Animals may be used for instructional purposes in accordance with this section. Except as otherwise provided, all requirements for class or student pets apply to the use of animals for instruction.
- 4.2 Courses requiring the use of animals for instruction, such as within agricultural and animal science pathways, should be taught in accordance with standards and objectives set by the Utah State Board of Education.
- 4.3 Instructors of courses using animals must adhere to standards and guidelines set by USBE. They must receive regular training on the safe and humane treatment of animals.
- 4.4 Animals may be purchased by schools or by students. The purchase of animals by students may be considered a fee, and such purchases must comply with [Nebo School District Policy JN, Student Fees](#).
- 4.5 Animals may be housed as class pets in accordance with section 2 or in one of the District's designated animal labs. Animals owned by students or the District may not be housed at an employee's private property unless authorized by the school principal.

#### 5. THERAPY ANIMALS

- 5.1 As provided in [UTAH CODE ANN. § 53G-9-211](#), a therapy animal is an animal that
  - 5.1.1 Provides affection and comfort to an individual for emotional support;
  - 5.1.2 Is accompanied by a therapy animal handler; and
  - 5.1.3 Is trained to provide animal-assisted intervention, which is an intervention designed to promote improvement in an individual's physical, social, emotional, or cognitive functioning through interactions with the animal.
- 5.2 A therapy animal is not a service animal as defined in section 6.
- 5.3 A therapy animal may be provided by a school at the discretion of the school principal. The therapy animal must be owned or provided by a therapy animal handler who is trained to handle a therapy animal for animal-assisted interventions.
- 5.4 The therapy animal must be locally or nationally certified or registered by a District-approved certification provider.
- 5.5 The therapy animal may be on school grounds at times designated by the school principal.
- 5.6 The therapy animal should be in a specified location at the school as determined by the principal. The therapy animal handler or a trained designee must supervise all student interaction with the therapy animal.
- 5.7 The school must provide notice each year to parents and students of the use of a therapy animal on school grounds.
- 5.8 The therapy animal must be groomed regularly, and the school and handler must take steps to reduce or limit the spread of allergens, including the use of animal breeds identified as "low-allergen."

#### 6. SERVICE ANIMAL DEFINITION

- 6.1 The term "**service animal**" means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The service animal must perform work or tasks directly related to the individual's disability, including, but not limited to:

- 6.1.1 Assisting an individual who is blind or has low vision with navigation or other tasks;
  - 6.1.2 Alerting an individual who is deaf or hard of hearing to the presence of people or sounds;
  - 6.1.3 Providing non-violent protection or rescue work;
  - 6.1.4 Pulling a wheelchair;
  - 6.1.5 Assisting an individual during a seizure;
  - 6.1.6 Alerting an individual to the presence of an allergen;
  - 6.1.7 Retrieving an item for the individual;
  - 6.1.8 Providing physical support and assistance with balance and stability to an individual with a mobility disability; and/or
  - 6.1.9 Helping an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors.
- 6.2 A **“service animal”** does not include:
- 6.2.1 Other species of animals, wild or domestic, trained or untrained; or
  - 6.2.2 An animal used solely to provide: (a) a crime deterrent; (b) emotional support; (c) well-being; (d) comfort; or (e) companionship.
  - 6.2.3 Notwithstanding paragraphs 6.2.1 and 6.2.2, an animal that does not meet the definition of a service animal may be permitted as a reasonable accommodation under an IEP, Section 504 plan, or ADA accommodation plan, according to applicable District policies and procedures.
- 6.3 The terms **“perform work or tasks”** means that the service animal is trained to respond to the needs of an individual with a disability in order to mitigate the disability. The process must have two steps: (a) recognition; and (b) response. For example, if a service animal senses that an individual is about to have a psychiatric episode and from its training, responds by nudging, barking, or removing the individual to a safe location until the episode subsides, then the animal has indeed performed a task or done work in behalf of the individual with the disability, as opposed to merely sensing an event.
- 6.4 The term **“school administrator”** means, at a school, the school principal or a designated assistant principal; in other locations the term means a department supervisor.

## 7. SERVICE ANIMALS POLICY

- 7.1 Nebo School District acknowledges the legal rights of individuals with disabilities to be accompanied by a service animal in its facilities; on its properties; at school functions, events, and activities; and in connection with transportation services as required by the [Americans with Disabilities Act, 42 USC § 12134; 28 C.F.R. 35.101, et seq.](#) Nebo School District shall comply with state and federal laws concerning the rights of persons with service animals.
- 7.2 In general, Nebo School District shall permit the use of a service animal on its premises by an individual with a disability in accordance with applicable laws and this policy.
- 7.2.1 Students and employees requiring use of a service animal shall notify the school administrator as described in Section 8 and may be accompanied by their service animal wherever the student or employee is permitted. A student or employee with a disability may be accompanied by a service animal in training if the animal is being trained for use by that student or employee to accommodate the student’s or

employee's disability. Students and employees may not otherwise be accompanied by a service animal in training on District premises in their capacity as student or employee. (See [Naegle v. Canyons School District, 2018 U.S. Dist. Lexis 88148](#)).

- 7.2.2 An individual with a disability who is not a student or employee is not required to make a request for use of a service animal or service animal in training but is still required to comply with applicable portions of this policy. A service animal may accompany an individual with a disability wherever the individual is permitted. Consistent with [UTAH CODE ANN. § 26B-6-803](#), a service animal in training may accompany a member of the public wherever the member of the public is permitted.
- 7.3 While an individual with a disability may be charged for his or her own admission, the District shall not ask or require an individual with a disability to pay an admission fee or a surcharge for a service animal to attend activities or events for which a fee is charged.
- 7.4 All service animals must be kept clean and groomed to avoid shedding, dander, and offensive odor. All service animals must be treated for, and kept free of, fleas and ticks. All service dogs must be spayed or neutered.
- 7.5 The District may require a meeting with an individual using a service animal to: (a) determine if the animal complies with this policy; and (b) discuss any necessary accommodations.
- 7.6 The District may require a person who will have custody and control of the service animal to sign a document stating that they have read and understood this policy.
- 7.7 To ensure that the service animal does not pose a health or safety threat to any student, personnel, or other persons:
  - 7.7.1 Owners of a service dog must provide initial and subsequent annual documentation of the following vaccinations: DHLPPC (Distemper, Hepatitis, Leptospirosis, Parainfluenza, Parvovirus, and Coronavirus), Bordetella, and Rabies.
  - 7.7.2 Owners of a service miniature horse must provide initial and subsequent annual documentation of the following vaccinations: Equine Infectious Anemia (Coggins Test), Rabies, Tetanus, Encephelomyelitis, Rhinoneumonitis, Influenza, and Strangles.
- 7.8 The District shall not ask about the nature or extent of a person's disability, but may make the following inquiries to determine whether an animal qualifies as a service animal. These inquiries may not be made if it is readily apparent that the animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding a blind individual).
  - 7.8.1 The District may ask if the animal is required because of a disability.
  - 7.8.2 The District may ask what work or task the animal has been trained to perform, including what the animal is trained to recognize and what the animal's response is as defined in paragraph 6.3.
  - 7.8.3 The District shall not require documentation that the animal has been certified, trained, or licensed as a service animal.
- 7.9 The District may charge an individual with a disability for any damage to school property caused by his or her service animal.
- 7.10 All individuals who have physical contact with the service animal are encouraged to wash their hands often.

---

**8. STUDENT AND EMPLOYEE USE OF A SERVICE ANIMAL**

- 8.1 A student or employee must notify the school administrator and provide the vaccination documentation identified in subsection 7.7 before being accompanied by a service animal.
- 8.2 A school administrator who receives the notice and documentation described in paragraph 8.1 should verify, as described in subsection 7.8, that the animal is a service animal. If the administrator determines that the animal is not a service animal, the animal may be excluded from District property. If the administrator determines that the animal is a service animal, the animal may be permitted to accompany the student or employee, and the administrator should provide the individual with a copy and explanation of this policy, emphasizing the responsibilities of the animal's handler as described in section 10 and the reasons an animal might be excluded as described in section 9.
- 8.3 After receipt of the vaccination documentation and verification that the animal is a service animal in compliance with this policy, the administrator shall notify employees with a legitimate need to know, including those in other buildings or departments such as Child Nutrition, Transportation, and others, that the individual will be accompanied by a service animal.
- 8.4 The school administrator shall be responsible for developing any necessary procedures to accommodate student or employee use of a service animal on school district premises and on school transportation. Such accommodations may include but are not limited to the following:
- 8.4.1 helping resolve conflicting interests between individuals accompanied by a service animal and individuals with severe allergies, severe asthma, or extreme fears of service animals;
  - 8.4.2 reviewing emergency evacuation plans;
  - 8.4.3 reviewing fire drill plans/participation;
  - 8.4.4 ensuring an alternate accommodation/plan is in place if the service animal's primary handler (if not the student) or the service animal is not able to accompany the disabled child to school due to illness, injury, or death;
  - 8.4.5 providing opportunities to educate others on how to behave appropriately around the service animal; and
  - 8.4.6 designating a rest place for the service animal.
- 8.5 Use of a service animal by a student receiving services under the IDEA must be communicated to the student's IEP team and the Director of Special Education. The IEP team should document the student's use of a service animal, but use of the animal is not contingent on the IEP process and should not be delayed while waiting for the IEP process.
- 8.6 Use of a service animal by a student other than one receiving services under the IDEA shall be communicated to the school administrator serving as the school's Section 504 Team Leader under [Nebo School District Policy JR, Students with Disabilities under Section 504](#) and the District Section 504 Coordinator. If the student has not already been evaluated and determined to be a student with a disability under Section 504, the 504 Team Leader should commence a 504 evaluation. If the student has already been evaluated and determined to be a student with a disability under Section 504, the 504 Team Leader should notify the student's 504 team and initiate a review of the 504 plan. A student's Section 504 team should document the student's use of the service animal, but use of the animal is not contingent on the 504 process and should not be delayed while waiting for the 504 process.
- 8.7 Use of a service animal by an employee shall be communicated to the Director of Human Resources in accordance with [Nebo School District Policy GBEG, Workplace](#)

[Accommodations for Employees with Disabilities](#). The Director of Human Resources should engage in an interactive process with the employee to determine whether additional accommodations are necessary, but use of the service animal is not contingent on the interactive process and should not be delayed while waiting for the ADA interactive process.

## 9. EXCLUDING A SERVICE ANIMAL

- 9.1 An administrator may exclude a service animal or ask an individual with a disability to remove the animal from the premises if:
  - 9.1.1 The animal is out of control and the animal's handler does not take effective action to control it;
  - 9.1.2 The animal is not housebroken; and/or
  - 9.1.3 The presence of the animal constitutes a “fundamental alteration” in the nature of the school district’s service, program, or activity.
- 9.2 In determining whether to exclude/remove a service animal, the administrator shall consult with the Director of Special Education, Section 504 Coordinator, or Director of Human Resources, as applicable, or his/her designee, and may consider the service animal’s:
  - 9.2.1 Interference with the educational program of any student.
  - 9.2.2 Urination or defecation in inappropriate locations.
  - 9.2.3 Unnecessary vocalization (e.g., barking, growling, or whining).
  - 9.2.4 Demonstrations of aggression towards people or other animals.
  - 9.2.5 Solicitation of attention, visiting or annoying any students or school personnel.
  - 9.2.6 Solicitation or stealing of food or other items from students or school personnel.
  - 9.2.7 Cleanliness, grooming, and odor.
  - 9.2.8 Destruction of property.
- 9.3 If the administrator, in consultation with the applicable District administrator identified in paragraph 5.2, determines a service animal should be excluded/removed from school district premises, the animal shall be removed immediately. It shall be left to the discretion of the administrator to determine if the removal be temporary or permanent.
- 9.4 If any student or staff member suffers a severe allergic reaction, has a severe asthmatic reaction, or suffers from extreme fear of the service animal, the school administrator should consult with the applicable administrator identified in subsection 8.5, 8.6, or 8.7 and shall work with the parties involved to resolve the conflicting interests. If no resolution can be found, the administrator, in consultation with the Civil Rights Coordinator, may determine that the presence of the service animal constitutes a “fundamental alteration” in the nature of the school district’s service, program, or activity.
- 9.5 Animals that are trained to provide aggressive protection, such as attack dogs, can be excluded for the safety of other students, staff, and guests. However, breeds of dog that are perceived to be aggressive because of breed reputation, stereotype, or the history or experience the observer may have with other dogs cannot be excluded from school district premises except as per any one of the exceptions listed above.
- 9.6 If an individual has a legitimate complaint or concern regarding a service animal, he/she should inform the applicable administrator in writing.

- 9.7 If the school district properly excludes/removes a service animal, it shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises.
- 9.8 If an individual who is not a student or employee wishes to appeal a decision to remove or exclude a service animal, the dispute resolution procedures described in [Nebo School District Policy KLD, Parent/Patron Dispute Resolution](#), shall apply.
- 9.9 If a student is eligible for Special Education services and claims a deprivation of a Free and Appropriate Public Education (FAPE) caused by the exclusion or removal of a service animal, then the dispute resolution procedures described in [Nebo School District Policy JS, Special Education](#), shall apply.
- 9.10 If a student is eligible for Section 504 accommodations and claims a deprivation of FAPE caused by the exclusion or removal of a service animal, then the dispute resolution procedures described in [Nebo School District Policy JR, Students with Disabilities under Section 504](#), shall apply.
- 9.11 If an employee claims a deprivation of rights caused by the exclusion of a service animal, the employee may follow the grievance procedures outlined in the applicable employee handbook.

**10. SERVICE ANIMAL HANDLERS**

- 10.1 A service animal shall be under the control of its handler by a harness, leash, or other tether, unless either: (a) the handler is unable because of a disability to use a harness, leash, or other tether; or (b) the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks. If one of the exceptions mentioned occurs, the service animal must be otherwise under the handler's control through voice control, signals, or other effective means.
- 10.2 For the protection and safety of its students, the school district may require a criminal background check on any service animal handler who is not a student pursuant to [Nebo School District Policy GBN, Employment Background Checks](#).
- 10.3 The school district is not responsible for the care or supervision of a service animal. The service animal's handler is responsible for feeding, exercising, and cleaning up after the animal.
- 10.4 To ensure the safety and health of individuals on the school district premises, a service animal's handler should not solicit others to touch the animal.
- 10.5 An individual accompanied by a service animal is encouraged to identify the animal by exhibiting one or more of the following:
  - 10.5.1 the animal's laminated identification card;
  - 10.5.2 the animal's service vest; or
  - 10.5.3 another form of identification.

**11. MINIATURE HORSES**

- 11.1 Nebo School District shall permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. Requests to permit a miniature horse to accompany an individual with a disability in school buildings; in classrooms; at school functions, activities, or events; and/or in connection with transportation services shall be handled on a case-by-case basis. The school district shall consider:



- 11.1.1 The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
  - 11.1.2 Whether the handler has sufficient control of the miniature horse;
  - 11.1.3 Whether the miniature horse is housebroken; and
  - 11.1.4 Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.
- 11.2 The school district may exclude the miniature horse if its larger size and lower level of flexibility results in a fundamental alteration to the nature of the services provided. The standards applicable to service animals described in section 7 also apply to miniature horses.

---

#### **REFERENCES**

[Americans with Disabilities Act, 42 USC § 12134; 28 C.F.R. 35.101, et seq.](#)  
[UTAH CODE ANN. § 26B-6-801](#)  
[UTAH CODE ANN. § 26B-6-803](#)  
[UTAH CODE ANN. § 53G-9-211](#)  
[Naegle v. Canyons School District, 2018 U.S. Dist. Lexis 88148\)](#)  
[Nebo School District Policy GBN, \*Employment Background Checks\*](#)  
[Nebo School District Policy GBEB, \*Employee Discrimination and Harassment\*](#)  
[Nebo School District Policy GBEG, \*Workplace Accommodations for Employees with Disabilities\*](#)  
[Nebo School District Policy JDC, \*Student Discrimination and Harassment\*](#)  
[Nebo School District Policy JN, \*Student Fees\*](#)  
[Nebo School District Policy JR, \*Students with Disabilities under Section 504\*](#)  
[Nebo School District Policy JS, \*Special Education\*](#)  
[Nebo School District Policy KLD, \*Parent/Patron Dispute Resolution\*](#)

---

#### **FORMS**

Service Animals Acknowledgment

---

#### **HISTORY**

**Revised: 10 January 2024** – renamed from “Service Animals” to “Animals in Schools”; renumbered from JDCA/GBEBA to EG; added sections on class pets, student pets, therapy animals, and instructional animals; made technical changes.

**Revised: 11 December 2019** – clarified notification, verification, and vaccination procedures; made technical changes.

**Revised: 13 March 2019** – specified applicability to students, employees, and others; clarified requirements for making requests; clarified applicability to animals in training; added reference to Section 504 Coordinator and Civil Rights Coordinator; reorganized; made technical changes; renumbered from JT.

**Adopted: 10 August 2011.**

---