

THE HOWARD COUNTY PUBLIC SCHOOL SYSTEM
10910 Clarksville Pike
Ellicott City, MD 21042

Circular No. 33
Series 2019-2020

October 29, 2019

Division of Operations

Animals on School System Property, and
Service Animals (Dog or Miniature Horse only)

To: All Staff

From: Scott W. Washington,
Acting Chief Operating Officer

Animals in schools or offices, whether leashed or not, present safety, environmental, and liability issues. Students and staff may be exposed to potential physical hazards, such as bites, and/or allergy-related health problems. As a result, animals are prohibited within Howard County Public School (HCPSS) buildings. Animals are also prohibited on school system property during arrival, dismissal, recess, and other HCPSS-sponsored outdoor activities.

HCPSS staff are responsible for the proper control of animals brought to school for instructional purposes, i.e. part of the curriculum. Prior approval for these activities must be received from (1) the appropriate academic coordinator, and (2) the Office of Safety and Security (Risk Management).

Elementary Science Coordinator	Amy L. Reese
Secondary Science Coordinator	Mary C.H. Weller
Media Specialist Coordinator	Melissa Daggett
Language Arts Coordinator Elementary School	Stephanie G. Milligan
Language Arts Coordinator Secondary School	Nancy L. Czarnecki
Office of Safety and Security (Risk Management)	Pierre van Greunen or Andrea Misner

Service animals or service animals in training, per *MD Annotated Code Section 7-705 (Service Animals) and the Americans with Disabilities Act (ADA)*, are exempt from this prohibition. In accordance with Maryland law, no HCPSS employee shall “deny or interfere with the admittance of a service animal that accompanies an individual with a disability or a parent of a minor child with a disability.” As a rule, employees should not “deny or interfere with the admittance of an animal being trained as a service animal that accompanies a service animal trainer.” However, a service animal in training may be denied entry into a facility per *MD Annotated Code Section 7-705* “if admitting the animal would create a clear danger of a disturbance or physical harm to an individual” on site.

According to the US Department of Justice Civil Rights Division, a service animal under the ADA is defined as a dog or miniature horse that has been individually trained to do work or perform tasks for people with disabilities. When it is not immediately obvious what service an animal provides, only limited inquiries are allowed. **Staff may ask two questions: (1) is the service animal required because of a disability, and (2) what work or task has the service animal been trained to perform.** Staff may not ask about the person's disability, require medical documentation, require a special identification card, or training documentation for the animal, or ask that the animal demonstrate its ability to perform the work or task. Animals whose sole function is to provide comfort or emotional support (e.g. therapy dog), do not qualify as service animals under the ADA.

No additional fees shall be charged for a service animal or a service animal in training at events where paid admission is required. However, the disabled individual or the parent of a minor child will be responsible "for any damages to the premises or facilities caused by the service animal." The service animal trainer's organization/trainer will be responsible for any personal injuries as well as damages to the premises or facilities caused by an animal in training.

Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or if the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

A person with a disability may not be asked to remove his service animal from the premises unless: (1) the service animal is out of control and the handler does not take effective action to control it, or (2) the service animal is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

Service animals for students in HCPSS schools are approved through the individual school's Service Animal Review Committee, following ADA guidelines. A Service Animal Plan must be completed for all students with service animals, which can be coordinated and obtained from Sally Dorman, HCPSS Section 504 Coordinator. Service animals are specifically trained to perform a task or to work for the individual student with a disability. Therefore, the service animal must be allowed to accompany the student throughout the school day, as well as during any extra-curricular, co-curricular, or school-sponsored activities.

Please direct any student-related service animal questions to Sally Dorman, HCPSS Section 504 Coordinator at 410-313-1252.

If you need additional information on this matter, please contact the Office of Safety and Security (Risk Management) at 410-313-6739.

SWW/PvG/vw