

ARTICLE IV: FACILITIES

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POLICY 2-4.1 COMMUNITY USE OF SCHOOL FACILITIES

For the purposes of this Policy, “school facilities” are defined as buildings, grounds and equipment owned or operated by the Hanover County School Board. The primary purpose of these facilities is for the support of the instructional program. However, the School Board encourages the use of these facilities by the public when such use will not interfere with the basic purposes of the educational program.

Charges and fees for the use of these school facilities are designed not to limit or prohibit use, but to protect citizens from the expenditures of public money appropriated for classroom instruction and for other purposes. The expenses of heating, lights, water and custodial services, as well as protection of school property and security of the buildings when various groups use school facilities, make it necessary to have specific regulations with relation to the use of schools, buildings and grounds. Because schools are educational institutions, their facilities should be used in an appropriate manner to enhance the education and culture of the community. Requests for permission to use school facilities for programs that do not meet this basic standard shall be denied. Any program of a type that might attract an undesirable patronage or result in boisterous behavior or misconduct on the part of the spectators shall be denied.

School facilities shall not be used for public dances. School departmental facilities, such as laboratories, music, vocational and commercial departments, generally shall not be made available for non-school use. Use of school facilities on Sundays, when schools are closed during summer and winter breaks or for inclement weather, may be limited.

The division superintendent is authorized to permit the use of school property and to issue regulations consistent with School Board policies for the proper administration of the use of school facilities. The division superintendent shall submit to the School Board a monthly report on the use of school facilities.

Concessions on School Property

Outside groups may be permitted to use athletic field concession stands. Approval by the division superintendent or his designee of such requests shall be contingent upon the groups abiding by School Board policies, paying the appropriate fees and submitting the proper application forms. The fees shall be established and from time to time revised in regulations prepared by the division superintendent or his designee.

Priority of Eligible Organizations

The requirements of the regular school program shall receive first consideration in the use of school facilities. School-related organizations shall have priority over non-school-related organizations.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-131, 22.1-132, 4.1-309.

Recodified: August 2000

Amended: July 16, 2002, May 10, 2011

ACCOMPANYING REGULATION

REGULATION 2-4.1 FEES FOR USE OF FACILITIES

Hanover County Public Schools facility rental fees may be waived for local and state government agencies, or for charitable or other educational organizations as recommended by the school principal. When building use is approved outside normal work hours or if additional staff is deemed necessary by the principal, fees will be assessed for staff ("Building Attendant").

RATES

Fees will be assessed according to an organization's physical address. An individual will be assessed based on the individual's physical home address. The physical address will determine residency. Non-resident organizations (to be determined by the physical address of the organization) will be charged a rate double the amount assessed resident organizations. A dual fee schedule, one for Elementary and Middle Schools and one for High Schools (based on 3 hour blocks of time), is below:

INDOOR:

<u>Area</u>	<u>Resident & Open to Public</u>	<u>Non-Resident & Resident NOT Open to public</u>
Classroom	\$ 50.00 (Minimum 3 hours) and \$25 per hour for each additional hour or partial hour	\$100.00 (Minimum 3 hours) and \$50 per hour for each additional hour or partial hour
<i><u>Elementary/Middle School</u></i>		
Auditorium/Gymnasium/ Cafetorium	\$150.00 (Minimum 3 hours) and \$50 per hour for each additional hour or partial hour	\$300.00 (Minimum 3 hours) and \$100 per hour for each additional hour or partial hour
<i><u>High School</u></i>		
Auditorium/Gymnasium/ Cafetorium	\$200.00 (Minimum 3 hours) and \$75 per hour for each additional hour or partial hour	\$400.00 (Minimum 3 hours) and \$150 per hour for each additional hour or partial hour

To qualify for a seasonal league fee the adult or youth league use must be coordinated through the Hanover County Parks and Recreation Department. All others will be charged at a per use rate.

OUTDOOR (all schools):

Area

Parking lot/grounds (non-athletic use)	\$ 25.00	\$ 50.00
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Adult and Youth Athletics (indoor and outdoor):	<u>Affiliated with Hanover County Parks and Recreation Department</u>	<u>All other athletic organizations</u>
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Adult and youth leagues: (indoor & outdoor facilities) to be assessed a seasonal league fee in the amount of \$150/event/season/site (i.e. Tuesday & Thursday \$300/season)	Individual organizations that have not coordinated their use of outdoor athletic fields by registering with the Hanover County Parks and Recreation Department will be assessed a \$200 per use fee.
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Please note that Hanover County Parks and Recreation may assess an additional fee for athletic users. Please reference the Hanover County Parks and Recreation Facility Use Policy for additional information.

A portion of the facility use fees will be returned to the Central Office to defray utility and repair costs associated with building usage.

Fees for supervisory, custodial and for other staff presence may be assessed in addition to the fees listed above.

Staff Presence and Additional Charges

In addition to the charges for use of school facilities, a charge for the services of a school division employee, or employees (including custodial, cafeteria, supervisory and/or administration personnel) may be required. Payment for staff presence is to be made to the school in which the activity is being held. These charges are as follows:

1. Custodial Staff - The rate of pay will be determined annually. Payment shall be made for a minimum of three hours.

A custodial staff member should be on duty for all non-school activities. For most meetings it will be necessary for the employee to be on duty prior to the time the meeting is scheduled to prepare the facility for use. The organization shall be charged for all extra time used beyond the employee's regular schedule, plus any extra time the employee may have to expend during his/her regular work hours to prepare for the organization's use of the facility. For example, using a lunchroom requires removal of tables and chairs. If this work is done on school time by the employee, the organization will be billed for this time since the employee will be required to spend this additional time away from his regular duties. The presence of the employee on duty does not relieve the organization of responsibility for any damage done to the property.

2. Cafeteria Personnel - The rate of pay will be determined annually. Payment will be for a minimum of three hours. For school functions (PTA, etc.) the school shall reimburse the cafeteria worker's hourly rate of pay.

When kitchen facilities are used to prepare and/or serve foods, one or more members of the regular cafeteria staff, preferably the manager, shall direct the said preparation and/or service. The regular staff member shall determine that equipment and facilities are properly used, cleaned, and restored after usage. The organization using the kitchen facilities shall pay a rental fee as established above for use of the facility plus the compensation for cafeteria worker(s).

3. Administrators and Supervisory Personnel - School administrators or other supervisory personnel presence, including law enforcement, Fire and EMS, may be required if deemed necessary by the school principal/school division. Payment for such presence shall be for minimum of three hours. The cost will be determined annually.
4. Special Equipment - Special lighting must be operated by trained persons. Pianos may not be used or moved unless under the authorization and/or supervision of the lead teacher specialist for performing arts. The charge for the use of the piano and of persons to operate the lights will be determined annually. Organizations may be charged for the use of other special equipment or consumables, which charge will be determined by the school principal.
5. All fees shall be reviewed and established annually through the budget process.

Sports Organizations, Parks and Recreation, and Sport Leagues

Organizations will be required to pay school personnel to supervise all indoor activities. In addition, groups may be charged a maintenance fee if the premises are littered or if custodial services are required.

Guidelines to be Used by Facility Coordinators to Prioritize the Scheduling of Events

1. Local school activities
2. Activities of educational organizations as recommended by the school principal
3. Local and state government activities
4. Activities facilitated through Parks & Recreation AND open to the public
5. County-based organizations (residency determined by organizations' physical address)
6. Hanover County resident activities
7. Activities of non-resident, organizations
8. Other activities

Note: To receive priority scheduling, adult or youth league use must be coordinated by registering with the Hanover County Parks and Recreation Department.

** The period of time for submitting applications to receive priority scheduling is July 1 – July 15 for the period of August 1 through January 31. Priority scheduling for the period February 1 through July 31 should be submitted between January 1 and January 15. The building facilitator will review the athletic needs of the school facilities utilizing the prioritization guidelines to schedule facility events. Applications received after July 15 and January 15 will be considered throughout the year in the order they are received.

Internal School Organizations

Internal school organizations (PTA/PTO, booster organizations, county music groups, and other scheduled groups) should schedule the use of school facilities directly with the school principal. The school principals will determine the need for custodial fees. Facility use fees and administrative fees will not be charged. School organizations using facilities in other schools and external school organizations (for example, regional music or regional vocational organizations) should complete a **Facility Use Application**. School organizations sponsoring the use of school facilities by outside groups should also complete a **Facility Use Application**.

Facility Use Application and Approval

Conditions under which School Board buildings and grounds in the division may be used for non-school activities are the following:

1. Permission will not be given for fundraising or profit-making activities conducted by any entity or individual operating for profit unless the activity is solely for charity, school fundraising or educational purposes.
2. Permission for the use of school facilities may be given only when an application form is filed at least two (2) weeks in advance. The division superintendent or his designee may waive these requirements if unusual circumstances warrant. A form shall be completed in triplicate and filed with the division superintendent or his designee. All school activities, including those which are by necessity rescheduled, will take priority over use by outside groups.
3. The following procedures shall be followed when any organization is applying for continual use of school facilities while the organization engages in capital programs supporting their efforts to move to a permanent location.
 - a. Any approved application is valid for a maximum of six months from the date of approval in order to align the approval date with the priority scheduling in January and July.
 - b. A new application may be submitted at any time, but renewal applications must be submitted at the next priority scheduling period of January or July. An applicant may have an application renewed up to five times, which may extend facility use under these circumstances to a maximum of 36 months.
 - c. A review of the application will be conducted by school personnel along with a representative from the organization at the time of each reapplication. The parties' review shall address areas of concern and the status of the organization's construction plans/progress.
 - d. Failure to adhere to the rules and regulations of this Policy will result in termination of the approved application.
4. The applicant will place reliable persons in charge of all activities, will be responsible for damage caused by the group or by others admitted and will provide police protection, if necessary, to maintain order and to protect school property. To assure that security of the building is maintained, the person assuming responsibility for the activity must sign the **Facility Use Application** and must be present when the activity is conducted.
5. Before any application can be approved by the division superintendent or his designee, and before the event can be held, all organizations using school facilities must provide to the school a certificate of liability insurance. The insurance policy should be for at least

\$1,000,000.00. The insurance requirement may be reduced to \$500,000.00 for informational or educational small group meetings. The school administration may require additional insurance coverage for events judged to be high risk. Certain self-insured sports instructors shall file a certificate of insurance annually.

6. The application for the use of facilities shall not be considered approved until a signed copy has been sent to the applicant.

Rules and Regulations

1. No organizations may use the buildings or grounds at any time or in such a manner that would interfere with the operation of the school for public education purpose.
2. The School Board and its representatives must have free access to facilities at all times.
3. In the event of the cancellation of a scheduled meeting or event, notification must be given at least twenty-four (24) hours before the scheduled time or the fees are forfeited.
4. The school system reserves the right to cancel an approved activity at any time. Hanover County Public Schools shall not be liable for any damages, direct or incidental, that result from this action.
5. The applicant shall not sublet space to another organization or group.
6. Any organization desiring to move special properties into the school or into the grounds, including the auditorium, prior to or on the date of rehearsal or performance must obtain permission from the office of the division superintendent. All flats, curtains, and costumes must be treated for fire.
7. Putting up decorations or scenery or moving pianos is prohibited unless special permission is granted.
8. Permission for bringing equipment such as concession stands or trucks or carnival equipment on school property must be requested in writing thirty days in advance before formal agreement will be considered by Hanover County Public Schools.
9. The parking of automobiles shall be restricted to designated areas. Parking is prohibited in areas designated for the handicapped (without proper authorization) and in fire lanes.
10. The organization that uses the building and grounds shall be responsible for the conduct of its members.
11. Any damage done to School Board property shall be compensated for by the sponsoring organization. Police protection must be provided by any group or organization at its own expense if the school administration deems it advisable.
12. Smoking is not permitted in any part of the building.
13. There shall be no alcoholic beverages or illegal drugs brought to or consumed or used in the building or on the grounds.
14. Premises are rented or donated with the understanding that "tipping" of custodians or other school personnel is not permitted.
15. Except by special permission, a group shall not be permitted to remain after 12 midnight.
16. Building keys will not be provided to any group.
17. Organizations using the facility are expected to leave the facility ready for use the next day. The organization must provide adequate kitchen help to prepare the food, set up the cafeteria, and to clean up. The charge for custodians and cafeteria persons are for operational and security services only. Custodial fees and other personnel fees are governed by wage and hour regulations. All fees for services and/or personnel shall be payable to the particular school at which the event or meeting is conducted.
18. Payment shall be made to the school within thirty (30) days from the date of the invoice.
19. In kind compensation in lieu of payment of fees listed in the regulation is prohibited.

20. All publicity for an event shall carry the name of the group sponsoring the meeting or event. All advertisements for the event shall be reviewed by the division superintendent or his designee and shall include a statement indicating the fact that a group is permitted to use a School Board facility does not in any way constitute endorsement of the group's policies or beliefs by the School Board. All publicity must be pre-approved by the Hanover County School Board or school contact.
21. School facilities shall not be used for public dances.
22. School facilities shall not be used for gambling, including bingo.
23. Department facilities, such as laboratories, music, vocational, and commercial departments, generally shall not be made available for non-school use.
24. Use of school facilities on Sundays and holidays may be limited.
25. The School Board assumes no responsibility for items or equipment brought on premises by the using organization, its members or guests, or for lost or stolen items. The School Board also assumes no responsibility for injuries or illness sustained and/or contracted on the premises. The person signing the application and the organization which he represents shall be held financially responsible for any damage to the building, its furniture, and equipment during the period of use. The organization using the school facilities will be responsible for damage or theft of school property.
26. Failure to observe the rules will result in suspension of the privilege to use the school facility.
27. All athletic-based, approved facility users must conduct their activities in accordance with Hanover County Parks and Recreation's "Hanover Athletic League Policy – Athletic League Responsibilities." A copy of these responsibilities can be obtained from Hanover County Parks and Recreation's main office.
28. All athletic-based, approved facility users must comply with the Hanover County Parks and Recreation policy regarding athletic field use when schools are closed due to inclement weather. Refer to School Board Regulation 4-2.8: School Closings.

Amended: July 16, 2002, October 22, 2002, September 9, 2003, March 2, 2004, March 10, 2009, May 10, 2011

POLICY 2-4.2 USE OF SCHOOL EQUIPMENT

School equipment may be loaned to responsible community groups for a worthy educational, civic, or charitable purpose when:

1. The group borrowing the equipment agrees to accept responsibility for repairing or replacing any equipment damaged or lost while in its possession.
2. The equipment is not both unusually expensive and also subject to easy damage.
3. The equipment is in good condition.
4. The group will provide a competent operator for any equipment loaned.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-131, 22.1-132.

Recodified: August 2000

Amended: January 13, 2004

ACCOMPANYING REGULATION

REGULATION 2-4.2 USE OF SCHOOL EQUIPMENT

"School equipment" available for loan under this policy excludes ladders, scaffolding or other climbing equipment; tools; or lifts or other mechanical equipment, which may only be used by maintenance, custodial, and other school personnel who have been specifically trained in their use.

Adopted: January 29, 2004

POLICY 2-4.3 PUBLIC CONDUCT ON SCHOOL PROPERTY

All visitors shall register at the relevant Hanover County Public School office on arrival. Any person found to be engaged in or advocating illegal activity while on school property, including school buses, shall be reported by the principal to the local law enforcement authorities. It is unlawful for any person to enter a school at nighttime without the consent of an authorized person except to attend a meeting or service. Persons violating this provision may be prosecuted. It is prohibited for any person to enter or remain on any school property, including school buses, in violation of (i) any direction to vacate the property by an authorized individual or (ii) any posted notice which contains such information, posted at a place where it reasonably may be seen. See policy 2-3.6

Any person who willfully and maliciously damages, destroys or defaces any school district building, damages or removes any school property from a school building may be prosecuted. Any person who willfully interrupts, or disturbs the operation of any school or, being intoxicated, disturbs the same, whether willfully or not, may be prosecuted. Each student or his parents shall be required to reimburse the School Board for any actual breakage or destruction of property done by the student as permitted by applicable law. Smoking and use of alcoholic beverages are prohibited at all times in school buildings.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 4.1-309, 15.1-291.1, et seq., 18.2-415, 18.2-128; 20 U.S.C. § 6083.

Recodified: August 2000

POLICY 2-4.4 TOBACCO AND NICOTINE VAPOR PRODUCT USE ON SCHOOL PROPERTY

Smoking of tobacco products and the use of nicotine vapor products is prohibited at all times and under all circumstances in all Hanover County Public School buildings, or on school buses. The use of nicotine vapor products is also prohibited on all Hanover County Public School grounds and at school-sponsored activities, as provided in federal and state law.

"Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

Each principal shall post signs stating "No Smoking," as applicable within each school building. The supervisor of transportation shall post signs visible upon entering each school bus stating "No Smoking."

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 15.2-2824, 15.2-2832, 22.1-79.5; 20 U.S.C., § 6083.

Recodified: August 2000

Amended: July 8, 2014

POLICY 2-4.5 SERVICE ANIMALS ON SCHOOL PROPERTY

To protect the health and safety of students, employees, and visitors, animals are prohibited on school property. Exceptions to this prohibition will be made for service animals assisting individuals with disabilities. The School Board does not discriminate on the basis of disability, and individuals with disabilities have the same right to access school property and attend school sponsored events as nondisabled individuals. Service animals are allowed in all schools, school administration buildings, school buses, and at all school sponsored events in accordance with the terms of this Policy and the related Regulation.

LEGAL REFERENCE: Americans with Disabilities Act, 42 U.S.C. §§12101, et seq.; Code of Virginia (1950), as amended, §§51.5-40, et seq.; 28 C.F.R. Part 35 and 28 C.F.R. §36.104; and Virginia Department of Education, Guidelines for School Division Policy and Procedures Regarding Service Animals in Virginia's Public Schools (2011).

Adopted: December 8, 2015

ACCOMPANYING REGULATION

REGULATION 2-4.5 SERVICE ANIMALS ON SCHOOL PROPERTY

The following procedures shall be followed to evaluate any request to bring a service animal on school property.

I. DEFINITIONS

- A. "Service animal"** means a dog (or, in some cases, a miniature horse) trained to do work or perform tasks for the benefit of an individual with a disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. (Refer to Section III of this Regulation for the permitted use of miniature horses.) The work or tasks performed by a service animal shall be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting an individual to the presence of allergens, assisting diabetic individuals, retrieving items, carrying items, providing physical support and assistance with balance and stability, and helping individuals with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. **The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purposes of this definition.**
- B. "Health certificate"** means certification provided by a veterinarian licensed to do business in Virginia, showing that the trained service animal is currently in good health, free of parasites and has all required vaccinations up to date.
- C. "Individual with a disability"** means any person who has a disability, as defined by the Americans with Disabilities Act of 1990, as amended, and 28 C.F.R. §35.104.

- D. **“Miniature horse”** means a horse that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. These animals generally range in height from 24 inches to 34 inches measured to the wither, or shoulders, and generally weigh between 70 and 100 pounds.

II. STUDENT AND EMPLOYEE REQUESTS FOR USE OF A SERVICE ANIMAL

A student or employee with a disability seeking approval for a service animal to accompany him or her during school hours and on school property shall make such request by completing a Service Animal Request Form and shall provide all required documentation to the building principal prior to bringing the animal on school property and at the beginning of each school year thereafter. If the disabled individual is a student, a parent/guardian may make the request on the student’s behalf.

If a student or employee arrives at school with a service animal without obtaining prior approval, the parent/guardian will be immediately notified and requested to come to the school to retrieve the animal until the requirements of this Regulation have been met.

A designated team of school division administrators shall evaluate and approve or deny each student or employee service animal request on a case-by-case basis within 5 business days of such a request, provided that the team has been provided all the information required to evaluate the request. This team may include the Health Services Coordinator, the building principal, the 504 Coordinator for the building, a requesting student’s case manager if the student has an IEP, or, for an employee request, a representative from Human Resources. The following are the standards by which the team shall review each request for the use of a service animal:

1. Whether the animal is a “service animal,” as defined above. Specifically:
 - a. Whether the animal is trained to do work or perform tasks for the benefit of an individual with a disability; and
 - b. Whether the work or tasks performed by the animal are directly related to the individual’s disability.

Note that these inquiries should 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.

2. Whether the animal is housebroken.
3. Whether the service animal has a health certificate.
4. Whether the service animal’s primary handler can demonstrate the ability to care for, control, restrain, and otherwise meet the animal’s needs without assistance from school administration.
5. The team of administrators may not require the student, parent/guardian, or employee to produce documentation showing that the animal has been certified, trained, or licensed as a service animal.

The team of administrators may request additional information regarding the service animal and the primary handler's ability to meet the needs of the animal. If necessary to meet the unique needs of the animal, the employee or the student, the building, or other persons who may come in contact with the animal, the team may develop additional conditions or procedures to be used. These conditions or procedures may change to address new circumstances.

If the team of administrators finds that the service animal meets the requirements of this regulation and approves the request, all parents/guardians of the students in attendance at the school or schools where the service animal will be present, as well as all building employees, must be notified in advance of the presence of the service animal on school property. The approval of a service animal's presence on school property to support a student or employee must be reviewed by the team on an annual basis.

III. STUDENT AND EMPLOYEE REQUESTS FOR USE OF A TRAINED MINIATURE HORSE

Requests for a miniature horse to accompany a student or employee with a disability during school hours on school property will be evaluated on a case-by-case basis by the designated team of administrators. The team will consider, in addition to the general standards applied to a request for the use of a service animal, the following factors:

1. Whether the school building(s) in question can accommodate the type, size and weight of the miniature horse;
2. Whether the primary handler has sufficient control of the miniature horse;
3. Whether the miniature horse is housebroken;
4. Whether the miniature horse's presence in the building(s) in question compromises legitimate safety requirements that are necessary for safe operation;
5. Whether the presence of the miniature horse, because of its size and lower level of flexibility, would result in a fundamental alteration to the nature of the programs, activities, or services provided by the school(s).

IV. VISITOR USE OF A SERVICE ANIMAL

A person with a disability accompanied by a service animal who is visiting school property will be granted access to those areas of school property where members of the public are permitted to go, provided that the service animal is identified by the visitor as a service animal.

If a service animal accompanying a visitor with a disability creates a disruption that fundamentally alters the nature of the program or service, or poses a direct threat to the health or a safety of others, the animal may be required to leave school property.

V. APPEALS

If the team of administrators denies a request for the use of a service animal on school property, or if approval for the use of a service animal has been withdrawn, the primary handler or the parent/guardian may appeal that decision by submitting a letter, within 5 business days of the team's decision, to the Assistant Superintendent of Instructional Leadership if the individual with a disability is a student, or to the Assistant Superintendent of Human Resources if the individual with a disability is an employee. The letter of appeal should explain why the service animal meets the requirements of this Policy. Pending the resolution of the appeal, the service animal will not be allowed on school property or at school sponsored events.

VI. DEVELOPMENT OF AN ACCESS PLAN

Once a request for a service animal is approved, the team of administrators shall consider and establish an access plan for the animal, including the following:

1. Location of the animal's rest place (ex: a crate in a quiet location);
2. Rest times for the animal (ex: lunch time, physical education class, and recess);
3. Water and feeding breaks for the animal;
4. Location of a designated "pet area" on school grounds where the primary handler will take the animal to urinate or defecate (the handler must correctly dispose of any solid waste produced by the animal);
5. Emergency evacuation plan for the animal, to include a plan for emergency drill participation;
6. Plan for field trips where the animal will accompany a student with a disability;
7. Plan for the animal riding the school bus with a student with a disability;
8. A schedule for pre-treating the school facility to reduce animal-borne allergens;
9. The impact of the service animal's presence on other students or employees in the same building or attending a school-sponsored event. A service animal may not be denied access solely because others are allergic to or fearful of dogs, however.
10. An alternate accommodation/plan in the event the animal's primary handler (if not the student) or the animal is not able to accompany the student with a disability to school due to illness, injury or death;
11. Training for any school division employees who may handle the animal if the primary handler is temporarily unable to do so;

12. A school-wide educational program to educate others on how to behave appropriately around the service animal, to be held prior to the animal arriving on school property.

The access plan developed by the team of administrators is not a contract between the School Board and the student, employee, or parent/guardian, but rather, it is solely a guide for the parties involved. The access plan for a service animal is not an accommodation under Section 504 of the Rehabilitation Act or a service or accommodation under a student's Individualized Education Program (IEP).

VII. RESPONSIBILITY FOR SERVICE ANIMAL

The school division is not responsible for the care, supervision, or handling of a service animal.

When on school property, a service animal must be under the control of its handler at all times. It must have a harness, leash, or other tether, unless the handler is unable because of a disability to use a harness, leash, or tether, or if the use of such would interfere with the service animal's safe, effective performance of work or tasks. If either of these circumstances exists, the animal must be otherwise under the handler's control by way of voice controls, signals, or other effective means.

A service animal must be clothed in a backpack, harness or vest identifying the animal as a service animal, with appropriate identifiers specified by Virginia law:

1. **Harness:** guide dog for the blind;
2. **Blaze orange leash:** dog for the hearing impaired; or
3. **Backpack, harness or vest identifying the dog as trained:** dog for those with mobility impairments or other disabilities.

All service animals present on school property must be kept free of parasites, including fleas and ticks.

The student, employee or visitor is responsible for all costs, certifications and equipment associated with the service animal. Handlers who are not students or employees are considered volunteers when present on school property or attending school-sponsored events. Such handlers are subject to Regulation 5-2.4 Sex Offender Registry Notification and will be denied access if the handler is a registered sex offender. Handlers who are not students or employees may also be denied access to or removed from school property if the handler's conduct is disruptive or interferes with instruction.

The owner or handler of a service animal is solely responsible, to the same extent that a non-disabled individual is responsible, for personal injuries suffered by an individual(s) or property damage caused by the service animal while on school property.

VIII. REMOVAL OF A SERVICE ANIMAL.

HCPS may request the immediate removal of a previously approved service animal if the animal is out of control and the animal's handler does not take effective action to control it, if the animal is not housebroken, or if the animal is compromising the safety of

any student, employee or visitor and/or compromising the safe operations of the school. Factors that may be considered when determining whether to remove a trained service animal include the following:

1. Whether the animal is clean, well-groomed and does not have an offensive odor;
2. Whether the animal urinates or defecates in an inappropriate location;
3. Whether the animal solicits attention, visits or annoys any students or school employees;
4. Whether the animal vocalizes unnecessarily (i.e., barking, growling, or whining);
5. Whether the animal shows aggression towards people or other animals;
6. Whether the animal solicits or steals food or other items from students or school employees;
7. Whether the animal interferes with the educational program of any student;
8. Whether the animal has rabies or any other disease that can be communicated from an animal to a human or to another animal.

IX. ANIMALS FOR EDUCATIONAL PROGRAMS

In some circumstances a trained or untrained animal may provide unique educational opportunities for students. Accordingly, a school's principal may permit a trained or untrained animal on school property for the purposes of educational programs and activities, subject to compliance with the following:

1. The animal's handler must maintain control of the animal at all times. The handler is responsible for the care, feeding, toileting, and cleanup of the animal.
2. The handler must obtain the permission of the school's principal prior to bringing the animal(s) on school property.
3. The handler must provide the school's principal with certification that the animal has current vaccinations against any diseases that may be communicated from the animal to a human or other animal.
4. All requirements of section VIII (Removal of a Service Animal) shall also apply to animals used for educational programs. In addition, school officials may exclude any animal that no longer serves the school's purposes.

Adopted: December 8, 2015
