The Knox County Schools does not discriminate on the basis of disability, and complies with all state and federal laws, regulations, and rules regarding the use of service animals by students with disabilities under appropriate circumstances.

A service animal means any dog (or miniature horse as noted below) 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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals.

KCS may ask if the service animal is required because of a disability and what work or task the animal has been trained to perform.

Exceptions: KCS may ask an individual with a disability to remove a service animal from the premises if:

1. The animal is out of control and the animal’s handler does not take effective action to control it;
2. The animal is not housebroken.

Animal under handler’s control: A service animal shall be under the control of its handler. A service 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 safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler’s control (e.g., voice control, signals, or other effective means).

Care or Supervision: KCS is not responsible for the care or supervision of a service animal.

Knox County Schools will make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been trained to do work or perform tasks for the benefit of the individual with a disability.

Assessment factors for miniature horses: In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, the Knox County Schools shall consider:

1. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
2. Whether the handler has sufficient control of the miniature horse;
3. Whether the miniature horse is housebroken; and
4. Whether the miniature horse’s presence in a specific facility compromises any safety protocols required for the proper operation of the facility.
Parents must submit a written request for the use of a service animal to the principal/administrator of the school. The request must be made no less than three weeks prior to the proposed use of the service animal prior to bringing the service animal to school.

Legal References:

1. 28 C.F.R. § 35.136 and 28 C.F.R. § 35.104.
3. 28 C.F.R. § 35.136 (b).
4. 28 C.F.R. § 35.136 (d).
5. 28 C.F.R. § 35.136 (e).
6. 28 C.F.R. § 35.136 (i).

Approved as to Legal Form
By Knox County Law Director 8/30/2016
/Gary T. Dupler/Deputy Law Director