

PROCEDURE TITLE: REASONABLE ACCOMMODATIONS AND SERVICE ANIMALS UNDER THE AMERICANS WITH DISABILITIES ACT ("ACT") OR SECTION 504		
ADOPTION/EFFECTIVE DATE: October 12, 2015	MOST RECENTLY AMENDED: April 10, 2024	MOST RECENTLY REAFFIRMED:
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY:		

I. Purpose

The purposes of this procedure are as follows:

- A. Provision of information regarding reasonable accommodations and service animals in employment or in the provision of access to Harford County Public School ("HCPS") services, programs and activities.
- B. Adoption of procedures for obtaining a reasonable accommodation or authorization for a service animal.
- C. Designation of a person to contact regarding or obtaining a reasonable accommodation or authorization for a service animal.

II. Definitions

- A. **ADA** means the Americans With Disabilities Act codified at 20 United States Code (U.S.C.) Section 12101 to 12103 and 12111 to 12117, *et seq.*; and its implementing regulations codified at 29 Code of Federal Regulations ("CFR") 1630.1 to 1630.16 and 28 CFR Section 35.101 to 35.140.
- B. **Section 504** means Section 504 of the Rehabilitation Act of 1973 codified at 29 U.S.C. Section 794 and its implementing regulations codified at 34 CFR Section 104.1 to 104.39.
- C. **HCPS** means Harford County Public Schools.
- D. **Reasonable Accommodations** means a change or alteration in a work condition such as, for example, scheduling changes or physical modifications or changes or alterations to policies, practices or procedures which HCPS is legally required to provide.
- E. **Service Animals** means a dog or miniature horse which a person with a disability requires because of his or her disability and which will perform work or task(s) for the person.

- F. **Disability** means with respect to a person, having a physical or mental impairment that substantially limits a major life activity; having a record of such impairment; or being regarded as having such an impairment.

III. Procedures

A. Employment

1. The Risk Manager shall engage in an interactive process with the person seeking the reasonable accommodation to obtain such information regarding the request as is necessary and legally available to make a determination regarding the request and shall issue a decision granting or denying the request.

2. Any person with a disability requesting a reasonable accommodation in employment may contact either his or her supervisor or the HCPS Risk Manager, 102 South Hickory Avenue, Bel Air, Maryland, 21014, at 410-588-5286. If a request is made to a supervisor, he or she shall refer it to the Risk Manager. The request may either be in writing or verbal.

B. Access to HCPS Programs, Services and Activities

Any person with a disability requesting a reasonable accommodation with respect to access to programs, services and activities shall contact his or her supervisor or the Risk Manager, at 102 South Hickory Avenue, Bel Air, Maryland, 21014, or 410-588-5286, or the Director of Student Services at 102 South Hickory Avenue, Bel Air, Maryland, 21014, or 410-588-5334. If request is made to a supervisor, he or she shall refer the request to the Risk Manager. The request may be made either in writing or verbally.

C. Service Animals


Any person with a disability requesting that he or she be permitted to bring and maintain a service animal in or about HCPS property or buildings may contact his or her supervisor or the HCPS Risk Manager, at 102 South Hickory Avenue, Bel Air, Maryland, 21014, or 410-588-5286. If such a request is made to a supervisor, the supervisor shall refer the request to the Risk Manager. The request may be either verbal or in writing.

When evaluating a request to be accompanied by a service animal, only limited permissible inquiries may be asked of individuals

that seek to be accompanied by their service animal on school property when it is not immediately obvious what service an animal provides. HCPS staff may ask two questions: (1) is the dog or miniature horse a service animal required because of a disability, and (2) what work or task the dog or miniature horse has been trained to perform. HCPS staff may not ask about the person's disability; require medical documentation or evidence of the disability; require a special identification card or training documentation for the animal; require a veterinary health certificate 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 do not qualify as service animals under the ADA. Under Title II of the ADA, HCPS is obligated to grant access to individuals who use service animals.

- D. Should the person requesting a reasonable accommodation or service animal be dissatisfied with the decision regarding a request made pursuant to the above procedures, the person may file a complaint pursuant to the Procedure entitled, "Complaint Under the ADA or Section 504," or pursue any other legal action or both available to him or her.

Approval By:


Sean Bulson (Apr 11, 2024 09:47 EDT)

Sean W. Bulson, Ed.D.
Superintendent of Schools

Procedure Action Dates					
ACTION	DATE	ACTION	DATE	ACTION	DATE
Adopted	10/12/2015				
Amended	11/07/2016				
Amended	04/10/2024				

Responsibility for Procedure Maintenance & References	
LAST EDITOR/DRAFTER NAME: Julie Uehlein	JOB POSITION OF LAST EDITOR/DRAFTER: Risk Manager
PERSON RESPONSIBLE:	JOB POSITION OF PERSON RESPONSIBLE:
DESIGNEE NAME: N/A	JOB POSITION OF DESIGNEE: N/A
PROCEDURE NUMBER PRIOR TO NOVEMBER 1, 2005:	

REFERENCES¹ -

Legal references are set forth in the procedure.

¹ All references are to specific federal or Maryland statutes or regulations. References are provided for convenience and informational purposes only and are not to be considered as exhaustive or as precluding Harford County Public Schools from relying upon any other statutes or regulations in support of a policy/procedure.