

PROCEDURE TITLE: REASONABLE ACCOMMODATIONS AND SERVICE ANIMALS UNDER THE AMERICANS WITH DISABILITIES ACT (“ADA”) OR SECTION 504		
ADOPTION/EFFECTIVE DATE: October 12, 2015	MOST RECENTLY AMENDED: May 1, 2024	MOST RECENTLY REAFFIRMED:
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY:		

I. Purpose

Harford County Public Schools (“HCPS”) is committed to creating and maintaining a welcoming and inclusive educational and working environment for people of all abilities. HCPS is dedicated to the principle that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of HCPS, or be subjected to discrimination. As part of these commitments, HCPS provides reasonable accommodations to qualified individuals. HCPS also permits service animals on HCPS property for persons with disabilities.

This procedure provides information regarding the process for requesting reasonable accommodations as it relates to an HCPS staff member’s employment and with respect to one’s access to HCPS programs, services, and activities. This procedure also provides additional information regarding HCPS’ general obligation to grant access to individuals who use service animals.

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 individually trained to do work or perform tasks for the benefit of an individual with a disability. A service animal meeting this definition is not required to be licensed or certified by a state or local government or animal training program.
- 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. Requests for Reasonable Accommodation

1. HCPS Staff

- a. Any person with a disability requesting reasonable accommodation in employment may contact either their supervisor or the HCPS Risk Manager, by mail at 102 South Hickory Avenue, Bel Air, Maryland, 21014, or via telephone at 410-588-5286. If a request is made to a supervisor, they shall refer it to the Risk Manager. The request may either be in writing or verbal.
- b. 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. Access to HCPS Programs, Services, and Activities

- a. Any person with a disability (staff, students, applicants, visitors, volunteers, vendors, and contractors) who is visiting HCPS and seeks reasonable accommodation to facilitate their visit or access to HCPS programs, services, and activities shall contact the Risk Manager, by mail at 102 South Hickory Avenue, Bel Air, Maryland, 21014, or via telephone at 410-588-5286, or the Director of Student Services at 102 South Hickory Avenue, Bel Air, Maryland, 21014, or 410-588-5334. If the request is made to an individual other than the Risk Manager, that individual shall refer the request to the Risk Manager. The request may be made either in writing or verbally.

3. Should a person requesting a reasonable accommodation believe that they have been denied reasonable accommodations or otherwise discriminated against on the basis of disability, the person may file a complaint pursuant to the Procedure entitled, "Complaint Procedures for Violations of the Americans with Disabilities Act; Section 504 of the Rehabilitation Act of 1973 and their Implementing Regulations," and/or pursue any other legal action available to him or her.

B. Service Animals

1. HCPS allows service animals in all buildings, schools, classrooms, meeting areas, cafeterias, recreational facilities, activities, and events when the animal is accompanied by an individual with a disability.
2. Service animals are allowed to accompany their handlers at all times and everywhere on HCPS property, except in areas where specifically prohibited due to health, environmental, or safety hazards (e.g. mechanical rooms, machine shops, custodial closets, laboratories). These determinations must be made on a case-by-case basis.
3. When it is not immediately obvious what service an animal provides, only limited inquiries are permitted:
 - a. "is the dog or miniature horse a service animal required because of a disability?", and
 - b. "what work or task has the animal been trained to perform?"
4. 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.
5. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

Approval By:


Sean Bulson (Apr 30, 2024 10:51 EDT)

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

PROCEDURE

Procedure Action Dates					
ACTION	DATE	ACTION	DATE	ACTION	DATE
Adopted	10/12/2015				
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Amended	05/01/2024				

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
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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.