

CHAPTER 156

AN ACT concerning the use of service animals by certain students and supplementing chapter 46 of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:46-13.2 Findings, declarations relative to the use of service animals by certain students.

1. The Legislature finds and declares that: service animals have a long history of performing crucial tasks and fulfilling a significant role in the daily activities of many people with physical disabilities; in addition to their traditional roles, service animals can be trained to be a calming influence and provide a connection to the familiar in unfamiliar surroundings for students with autism or other developmental disabilities; under the federal Americans with Disabilities Act of 1990, service animals are permitted in schools, other public areas, and places of public accommodation; allowing a student with autism or other disability to bring a service animal to class and on school grounds will enhance the learning process and help the student reach his full academic potential.

C.18A:46-13.3 Permitted access for service animals in school buildings.

2. a. A student with a disability, including autism, shall be permitted access for a service animal in school buildings, including the classroom, and on school grounds.

b. A school official may inquire as to whether the service animal is required due to a disability and what task or work the service animal has been trained to perform, unless the student's disability and the work or task that the service animal will perform are readily apparent. A school official may require: (1) certification from a veterinarian that the service animal is properly vaccinated and does not have a contagious disease that may harm students or staff; and (2) documentation that any license required by the municipality in which the student resides has been obtained for the service animal.

c. The service animal shall be under a handler's control at all times by use of a leash, tether, voice control, signal, or other suitable means. The school shall not be responsible or liable for the care or supervision of the service animal. The school shall provide reasonable accommodations to allow the handler to provide for the care and feeding of the service animal while on school grounds or at a school function.

3. This act shall take effect immediately.

Approved January 5, 2012.