

Service Animals in Schools

Definition

“**Service animal**” means any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability. 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 in connection with a seizure activity, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons 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 purpose of this definition.

Determination as to Whether Animal Qualifies as Service Animal

In situations where it is not obvious that the animal is a service animal, District staff may ask only two specific questions: (1) is the animal a service animal required because of a disability? and (2) what work or task has the animal been trained to perform?

Staff are not allowed to request any documentation for the animal, require that the animal demonstrate its task, or inquire about the nature of the person's disability. The applicable law makes a distinction between psychiatric service animals and emotional support animals. If an animal has been trained to sense that an anxiety attack is about to happen and take a specific action to help avoid the attack or lessen its impact, that would qualify as a service animal. However, if the animal’s mere presence provides comfort, that would not be considered a service animal under the Americans with Disabilities Act (ADA).

Service-animals-in-training are not considered service animals.

Responsibility for Service Animal

The owner or handler of a service animal shall be solely responsible for:

- A. Supervision and care of the animal, including any feeding, exercising, clean up and stain removal.
- B. Control of the animal at all times through the use of a harness, leash, tether or by other effective means.
- C. Damage to District buildings, property and vehicles caused by the animal.
- D. Injuries to students, employees, volunteers and visitors caused by the animal.
- E. Annual submission of documentation of vaccinations and immunizations.

The designated administrator shall ensure that all individuals involved in a situation where a service animal will regularly accompany an owner or handler in District buildings or on District property or vehicles are informed of the Board policy and administrative regulations governing this issue. Involved individuals can include administrators, appropriate employees, student and parent/guardian.

District administrators may exclude a service animal from District buildings, property and vehicles under the following circumstances:

- A. Presence of the animal poses a direct threat to the health and safety of others.
- B. Owner or handler is unable to control the animal.
- C. Animal is not housebroken.
- D. Presence of the animal would require a fundamental alteration to the program.

Any individual with a service animal who is aggrieved by a decision to exclude, limit or remove a service animal may appeal that decision in accordance with applicable Board policy.

Guidelines for Students with Disabilities:

A student with a disability, or a parent or guardian on behalf of the student, may request to bring a service animal to school for educational purposes. The building principal shall, in consultation with the student's IEP team, if applicable, or other appropriate school personnel, determine whether the animal meets the criteria for a service animal. For students with IEPs, the IEP team shall determine whether and to what extent the student needs District-provided support in fulfilling their responsibility as handler of the service animal.

General Guidelines for Admission of Service Animals to Schools for Employees:

An employee with a disability may submit a prior written request to bring a service animal to school for employment purposes to the building principal or Director of Human Resources, together with supporting medical documentation. The request shall be handled in the same manner as any other request for accommodation under the Americans with Disabilities Act. Requirements may be imposed upon the employee similar in nature to those set forth below in the next section and shall be documented in writing to the employee.

General Guidelines for Admission of Service Animals To School Property by Visitors or Other Persons Wishing to Access School Property:

Visitors with disabilities may be accompanied by their service animals while on District property for events that are open to the general public. This right of access does not extend to the schools generally or to other activities that are not open to the general public. The District shall not require an owner or handler of a service animal to pay an extra charge for the animal to attend events for which a fee is charged.

Cross References:

Policy No. 5100, *Special Education*

References:

Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794
Rabies Prevention and Control in Domestic Animals and Wildlife Act –
3 P.S. Sec. 455.1 et seq.
Pennsylvania Human Relations Act – 43 P.S. Sec. 953
Americans with Disabilities Act – 42 U.S.C. Sec. 12101 et seq.
Nondiscrimination on the Basis of Disability, Title 28, Code of Federal
Regulations – 28 CFR Part 35
Federal Equal Employment Opportunity Commission Regulations, Title 29, Code of
Federal Regulations – 29 CFR Part 1630
Frequently Asked Questions about Service Animals and the ADA;
http://www.ada.gov/regs2010/service_animal_qa.html