

SERVICE ANIMALS IN SCHOOLS

Background

Under Federal law, no qualified individual with a disability shall, on the basis of a disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the District or be subjected to discrimination by the District. Moreover, the District must make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the District can demonstrate that making the modifications would fundamentally alter the nature of the service program, or activity.

Objective

The Board establishes the following policy related to the presence and use of service animals on school property, in District buildings, and/or in vehicles that are owned, leased or controlled by the District, upon request, submission of required documentation, and receipt of approval to ensure that individuals with disabilities are permitted to participate in and benefit from District programs, activities and services, and to ensure that the District does not unlawfully discriminate on the basis of disability.

Definitions

1. **Service animal** means any dog 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.

A miniature horse may be utilized as a service animal if the miniature horse has been individually trained to do work or perform tasks for the benefit of an individual with a disability. In determining whether reasonable modifications can be made to allow a miniature horse into a specific facility, the District shall consider:

- a. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- b. Whether the handler has sufficient control of the miniature horse;
- c. Whether the miniature horse is housebroken; and
- d. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

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 during a seizure, 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.

No other species of animal, whether wild or domestic, trained or untrained qualify as service animals. In addition, the crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute "work or tasks" for the purposes of the definition of service animal.

Policy

The Board shall permit individuals with disabilities to use service animals in District buildings; on District property; and on vehicles that are owned, leased or controlled by the District, in accordance with this policy and applicable state and federal laws and regulations.

Admission of Service Animals to Schools

An individual with a disability may submit a request to bring a service animal to school for educational or employment purposes. However, there is no automatic right to be accompanied by a service animal in the school setting. An individual requiring the assistance of a service animal during the school day must obtain prior approval of both the building principal and the Superintendent or designee before bringing the service animal onto the school property.

Parents/Guardians of students with disabilities may submit a request to the building principal for their student to bring a service animal to school. The building principal shall forward the request to the appropriate Section 504 or IEP team. The team shall gather the necessary information and evaluate the request to bring a service animal to school. Any service animal accompanying a student with a disability to school or school activities shall be handled and cared for in a manner detailed in the student's IEP or Section 504 Service Agreement.

Before a service animal shall be allowed in a District building, or on District property or in District vehicles for educational or employment purposes, the District shall request the following from the owner or handler of the service animal:

1. Verification of the need for the service animal because of a disability;
2. Description of the function(s) the service animal is trained to perform in relation to the individual's disability;
3. Written proof of current vaccinations and immunizations of the service animal.

If the service animal is a miniature horse, the District shall also evaluate the factors set forth above in determining whether reasonable modifications can be made to allow the miniature horse into a specific facility.

The District shall not ask about the nature or extent of a person's disability and the District shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

Admission of Service Animals to Public Events

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the District's facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go. The right of access does not extend to the schools generally or to other activities that are not open to the general public.

School administrators may, in appropriate circumstances, inquire of the owner or handler of the service animal whether the animal is required because of a disability and the specific tasks that the animal has been trained to perform, but shall not ask questions about an individual's disability.

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.

If the service animal is a miniature horse, the District shall evaluate the factors set forth above in determining whether reasonable modifications can be made to allow the miniature horse into a specific facility.

Owner or Handler's Responsibilities

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

1. Supervision and care of the animal, including any feeding, exercising, clean up, and stain removal.
2. Control of the animal at all times through the use of a harness, leash, or tether or by other effective means. In the event the handler is unable because of a disability to use a harness, leash or other tether or if the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, the service animal must be otherwise in the handler's control (e.g., voice control, signals, or other effective means).
3. Damages to District buildings, property and vehicles caused by the animal.
4. Injuries to students, District employees, volunteers and visitors caused by the animal or the handler.
5. Annual submission of documentation of vaccinations, immunizations, and certifications.
6. Rest time for the animal.

EPS/NSBA

7. Emergency evacuation of the animal and participation in emergency evacuation plans as outlined in the IEP or Service Agreement.
8. Assistance and input with any in-service and education to inform and assist others on how to behave appropriately around the service animal.
9. Participation in school-side educational programs to educate others on the work of a service animal and how to respond around service animals.

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

1. The presence of the service animal poses a direct threat to the health or safety of others.
2. The owner or handler is unable to control the service animal.
3. The service animal is not housebroken.
4. The presence of the service animal would require a fundamental alteration to the program.

If the District properly excludes an animal from a public event, it shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises.

Administrative Responsibility

The Superintendent or designee shall develop and disseminate administrative regulations if needed to implement this policy and accommodate individuals with disabilities requesting the use of a service animal in District buildings and on District property and vehicles.

Communication

This Policy shall be communicated to:

1. All District Staff
2. The Mt. Lebanon Community

Adopted November 20, 2017
Revised September 19, 2022