

Book  
WSSD Policy Manual  
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700 Property  
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Service Animals in Schools  
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Legal  
[1. 28 CFR 35.104](#)  
[2. 29 U.S.C. 794](#)  
[3. 42 U.S.C. 12101 et seq](#)  
[4. 28 CFR 35.136](#)  
[5. 3 P.S. 455.1 et seq](#)  
[7. Pol. 904](#)  
[8. Pol. 906](#)  
[9. 43 P.S. 953](#)  
[10. 28 CFR Sec. 35.130](#)  
[11. Pol. 113](#)  
[28 CFR Part 35](#)  
[29 CFR Part 1630](#)  
Adopted  
April 16, 2015

### **Purpose**

The Board adopts this policy 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 discriminate on the basis of disability.

### **Definition**

**Service animal** ~~typically~~ 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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for purposes of this definition.[1] The work or tasks performed by a service animal must be directly related to the individual's disability.[1]

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.[1]

The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.[1]

### **Authority**

~~In general, pets are prohibited on school property with the exception of dog guides or service animals. Persons with disabilities have the same right as those without to the use and enjoyment of our schools. As a result, T~~he Board recognizes its duty to make reasonable accommodations for a disabled person's use of a service animal on school property.

~~The Board and~~ shall permit individuals with disabilities to use service animals in District buildings; on District property; and in vehicles that are owned, leased, or controlled by the school District, upon request and submission of required documentation and, in accordance with this policy and applicable state and federal laws and regulations.[2][3][9][10] ~~to do work or perform tasks for the benefit of an individual with a disability.~~

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

~~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 totally or partially 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.[1]~~

~~The provision of emotional support, well-being, comfort, increased social opportunities or companionship does not constitute work or tasks for the purpose of this definition.[1]~~

### **Guidelines**

Admission of Service Animals to Schools and School Property

An ~~employee 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. The District will conduct an individualized assessment in accordance with applicable law to determine if the individual student has the ability to supervise, care, and control the service animal before agreeing to allow the service animal to accompany the student individual on a full-time basis.[4]. ~~An employee seeking to bring a service animal to work must comply with the requirements as set forth in this policy and any administrative guidelines governing this issue.~~

~~Upon request by a parent/guardian to have a service animal accompany a student, the District reserves the right to evaluate the student and service animal in the school setting to determine if he or she has the ability to supervise, care and control the service animal before agreeing to allow the service animal to accompany the student on a full time basis.[4]~~

Parents/Guardians of students with disabilities who believe the student needs to bring a service animal to school in order to receive a free and appropriate public education, shall notify the building principal or the Section 504 or IEP team. The appropriate team shall evaluate the request to use the service animal in school, gather necessary information, and determine whether the student requires the service animal during the school day or at school activities. This may include a request for parental permission to formally assess the student's education-based needs that might include alternative methods of accommodating needs. 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.[11]

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

1. Whether the animal is required because of a disability;[4]
2. Description of the specific work or tasks the service animal is expected to perform in relation to the individual's disability;[4] and
3. Proof of current vaccinations and immunizations of the service animal.[5]

The owner or handler of a service animal shall solely be responsible for:[4]

1. Supervision and care of the animal, including any feeding, ~~or~~ exercising, clean up, and stain removal.
2. Reimbursing the District for any costs associated with clean-up, stain removal, or damages to District buildings, property, and vehicles caused by the animal.
3. Control of the animal at all times through the use of a harness, leash, tether, or by other effective means.

4. Injuries to students, employees, volunteers, and visitors caused by the animal.
5. Ensuring that the District is provided annual submissions of ~~with~~ a health certificate that evidences the animal is currently in good health, free from parasites, and has received all required licenses and recommended vaccinations and immunizations.<sup>[5]</sup>
6. Clear identification of the animal as a service animal by securing on the animal's back ~~That any dog guide wear~~ a harness, backpack, or vest, ~~identifying them as being in service.~~

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

1. Presence of the animal poses a direct threat to the health and safety of others.
2. Owner or handler is unable to control the animal.
3. Animal is not housebroken.
4. Presence of the animal would require a fundamental alteration to the program.
- 4.5. Presence of the animal significantly disrupts or interferes with the educational process.

#### Admission of Service Animals to Public Events

Individuals 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.<sup>[9][4][7]</sup>

School administrators may inquire of the owner or handler of an animal whether the animal is a trained service animal ~~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.<sup>[4]</sup>

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.<sup>[4]</sup>

#### Other Animals

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~~On a case by case basis, District Administration may permit service animals of other species as long as they meet the conditions outlined in this policy.~~

#### Appealing a Denial of a Request for a Service Animal

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 ~~An appeal to the Administration's determination regarding the qualification of or the need for a service animal may be made using~~



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the complaint process set forth in Board Policy 906: Public Concern.[8] The appeal must be in writing and provide detailed information regarding the basis of the appeal.