NESHANNOCK TOWNSHIP SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: SERVICE ANIMALS IN SCHOOLS

ADOPTED: November 11, 2010

REVISED: June 14, 2012

718. SERVICE ANIMALS IN SCHOOLS

1. 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.

2. Definition
28 CFR
Sec. 36.104

Service animal means any trained to do work or perform tasks for the benefit of an individual with a disability.

28 CFR
Sec. 35.136

Miniature horses may be utilized as service animals if:

1. The miniature horse is individually trained to do work or perform tasks for the benefit of an individual with a disability.
2. The facility can accommodate the type, size and weight of the miniature horse.
3. The presence of the miniature horse does not compromise the safe operation of the facility.

28 CFR
Sec. 35.104

The work or tasks performed by a service animal shall be directly related to the handler'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.

28 CFR
Sec. 35.104

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

4. Authority 43 P.S. Sec. 953 29 U.S.C. Sec. 794 42 U.S.C. Sec. 12101 et seq 28 CFR Sec. 35.130	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 school district, in accordance with this policy and applicable state and federal laws and regulations.
4. Guidelines	<u>Admission Of Service Animals To Schools</u> A student or an employee 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.
Pol. 103.1, 113	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.
28 CFR Sec. 35.130	Before a service animal shall be allowed in a district building, or on district property or vehicles, the owner or handler of the animal shall submit to the building principal a written request and the following documentation from a certified professional: 1. Diagnosis of the specific disability.
28 CFR Sec. 35.136	2. Verification of the need for a service animal.
28 CFR Sec. 35.136	3. Description of the function(s) the service animal is expected to perform in relation to the individual's disability.
	4. Current license. 5. Current veterinary health certificate.

3 P.S. Sec. 455.1 et seq	6. Proof of current vaccinations and immunizations of the service animal.
	<u>Admission Of Service Animals To Public Events</u> 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.
28 CFR Sec 35.136	School administrators may inquire of the owner or handler of an 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.
28 CFR Sec. 35.136	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.
28 CFR Sec. 35.136	The owner or handler of a service animal shall be solely 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, tether, or by other effective means. 3. Leashing and properly restraining the animal at all times. 4. Damages to district buildings, property and vehicles caused by the animal. 5. Injuries to students, employees, volunteers and visitors caused by the animal. 6. Annual submission of documentation of vaccinations and immunizations. The building principal shall receive and forward to the Director of Pupil Services and Superintendent each completed request by an individual with a disability to be accompanied by a service animal. The Director of Pupil Services shall respond to the request. 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 significantly disrupts or interferes with the educational process. 5. Presence of the animal would require a fundamental alteration to the program.
5. Delegation of Responsibility	The Superintendent or designee shall develop and disseminate administrative regulations to implement Board policy and accommodate individuals with disabilities requesting use of a service animal in district buildings and on district property and vehicles. 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.
Pol. 103.1, 104, 906	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. The appeal must be in writing and provide detailed information regarding the basis of the appeal. References: Rabies Prevention and Control in Domestic Animals and Wildlife Act- 3 P.S. Sec. 45.1 et seq. Pennsylvania Human Relations Act – 43 P.S. Sec. 953 Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794 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, Part 36 Federal Equal Employment Opportunity Commission Regulations, Title 29, Code of Federal Regulations – 29 CFR Part 1630 Board Policy – 103, 103.1, 104, 113, 707, 904, 906