

THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 700 Property

TITLE: Service Animals in
Schools

ADOPTED: February 15, 2018

REVISED:

718 USE OF SERVICE ANIMALS IN SCHOOLS

Purpose

The School Reform Commission 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.

Definitions

Service animal - any dog individually trained to do work or perform tasks for the benefit of an individual with a disability.[1]

Miniature horses may be utilized as service animals if:[2]

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.

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 non-violent 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

The SRC 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, other district policies and applicable state and federal laws and regulations.[3][4][5][6] Also, The SRC acknowledges that support animals, not strictly defined as service animals, may be considered a reasonable accommodation under the applicable laws and accommodation requests for emotional support, well-being, comfort, or companionship animals will be evaluated under the applicable laws and SRC policy.

[3][4][5][6]

Mandatory Regulatory Guidelines

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.[3][2][10] Individuals with disabilities shall not be required to present documentation or certification for their service animals for access to district property for events that are open to the general public.

School officials may inquire 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.[2]

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.[2]

Admission of Service Animals accompanying individuals who are not students or employees to Schools for occasions other than public events -

Before a service animal shall be allowed in a district building, or on district property or vehicles, for an event that is not open to the general public, the District shall request the following documentation from the owner or handler of the animal:[6]

1. Verification of the need for a service animal.[2]
2. Description of the function(s) the service animal is trained to perform in relation to the individual's disability.[2]
3. Proof of current vaccinations and immunizations of the service animal.[9]

Admission of Service Animals Accompanying Students and Employees -

A student or an employee with a disability may submit a request to bring a service animal to school for educational or employment purposes. A student or employee seeking to

bring a service animal to school adhere to the requirements as set forth in district policy and pursuant to federal state and local law [7][8][11]

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.[7][8]

Delegation of Responsibility

The Superintendent or designee shall develop and disseminate administrative procedures to implement SRC policy and accommodate individuals with disabilities requesting use of a service animal in district buildings and on district property and vehicles.

The Deputy Chief Office of Student Rights and Responsibilities shall ensure that all individuals involved in a situation where a service animal will regularly accompany an individual in district buildings or on district property or vehicles are informed of the SRC policy and administrative procedures governing this issue.

Involved individuals can include administrators, appropriate employees, student and parent/guardian.

The building principal shall receive and forward to the designated administrator each completed request by an individual with a disability to be accompanied by a service animal. The Superintendent or designee shall respond to the request.

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 SRC policy. The appeal must be in writing and provide detailed information regarding the basis of the appeal.[7][11][12]

Legal References:

1. 28 CFR 35.104

2. 28 CFR 35.136

3. 43 P.S. 953

4. 29 U.S.C. 794

5. 42 U.S.C. 12101 et seq

6. 28 CFR 35.130

7. Pol. 103.1 - Nondiscrimination - Qualified Students With Disabilities/Protected Handicapped Students

8. Pol. 113 - Special Education

9. 3 P.S. 455.1 et seq

10. Pol. 904 - Public Attendance at School Events

11. Pol. 104 - Nondiscrimination in Employment Practices

12. Pol. 906 - Public Complaints

Related Information:

28 CFR Part 35

29 CFR Part 1630

Pol. 103 - Nondiscrimination in School and Classroom Practices

Pol. 707 - Use of School Facilities