

Administrative Procedures for the Use of Service Animals in Schools
(Attachment for Policy 718)

Purpose

The following administrative procedures are meant to serve as guidelines to provide a mechanism for individuals with disabilities who require the presence of a service animal to be permitted to participate in, and benefit from, District programs, activities and services and to uphold that the District does not discriminate on the basis of disability.

Definitions

Service Animal - A dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability. [1][2]

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 compromises legitimate safety requirements that are necessary for safe operation in a specific facility.
4. Miniature horses generally range in height from 24 to 34 inches, measured to the shoulders and weigh between 70 and 100 lbs.

Procedures

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? [2]

Staff are not allowed to request any documentation for the animal, except for documentation of vaccination and immunization. Staff may not require that the animal demonstrate its task, or inquire about the nature of the person's disability. [2] Staff may not require the animal to wear a vest. The applicable law makes a distinction between psychiatric service animals and emotional support animals. For example, 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, the animal will likely qualify as a service animal that would qualify as a service animal. However, if the animal's mere presence provides comfort, and the animal has not been trained to perform a specific task or function, the animal would not qualify as a service animal. under the ADA. [1][2]

Service-animals-in-training are not considered service animals under Pennsylvania law unless required by law.[3] However, the Board 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.

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][2]

Admission of Service Animals on District Property

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.[2][4][5] 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.

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 may make the following inquiries to the owner or handler of the animal:

1. Whether the animal is required because of a disability; [2]
2. What work or task the animal has been trained to perform related to the individual's disability [2]

The District may also request documentation of current vaccinations and immunizations of the service animal. [6]

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][9][10][11]

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 or 504 team, if applicable, or other appropriate school personnel, determine whether the animal meets the criteria for a service animal. For students with IEPs or 504 plans, the IEP or 504 team shall determine whether and to what extent the student needs District-provided support in fulfilling their responsibility as handler of the service animal. Student grievances should be addressed under Policy 103.1. [9][11]

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 Office of Leaves, Accommodations & Wellness. Applications for a Reasonable Accommodation may be submitted by completing and submitting the prescribed form - [Requesting a Reasonable Accommodation](#) to accommodations@philasd.org.

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.

Responsibility for Service Animals

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.
3. If the use of a harness or leash interferes with the service animal's work or the individual's disability prevents using these devices control of the animal by other effective means including voice, signal or other effective controls.
4. Damage 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.[12]

Any building principal who receives a request to utilize a service animal shall forward that request to the appropriate Section 504 or IEP team. [9][11] The team shall provide Board policy and administrative regulations governing this issue to all principals and school administrators who have received a request to utilize a service animal in District Buildings, and to families who request to utilize a service animal.

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 that cannot be eliminated by reasonable modifications.
2. Owner or handler is unable to control the animal.
3. The animal is not housebroken.
4. Presence of the animal would require a fundamental alteration to the program.[12]

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 as cross referenced below.

Where are service animals allowed in the school building

Service animals must be allowed to accompany students with disabilities in all areas of the school where the other students are normally permitted to go.

Legal References

1. [28 CFR 35.104](#)
2. [28 CFR 35.136](#)
3. [3. P.S. 459-102](#)
4. [43 P.S. 953](#)
5. [Policy 904 - Public Attendance at School Events](#)
6. [3 P.S. 455.1](#)
7. [29 U.S.C. 794](#)
8. [42 U.S.C. 12101 et seq](#)
9. [28 CFR 35.130](#)
10. [Policy 103.1 - Nondiscrimination - Qualified Students with Disabilities-Protected Handicapped Students](#)
11. [Policy 113 - Special Education](#)
12. [28 ECF 35.136](#)

Related Information:

28 CFR Part 35

29 CFR Part 1630

Pol. 103 - Nondiscrimination in School and Classroom Practices

Pol. 707 - Use of School Facilities