



YOUNG SCHOLARS
CHARTER SCHOOL

Service Animals in School

Purpose

The Board of Trustees adopts this Policy to ensure that individuals with disabilities are permitted to participate in and benefit from School programs, activities and services, and to ensure that the School does not discriminate on the basis of disability.

Definition

Service animal means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability. The work or tasks performed by a service animal must 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 in connection with a seizure activity, 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. The provision of emotional support, therapy, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.

The Americans with Disabilities Act (ADA) has also specifically defined a miniature horse as an animal that can serve as a service animal, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. The Board of Trustees will consider the following assessment factors in determining whether reasonable modifications in policies, practices or procedures can be made to allow a miniature horse on School property (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size and weight; (4) whether the miniature horse presence will not compromise the legitimate safety requirements necessary for safe operations of the school.

Authority

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

Guidelines

Determination as to Whether Animal Qualifies as Service Animal

In situations where it is not obvious that an animal is a service animal, School staff may ask only two specific questions:

1. Is the animal a service animal required because of a disability?
2. What work or task has the animal been trained to perform?

Staff are not allowed to request any documentation for the animal, require that the animal demonstrate its task, or inquire about the nature of the person's disability except as explicitly provided in this Policy or as otherwise permitted by applicable law.

Applicable law makes a distinction between psychiatric service animals and emotional support animals. 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, that would qualify as a service animal. However, if the animal's mere presence provides comfort, that would not be considered a service animal under the ADA.

Service-animals-in-training are not considered service animals unless required by law. Current Pennsylvania law expressly protects the rights of handlers or trainers of service animals to access public accommodations. There is a presumption that Puppy Raisers, who are volunteers who work with service dog organizations to prepare dogs to serve combat veterans, physically disabled or hearing-impaired individuals, and others with disabilities, are protected under the Pennsylvania law especially if:

1. The guide dog puppy or support dog puppy accompanying the Puppy Raiser is at least six months old; and
2. The guide dog puppy or support dog puppy is wearing a vest or other insignia that identifies the organization for which the Puppy Raiser is raising the puppy.

Responsibility for Service Animal

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. Damage to School buildings, property and vehicles caused by the animal.
4. Injuries to students, employees, volunteers and visitors caused by the animal.
5. Annual submission of documentation of vaccinations and immunizations.

The designated administrator shall ensure that all individuals involved in a situation where a service animal will regularly accompany an owner or handler in School buildings, on School property, or in vehicles owned, leased, or controlled by the School are informed of the provisions of this Policy. Involved individuals can include, but are not limited to, administrators, appropriate employees, students and parents/guardians.

A service animal may be excluded from School 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.

Any individual with a service animal who is aggrieved by a decision to exclude, limit or remove a service animal may appeal that decision to the Chief Executive Officer.

Guidelines for Students with Disabilities:

A student seeking to bring a service animal to school must comply with all applicable requirements of this Policy in order to be eligible to bring a service animal to school.

Parents/Guardians of students with disabilities may submit a request to the building principal for their child to bring a service animal to school. The building principal shall forward the request to the appropriate team to review. 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 School building, on School property, or in vehicles owned, leased, or controlled by the School, the School shall request the following documentation from the owner or handler of the animal:

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

General Guidelines for Admission of Service Animals to Schools for Employees:

An employee seeking to bring a service animal to work must comply with all applicable requirements of this Policy in order to be eligible to bring a service animal to work.

An employee with a disability wishing to bring a service animal to work for employment purposes shall submit a prior written request to the building principal or the Human Resources Coordinator, together with supporting medical documentation. 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 and shall be documented in writing to the employee.

Before a service animal shall be allowed in a School building, on School property, or in vehicles owned, leased, or controlled by the School, the School shall request the following documentation from the owner or handler of the animal:

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

Admission of Service Animals to Public Events

Individuals with disabilities may be accompanied by their service animals while on School property for events that are open to the general public. The right of access does not extend to the schools generally or to activities that are not open to the general public.

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

The School 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.