

# PENN MANOR SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: SERVICE ANIMALS IN SCHOOLS

ADOPTED: September 13, 2010

REVISED: May 21, 2012

718. SERVICE ANIMALS IN SCHOOLS	
<p>1. Purpose</p>	<p>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.</p>
<p>2. Definition 28 CFR Sec. 35.104</p>	<p>Service animal means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability.</p>
<p>28 CFR Sec. 35.136</p>	<p>Miniature horses may be utilized as service animals if:</p> <ol style="list-style-type: none"> <li>1. The miniature horse is individually trained to do work or perform tasks for the benefit of an individual with a disability.</li> <li>2. The facility can accommodate the type, size and weight of the miniature horse.</li> <li>3. The presence of the miniature horse does not compromise the safe operation of the facility.</li> </ol>
<p>28 CFR Sec. 35.104</p>	<p>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.</p>
<p>28 CFR Sec. 35.104</p>	<p>The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.</p>



	<ol style="list-style-type: none"> <li>1. Totally or partially blind individuals may be accompanied by a trained guide dog.</li> <li>2. Deaf or hearing impaired individuals may be accompanied by a trained hearing dog.</li> <li>3. Mobility impaired or other disabled individuals may be accompanied by a trained service dog.</li> <li>4. Individuals conducting training of a guide, hearing or service dog may be accompanied for the purpose of school business by a dog in training, but training shall not normally occur in the classroom during instructional time.</li> </ol>
<p>43 P.S. Sec. 953 28 CFR Sec. 35.136 Pol. 904</p>	<p><u>Admission Of Service Animals To Public Events</u></p> <p>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.</p>
<p>28 CFR Sec. 35.136</p>	<p>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.</p>
<p>28 CFR Sec. 35.136</p>	<p>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.</p>
<p>5. Delegation of Responsibility</p>	<p>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.</p> <p>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.</p> <p>The owner or handler of a service animal shall be solely responsible for:</p>
<p>28 CFR Sec. 35.136</p>	<ol style="list-style-type: none"> <li>1. Supervision and care of the animal, including any feeding, exercising, clean up and stain removal.</li> <li>2. Control of the animal at all times through the use of a harness, leash, tether or by</li> </ol>

	<p>other effective means.</p> <ol style="list-style-type: none"><li>3. Damages to district buildings, property and vehicles caused by the animal.</li><li>4. Injuries to students, employees, volunteers and visitors caused by the animal.</li><li>5. Annual submission of documentation of vaccinations and immunizations.</li></ol> <p>The building principal shall receive and forward to the Director of Student Support Services each completed request by an individual with a disability to be accompanied by a service animal. The Director of Student Support Services shall respond to the request.</p> <p>District administrators may exclude a service animal from district buildings, property and vehicles under the following circumstances:</p> <ol style="list-style-type: none"><li>1. Presence of the animal poses a direct threat to the health and safety of others.</li><li>2. Owner or handler is unable to control the animal.</li><li>3. Animal is not housebroken.</li><li>4. Presence of the animal would require a fundamental alteration to the program.</li></ol> <p>References:</p> <p>Rabies Prevention and Control in Domestic Animals and Wildlife Act – 3 P.S. Sec. 455.1 et seq.</p> <p>The Dog Law – 3 P.S. Sec. 459-201</p> <p>Pennsylvania Human Relations Act – 43 P.S. Sec. 953</p> <p>Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794</p> <p>Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.</p> <p>Nondiscrimination on the Basis of Disability, Title 28, Code of Federal Regulations – 28 CFR Part 35</p> <p>Federal Equal Employment Opportunity Commission Regulations, Title 29, Code of Federal Regulations – 29 CFR Part 1630</p> <p>Board Policy – 000, 103, 103.1, 104, 113, 707, 904, 906</p>
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