

SECTION: **INSTRUCTION**

TITLE: **USE OF A SERVICE ANIMAL**

<p>1. Purpose</p>	<p>It is the policy of the Wilson Area School District to provide equal access and reasonable modifications for individuals with disabilities to participate in any program, service, activity, or opportunity provided by the District, and to comply with applicable state and federal law related to service animals for persons with disabilities, including any such person who is a student at, employed at, and/or visiting the District schools or its school grounds.</p> <p>Visitors, students, faculty, staff, or other persons with an individual service animal shall be provided with this policy and referred to the Principal and/ or Supervisor of Special Education for further information.</p>
<p>2. Definitions</p>	<p>Disability- a physical or mental impairment that substantially limits one or more major life activities of an individual</p> <p>Service Animal- Animals trained to do specific “works or tasks” for the benefit of a person with a disability. The works or tasks that the service animal performs must be directly related to the individual’s disability. A service animal is sometimes called an assistance animal. Examples of works or tasks performed by service animals include, but are not limited to:</p> <p>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 with an individual during a seizure, retrieving items such as medicine or telephone, providing physical support and assistance with balance and stability, and preventing or interrupting impulsive or destructive behaviors.</p>

<p>3. Service Animals Generally Permitted In Facilities and on School Grounds</p>	<p>Examples that do not constitute “works or work tasks”, as those are defined, include but are not limited to:</p> <p style="padding-left: 40px;">Crime-deterrent effect of animal’s presence and the provision of emotional support, well-being, comfort, or companionship.</p> <p>The law and this Policy distinguish between a “service animal” and a “therapy” or “emotional support” animal. A service animal is individually trained to do work or perform a task for people with disabilities. Unless the animal is individually trained to do something that qualifies as work or a task, the animal is a pet or support animal and does not qualify for coverage under this policy. A pet or support animal may be able to discern that the individual is in distress, but it is what the animal is trained to do in response to this awareness that distinguishes a service animal from a pet or support animal.</p> <p>If there are any questions as to whether an animal qualifies as a service animal, determination will be made by the Principal and/or Supervisor of Special Education. The Principal and/or Supervisor of Special Education shall be permitted to make this determination based on the individual’s response to the following questions:</p> <ol style="list-style-type: none"> 1. Is the animal required because of a disability? 2. What work or task has the animal been trained to perform in response? <p>In accordance with federal and state law, use of a service animal in school facilities and school grounds may not be challenged, except if the use of the animal poses a direct threat to the health or safety of other persons, the user/handler is incapable of exercising effective control over the service animal, or if the presence of the service animal will result in a fundamental altercation of the service, program, or activity involved. (Title II of the ADA Regulations, 28 C.F.R. - 35.130(b)(7)).</p> <p>As a result, the service animal will be permitted to accompany any associated person with a disability anywhere in the District facilities and on school grounds that members of the public are allowed, except in areas and situations where it is unsafe to do so or where the presence of a service animal fundamentally alters the nature of the service, program, or activity.</p>
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<p>4. Requested Documents and Procedures for Service Animals their owners on School Grounds and in Facilities</p>	<p>The Wilson Area School District recognizes that service animals can play an important and necessary role in fostering the independence of some individuals with disabilities. The safety and health of the District’s students, faculty, and staff are also important concerns. Only service animals and users/handlers that meet the specific criteria below will be permitted on District grounds and facilities. The care and supervision of a service animal is the responsibility of the person benefitting from the animal’s services (user/handler).</p> <p>To maintain the safety and health of the District’s students, faculty, and staff, requested documents and procedures for service animals and their users include the following:</p> <ul style="list-style-type: none">• Service animals must be licensed in accordance with local city or county regulations, which require proof of current rabies vaccination and/or rabies tags.• Service animals must be on a leash at all times (except where the service animal must perform a task requiring it to travel beyond the length of the restraint, or the user/handler is unable to maintain the service animal on a leash due to a disability)• The user/handler must be in full control of the animals at all times.• When entering District facilities or District vehicles with a service animal, the user/handler is strongly encouraged to use an identifying vest, tag, leash, or other visible method to indicate to the general public that the animal is a service animal.• The user/handler of a service animal must be responsible for the immediate removal and proper disposal of all fecal matter, urine, and vomit for the health and safety of all members of the District community.
<p>5. Students, Faculty And Staff with Service Animals</p>	<p>Students, faculty, staff, or other persons desiring the use of a service animal in school facilities or on school grounds shall submit a request in writing to the Principal and/or Supervisor of Special Education. The Principal and/or Supervisor of Special Education will evaluate the request and notify the student, faculty, staff, or other person with a service animal within five (5) business days of receipt of the written request whether the service animal will be permitted on school property.</p>

<p>6. Expectations of Service Animals and their Users/ Handlers</p>	<p>Although the District recommends that all visitors planning a short-term visit to the school property (e.g. on school grounds to watch a school play or for a basketball game) provide advance notice in accordance, the District also recognizes practical limitations with regard to advance notice requirements for short-term visitors. Accordingly, the District shall modify this policy for a short-term visitor to exempt him/her from requiring advanced notice.</p> <p>Animals as a part of community agencies and programs that are not providing services to a specific individual with a disability, both in training and as a part of trained agency groups, do not fall under this policy, and are approved by the building Principal on a case by case basis.</p> <p>A user/handler may be asked to remove the service animal from the premises if: (1) the animal is out of control and the user/handler does not take an effective action to control it; or (2) the animal is not house broken. When there is a legitimate reason to ask that service animal be removed, staff must offer the person with the disability the opportunity to obtain services without the animal's presence.</p> <p>Cleanliness of the service animal is preferred. Daily grooming and occasional baths should keep odors to a minimum. Flea control is essential and adequate preventative measures should be taken. If a flea problem develops, it should be dealt with immediately and in an effective manner. Consideration of others must be taken into account when providing maintenance and hygiene of service animals.</p> <p>The District has the authority to require removal of a service animal from its grounds and facilities if the service animal becomes unruly or disruptive, unclean, and/or unhealthy to the extent that the animal's behavior or condition poses a direct threat to the health or safety of others, or otherwise causes a fundamental alteration in the District's services, programs, or activities. If such behavior persists, the user/handler may be directed to not bring the animal into District controlled areas until the direct threat or fundamental alteration is no longer present.</p>
<p>7. Areas Restricted To Service Animals</p>	<p>The District may prohibit the use of service animals in certain locations due to health or safety restrictions, or where service animals may be in danger. Such restricted locations include, but are not limited to, food preparation areas, certain research</p>

	<p>laboratories, mechanical rooms/custodial closets, classrooms with demonstration/research animals, areas where protective clothing is necessary or other areas where the service animal's presence may constitute a danger or fundamental alteration of the program activity conducted in the area. Access to restricted areas may be granted on a case by case basis by contacting the Student Services Office.</p>
<p>8. Conflicting Disabilities</p>	<p>If another person has a covered disability under the ADA and it includes an allergic reaction to animals, and that person has contact with a service animal that has been approved for presence in the District facilities and grounds, a request should be made in writing to the Principal and/or Supervisor of Special Education. The Principal and/or Supervisor of Special Education will consider all facts surrounding the contact and make an effort to resolve the issue.</p>
<p>9. Removal of a Service Animal</p>	<p>As per ADA regulations, there are two reasons for asking a user/handler to remove a service animal or not to bring the service animal on school property. One is where the presence of a service animal poses a "direct threat" to the health and safety of others that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of an auxiliary aids and services. In determining whether an individual assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk: the probability that the potential injury will actually occur: and whether reasonable modification of policies, practices, or procedures or the provision of auxiliary aides or services will mitigate the risk. The second is where the presence of a service animal would "fundamentally alter" the nature of its service, program or activity. If either of these circumstances is present, the service animal may be subject to removal.</p>