

Regulation 0410: Nondiscrimination In District Programs And Activities

Status: ADOPTED

Original Adopted Date: 03/13/2012

The Americans with Disabilities Act (ADA) defines a "service animal" as any guide dog, signal dog or, subject to certain limitations, miniature horse, trained to provide assistance to an individual with a disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government. Service animals are working animals, not pets.

The Petaluma School District acknowledges its responsibilities to permit students and/or adults with disabilities to be accompanied by a "service animal" in its school buildings, in classrooms, and at school functions, as required by the Americans with Disabilities Act, 28 CFR Part 35, subject to the following:

1. All requests for an individual with a disability to be accompanied by a service animal must be addressed in writing to the Superintendent or designee at 200 Douglas Street, Petaluma, CA 94952, and must contain required documentation of vaccinations. This written request must be delivered to the Superintendent at least 10 business days prior to bringing the service animal to school or a school function.
2. Owners of a service dog must provide annual proof of the following vaccinations: DHLPPC (Distemper, Hepatitis, Leptospirosis, Parainfluenza, Parvovirus, Coronavirus), Bortadella, and Rabies.
3. Owners of service miniature horses must provide annual proof of the following vaccinations: Equine Infectious Anemia (Coggins Test), Rabies, Tetanus, Encephalomyelitis, Rhinopneumonitis, Influenza, and Strangles.
4. All service dogs must be spayed or neutered.
5. All service animals must be treated for, and kept free of, fleas and ticks.
6. All service animals must be kept clean and groomed to avoid shedding and dander.
7. Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.
8. The animal must be a dog or, in limited specific circumstances, a miniature horse. No other species of animal, whether wild or domestic, will be permitted in schools as a "service animal."
9. The animal must be "required" for the individual with a disability and perform some of the functions and tasks that the individual with a physical or mental disability cannot perform for him or herself.
10. The animal must be "individually trained" to do work or a task for the individual with a disability.
 - a. Animals are considered service animals under the ADA if they are trained to provide assistance to an individual with a disability such as:
 - (1) Guiding people who are blind;
 - (2) Alerting persons with hearing impairments to sounds;
 - (3) Pulling wheelchairs or carrying and picking up things for persons with mobility impairments;
 - (4) Assisting persons with mobility impairments with balance;
 - (5) Assisting persons with mental disabilities.
 - b. Animals that are not trained to perform tasks that mitigate the effects of a disability, including animals that are used purely for emotional support, are not service animals.
11. Special Provisions/Miniature Horses: Requests to permit a miniature horse to accompany a student or adult with a disability in school buildings, in classroom, or at school functions, will be handled on a case-by-case basis, considering:
 - a. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
 - b. Whether the handler has sufficient control of the miniature horse;

c. Whether the miniature horse is housebroken; and

d. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

12. Removal of a Service Animal: A District administrator may ask an individual with a disability or the student's parents to remove a service animal from a school building, a classroom, or from a school function if any one of the following circumstances occurs:

a. The animal is out of control and the animal's handler does not take effective action to control it;

b. The animal is not housebroken; and/or

c. The animal's presence would "fundamentally alter" the nature of the service, program, or activity.

13. A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control.

14. The District is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself.

a. The school district is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.

b. Students with service animals are expected to care for and supervise their animal. In the case of a young child or a student with disabilities who is unable to care for or supervise his/her service animal, the student's parents are responsible for providing care and supervision of the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis in the discretion of the site administrator.
