

The Wendell School District No. 232 does not discriminate on the basis of disability and persons with disabilities have the same right to access district property or school-sponsored events as non-disabled persons. Accordingly, the district acknowledges its responsibility to make reasonable accommodations to permit persons with disabilities to be accompanied by a service animal in all areas where the public is normally allowed to go, including in its school buildings, classrooms, and at school functions. The board of trustees hereby delegates to the superintendent the authority to implement procedures for the use of service animals consistent with this policy and applicable state and federal laws and regulations.

DEFINITIONS

For purposes of this policy and policy 970P (Service Animal Procedures), the following definitions shall apply:

“Handler” means an individual with a disability or another individual who has been designated to control the service animal and attend to its needs.

“Service Miniature horse” means a very small horse generally ranging in height from 24 to 34 inches measured to the shoulders and generally weighing between 70 to 100 pounds. A miniature horse will be allowed to act as a service animal where reasonable.

“Service animal” means any dog (or, in specific circumstance, a miniature horse) that is individually trained to do work or perform tasks for an individual with a disability including a physical, sensory, psychiatric, intellectual or other mental disability. No other species of animal, whether wild or domestic, will be permitted as a service animal. The work or tasks performed by a service animal must be directly related to the individual’s disability or necessary to mitigate a disability. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals for the purposes of this definition. Examples of such 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.



LEGAL REFERENCE:

Americans with Disabilities Act, 28 C.F.R. Part 35 (as amended 2010)

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794

28 C.F.R. §35.130(b)(7)

28 C.F.R. §35.136

28 C.F.R. §35.139

Alboniga v. School Board of Broward County Florida, 87 F.Supp.3d 1319 (2015)

ADOPTED: November 15, 2022

AMENDED: