

## COMMUNITY RELATIONS

**School Visitors With Service Animals P 2-15.1****A. Generally Admission of Service Animals to Public Events**

Persons with disabilities may be accompanied by their service animals while on school property for events that are open to the general public, such as athletic games or plays. This right of access does not extend to Lynchburg City Schools generally or to other activities which are not open to the general public.

School officials can ask the owner or handler of an animal whether the animal is a trained service animal and inquire into the specific tasks that the animal has been trained to perform. School officials should not ask questions about a person's disability.

**B. Admission of Service Animals to Schools**

When requested for educational purposes: There is no automatic right to be accompanied by a service animal in the school setting. A student with a disability may request to bring a service animal to school for educational reasons. Such requests should be directed to a student's IEP or Section 504 team. A student's IEP or Section 504 team will decide whether the service animal is required to accompany the student to school in order for the student to receive a free appropriate public education.

When requested for noneducational reasons: Trained guide, hearing, or service dogs are permitted in school buildings under certain circumstances:

1. Totally or partially blind persons may be accompanied by a trained guide dog while on school property.
2. Deaf or hearing-impaired persons may be accompanied by a trained hearing dog while on school property.
3. Mobility-impaired or other disabled persons may be accompanied by a trained service dog while on school property.
4. Persons conducting training of a guide, hearing, or service dog may be accompanied by a dog in training while on school property.

**C. Dogs in Training**

Persons conducting training of a guide, hearing, or service dog may be accompanied by a dog in training while on school property for the purpose of school business. Persons who are part of a three-unit service dog team also may be accompanied by a service dog. The training cannot disrupt or interfere with a school's educational process. It is expected that training would not normally take place in the classroom during instructional time.

**D. Requirements That Must be Satisfied Before A Service Animal Will be Allowed**

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Vaccination: The service animal must be immunized against diseases common to that type of animal.

Health: The service animal must be in good health.

**E. Documentation**

Before a service animal will be allowed in a school building, the owner or handler of the animal must submit to the school principal or building supervisor a request along with documentation from a certified professional of the following: diagnosis of a specific disability; verification of the need for a service animal; a description of the function(s) that the service animal is expected to perform in relation to the person's disability; a current license; a current veterinary health certificate; and proof of current vaccinations and immunizations of the service animal. Documentation of current vaccinations and immunizations of the service animal must be resubmitted annually.

**F. Supervision and Care of Service Animals**

The owner or handler of a service animal is solely responsible for the supervision and care of the animal, including any feeding, exercising, and clean up.

**G. Damages to School Property and Injuries**

The owner or handler of a service animal is solely responsible for any damage to school property or injury to personnel or students caused by the animal.

**H. Extra Charges**

Lynchburg City Schools cannot 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. This provision does not preclude Lynchburg City Schools from charging an owner or handler for any damages to school property caused by the animal.

**I. Excluding Service Animals from School Property**

Lynchburg City Schools can exclude a service animal from school property under the following circumstances:

1. The presence of the animal poses a direct threat to the health and safety of others
2. The owner or handler is unable to control the animal

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3. The presence of the animal is disrupting or interfering with the educational process
4. The presence of an animal would require a fundamental alteration to the program

Legal Reference:Code of Va., § 51.5-44. Rights of persons with disabilities in public places and places of public accommodation.

A. A person with a disability has the same rights as other persons to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

B. A person with a disability is entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, streetcars, subways, boats or any other public conveyances or modes of transportation, restaurants, hotels, lodging places, places of public accommodation, amusement or resort, public entities including schools, and other places to which the general public is invited subject only to the conditions and limitations established by law and applicable alike to all persons.

C. Each town, city or county, individually or through transportation district commissions, shall ensure that persons with disabilities have access to the public transportation within its jurisdiction by either (i) use of the same transportation facilities or carriers available to the general public or (ii) provision of paratransit or special transportation services for persons with disabilities or (iii) both. All persons with disabilities in the jurisdiction's service area who, by reason of their disabilities, are unable to use the service for the general public shall be eligible to use such paratransit or special transportation service. No fee that exceeds the fee charged to the general public shall be charged a person with a disability for the use of the same transportation facilities or carriers available to the general public. Paratransit or special transportation service for persons with disabilities may charge fees to such persons comparable to the fees charged to the general public for similar service in the jurisdiction service area, taking into account especially the type, length and time of trip. Any variance between special service and regular service fares shall be justifiable in terms of actual differences between the two kinds of service provided.

D. Nothing in this title shall be construed to require retrofitting of any public transit equipment or to require the retrofitting, renovation, or alteration of buildings or places to a degree more stringent than that required by the applicable building code in effect at the time the building permit for such building or place is issued.

E. Every totally or partially blind person shall have the right to be accompanied by a dog, in harness, trained as a guide dog, every deaf or hearing-impaired person shall have the right to be accompanied by a dog trained as a hearing dog on a blaze orange

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leash, and every mobility-impaired or otherwise disabled person shall have the right to be accompanied by a dog, trained as a service dog, in a harness, backpack, or vest identifying the dog as a trained service dog, in any of the places listed in subsection B without being required to pay an extra charge for the dog; provided that he shall be liable for any damage done to the premises or facilities by such dog. The provisions of this section shall apply to persons accompanied by a dog that is in training, at least six months of age, and is (i) in harness, provided such person is an experienced trainer of guide dogs or is conducting continuing training of a guide dog; (ii) on a blaze orange leash, provided such person is an experienced trainer of hearing dogs or is conducting continuing training of a hearing dog; (iii) in a harness, backpack, or vest identifying the dog as a trained service dog, provided such person is an experienced trainer of service dogs or is conducting continuing training of a service dog; (iv) wearing a jacket identifying the recognized guide, hearing or service dog organization, provided such person is an experienced trainer of the organization identified on the jacket; or (v) the person is part of a three-unit service dog team and is conducting continuing training of a service dog.

As used in this chapter, "hearing dog" means a dog trained to alert its owner by touch to sounds of danger and sounds to which the owner should respond.

As used in this chapter, "service dog" means a dog trained to accompany its owner or handler for the purpose of carrying items, retrieving objects, pulling a wheelchair, alerting the owner or handler to medical conditions, or other such activities of service or support necessary to mitigate a disability.

As used in this chapter, "three-unit service dog team" means a team consisting of a trained service dog, a disabled person, and a person who is an adult and who has been trained to handle the service dog.

As used in this chapter, "mobility-impaired person" means any person who has completed training to use a dog for service or support because he is unable to move about without the aid of crutches, a wheelchair or any other form of support or because of limited functional ability to ambulate, climb, descend, sit, rise or perform any related function.

(Code 1950, § 63.1-171.2; 1972, c. 156; 1979, c. 207; 1985, c. 421, § 51.01-44; 1987, c. 500; 1989, c. 326; 1994, c. 108; 2001, c. 443; 2008, cc. 431, 506.)

U. S. Department of Justice and the National Association of Attorneys General guidance document on service animals dated July 26, 1996.

Adopted by School Board: December 16, 2008