

## Position Statement

### SUMMARY

It is the position of the National Association of School Nurses (NASN) that registered school nurses (hereinafter referred to as school nurses) are integral to the team planning process necessary to successfully integrate “service animals” into schools. A request to bring a service animal into the school setting presents questions due to the complex disability discrimination laws, emerging medical and psychological data concerning service animal benefits (Winkle, Crowe & Hendrix, 2012), various interpretations of what criteria to use to distinguish between a trained service animal and a household pet, and potential effects on other students and staff. School nurses assess, plan, and coordinate care to develop an Individualized Healthcare Plans (IHP) for students with special healthcare needs, including students who may require the use of a service animal during the school day. Just as a student may need a wheelchair or other adaptive device, service animals are essential to some students’ ability to be at school. School nurses are leaders in the development and evaluation of school health policies and programs that address the health and safety needs of students in the school environment (ANA & NASN, 2011).

### BACKGROUND

Animals that provide for the physical and mental well-being of humans are perhaps the most admired of all working animals. “Service animal” is a term that distinguishes those animals that serve individuals with physical or mental disabilities, usually on a one-on-one basis, from pets or other types of skilled animals, such as police dogs (Ensminger, 2010). The term, though primarily legal, is used quite broadly in today’s society.

In the past 20 years there has been an expansion of the diversity of service animals being utilized by persons with disabilities, with different opinions as to what truly is a “service animal”. Effective March 15, 2011, the Americans with Disabilities Act (ADA) regulations define a service animal as “a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability” (United States Department of Justice [USDJ], 2011). In addition, there is a new, separate provision which includes miniature horses in the definition of a “service animal” if the miniature horse has been individually trained to do work or perform tasks for people with disabilities (Jacobs, 2011). Examples of such work or tasks include:

- guiding people who are blind,
- alerting people who are deaf,
- pulling a wheelchair,
- alerting and protecting a person who is having a seizure,
- reminding a person with mental illness to take medications,
- sensing and alerting a person with diabetes experiencing low blood sugar,
- calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties.

Service animals are working animals. A service animal has been trained to provide work or tasks directly related to the person’s disability. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA (USDJ, 2011). Children who may require a service animal in school are supported by the ADA regulation, Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), Individuals with Disabilities in Education Act (20 U.S.C. 1400 et seq), as well as state and local laws.

### RATIONALE

School districts recognize that service animals may be used to provide assistance to some students/staff with disabilities, which includes the presence of the service animal in the school, on school property; including school buses, and at school activities. Schools have a legal responsibility to provide planning and services for children with

special healthcare needs, including allowing service animals into schools. Planning promotes quality care for students with special healthcare needs in school and enhances the student's academic success.

Communication among the family, school, and healthcare provider is critical and may uncover adaptations or alternatives to the service animal's presence in schools. However, if a student presents with a service animal unannounced, some educational legal experts advise to allow the animal similarly to allowing a student to use a wheelchair or crutches. In some states' laws, neither the person nor the service animal "shall be denied right of entry and use of facilities of any public place of accommodation" (Illinois Human Rights Act, 2006).

Initial questions to ask upon receiving a request for a service animal to accompany a child in school include the following:

- Is the service animal required because of a defined disability (per Section 504 definitions)?
- Will the animal impact the student's academic and behavioral functions to support his or her education?
- Does the student need the service animal for equal access to educational services and programs?
- What work or task has the service animal been trained to perform?
- How will the service animal alert its handler/student to an impending incident, such as an oncoming seizure or low blood glucose?
- How will having a service animal in a building affect students/staff that may have an allergy to the service animal or a distinct fear of the animal?

School district policy concerning service animals should address the following:

- Compliance with current federal, state and local laws regarding service animals in schools (Wisch, 2013).
- Written documentation from a veterinarian that the service animal is in good health and properly vaccinated. Although such documentation is not legally required, it helps confirm that the animal is safe to be around other students at the school (Virginia Department of Education, 2011).
- Provision of training for staff and students in rationale for, and interaction with, the service animal.
- Education of students, staff members and the community on the role of service animals and the laws permitting them access to public places.
- Control of the service animal in school. "Service animals must be harnessed, leashed, or tethered unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls" (USDJ, 2011, para. 6).
- Schools may exclude any service animal if that animal is out of control; the animal's handler does not take effective action to control it; or the animal is not housebroken (USDJ, 2011).

Other factors that the school should consider include the following:

- Review any existing state law regarding service animals.
- According to the law, schools are not responsible for care, including elimination needs, food or a special location for service animals (USDJ, 2011). The animal's owner/family is responsible for the "care and supervision of the service animal" (USDJ, 2011). However, many students who have service animals are not able to provide care for their animal at school. Communication and planning between school and home are essential in making adaptations to this rule (Minchella, 2011).
- When there is more than one service animal in a school building, special arrangements should be made so the animals can meet each other in a controlled setting.
- When a miniature horse is the service animal, the type, size, and weight of the miniature horse and whether the facility can accommodate these features without compromising legitimate safety requirements that are necessary for safe operation should also be considered. Other requirements which apply to service animals shall apply to miniature horses (USDJ, 2011).
- Although many service animals wear a vest identifying them as such, there is no federal requirement that the service animal wear a harness, backpack, or vest identifying it as a service animal. In some states, such a requirement is expressly prohibited (Illinois State Board of Education, 2012).

## CONCLUSION

The school nurse identifies student health issues and special needs that are relevant to the student's educational progress and, along with the multi-disciplinary team, recommends services or program modifications that the student may need or require. The school nurse is a leader in educating, advocating, supporting placement of, and evaluating the success of these services. Communication and planning are essential in supporting the student with a service animal. The school nurse plays a key role in facilitating this communication and planning process.

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