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INSTRUCTION
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Belmont Public Schools Instruction Policies

Goal

The goal of the instructional programs of the Belmont Public Schools is to provide a balanced curriculum that promotes the intellectual and personal development of each student, encouraging educational excellence, an inquiring mind, an ability to make sound judgments, and responsible citizenship. Educational experiences shall be designed to challenge and support student learning and thinking, in order to prepare students to meet state, national and global educational standards.

Adopted 3/31/10

School Calendar

The school calendar for the ensuing year shall be prepared by the Superintendent and submitted to the School Committee for approval annually. The official calendar of the Belmont Public Schools shall include 180 instructional days and five additional days for emergency school closings, as required by law.

The calendar will set forth the days that schools will be in session, including holidays, vacation periods, in-service days, and parent conferences.

Start Date

When Labor Day occurs on or before September 3rd, the start date for students will be the Wednesday after Labor Day. When Labor Day occurs later than September 3rd, the start date for students will be the Wednesday before Labor Day.

LEGAL REFS: M.G.L 4:7; 69:1G; 71:1; 71:4; 71:4A; 71:73; 136:12

Board of Education Regulations for School Year and School Day, effective 9/1/75, Board of Education, Student Learning Time Regulations, 603 CMR 27.00, Adopted 12/20/94

Amended 6/1/17

School Day

Length of Day

The School Committee shall establish the length of the school day in compliance with all applicable state laws and regulations. The Superintendent shall determine the official school hours for each school, taking into consideration grade level expectations and curricular demands, availability of school facilities, transportation and staff schedules.

Emergency Procedures

The Superintendent has the discretion to close the schools, to delay their opening, or to dismiss students early in the event of hazardous weather or other emergencies which threaten the health or safety of students and personnel.

The Superintendent is authorized to evacuate a school or schools and move students temporarily to another location in the event of an emergency that threatens the health or safety of students and personnel at that building.

Students, parents or guardians, and staff shall be informed at the beginning of each school year of the procedures that shall be used to notify them in case of emergency closing, whether action is taken before or during school hours.

Legal Reference:

MGL 71:1, 4A, 37.

603 CMR 27 Et. Seq.

Belmont Emergency response manual

Adopted 3/31/10

Organization of Instruction

The Belmont Public Schools consists of three levels – elementary, middle and secondary:

The elementary level includes Kindergarten through grade four.

The middle level includes grades five through eight.

The secondary level includes grades nine through twelve.

Adopted 3/31/10

Class Size

The Belmont Public Schools will maintain class sizes that ensure effective instruction and efficient use of personnel. Class sizes will be determined by the nature of the subjects taught, student needs and abilities, teacher availability, equity of workload and contractual agreements.

Adopted 3/31/10

Class Assignment

The Superintendent shall establish guidelines for class assignment that include consideration of gender, ethnic and language balance; student academic strength, learning style and learning needs; teaching style and teacher/grade level team recommendations.

The principal shall determine class assignments and may accept student information from parents/guardians that would be useful in determining assignment, but requests for specific teachers will not be accepted.

A principal may make adjustments in class assignment during the school year that s/he considers beneficial to the student or educational program.

Adopted 3/31/10

Class and School Trips

All student trips sponsored by the Belmont Public Schools shall be designed to supplement and enrich the educational program. All trips shall be submitted to the building Principal for approval. Overnight trips of any duration must be approved by the Superintendent. Out of country trips must be submitted to the Superintendent for approval by May 15 of the year prior to the trip, and to the School Committee for approval at its next regularly scheduled meeting after May 15. In country trips involving a stay greater than four (4) days during a school year must be approved by the Superintendent by October 1 of the applicable year. The Superintendent has the discretion to alter the time frame for trip approval when s/he determines that circumstances warrant such alteration. The Superintendent will inform the School Committee of any such alteration.

Planning for all trips must provide adequate safety provisions and appropriate levels of supervision. Students who do not participate in curriculum based trips that take place during the regularly scheduled school day shall be provided with alternate instructional activities. No student shall be denied access to a curriculum based trip that take place during the regularly scheduled school day on the basis of cost.

The Superintendent may cancel, reschedule or alter a student trip whenever s/he determines in his/her sole discretion that such cancellation, rescheduling or alteration is required in order to protect the safety and welfare of the students.

Teachers or other school staff who privately conduct educational tours or trips, or are employed by any other person or company that privately conducts trips may not solicit students for any such trips through the school system.

The Superintendent shall develop procedures to implement this policy. This policy, and all procedures established to implement it, shall comply with all applicable Federal and State laws and regulations.

Legal references:

MGL 71: 37N

Massachusetts Department of Public Education Model Policy (December 17, 2003)

Adopted 3/31/10

Academic Standards

The Belmont School Committee shall adopt content and performance standards that clearly delineate what students are expected to know and be able to do at each grade level and in each area of study. These standards shall meet or exceed state standards and challenge all students to reach their full potential.

Adopted 3/31/10

Curriculum Development and Evaluation

The School Committee, upon the recommendation of the Superintendent, shall adopt a curriculum that reflects the district's goals and policies. The curriculum shall be consistent with the district's academic standards, state goals, requirements and standards established by the Board of Education, and applicable federal and state law and regulation.

The district shall maintain a well integrated sequence of curriculum to foster academic progress, maximize use of instructional time and avoid unnecessary duplication and gaps in instruction. The Superintendent shall ensure a well coordinated curriculum that addresses grade level academic standards and provides for the continuous development of students and the continuous review, revision and improvement of the district's curriculum.

The Superintendent shall establish procedures to ensure that the curriculum development and evaluation process includes input from teachers, administrators, students and parents/guardians from all grade levels, disciplines, schools, special programs and categories of student. The selection and evaluation of instructional materials shall be coordinated with the curriculum development and evaluation process.

School Committee approval is required for major curriculum changes including adding or dropping programs or courses.

Legal References:

MGL 69:1D, 1E
71:1 603 CMR

Adopted 3/31/10

Controversial Issues

Controversial issues which have political, social or economic significance may be discussed in Belmont Public School classrooms after teachers have determined that the particular issues is suitable for study or discussion and that it is related to the curriculum. Teachers shall ensure that controversial issues are impartially presented in an atmosphere free from emotion and prejudice. Teachers shall not use their positions to express partisan points of view, nor shall they suppress any student's views as long as the student's expression is respectful toward others.

Teachers who wish to invite visitors to give presentations on controversial issues must have the Principal's permission and must inform the visitor of the above standards. Speakers may not use their position or influence to further their own views.

Adopted 3/31/10

Parental Notification – Health Curriculum

The Belmont Public Schools shall provide notification to all parents/guardians of the courses and curriculum that cover human sexual education or human sexuality issues. The Superintendent shall ensure that all such notices comply fully with Chapter 71 Section 32A including informing parents/guardians that they may exempt their child(ren) from portions of such curriculum and that they may review instructional materials which will be made reasonably available to them.

Legal References:
MGL 71:32A

Adopted 3/31/10

Recognition of Religious and Cultural Beliefs and Customs

Belmont Public School teachers may, as appropriate for a particular unit of study, objectively discuss the influences of various religions, using religious works and symbols to illustrate their relationship with culture, literature or the arts. Such instruction will identify common religious principles and foster respect for the diversity of religions and customs of the world.

Religious celebrations and decorations that are religious in nature are not permitted in the public schools. Religious symbols may be used temporarily in the classroom in the context of studying the historical and cultural significance of a holiday or religious practice, but must not be used for worship or religious practice.

Students may express their beliefs about religion in their homework, artwork or other class work if the expression is relevant to the assignment.

Staff shall make every effort to avoid scheduling examinations, school sponsored trips and special events that conflicts with major religious holidays.

Students shall have the right to engage in private, non-disruptive religious expression during non-instructional time. School officials may not participate in, or encourage or discourage students to participate in any of these activities.

Legal References:

The first amendment to the Constitution of the United States

Florey v. Sioux Falls School District, 8th Cir., 619 F.2d. 1311 (8th Cir.1980).

20 USC 4071-4074

6061

7904

US Department of Education: Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools; February 7, 2003

Revised 6/7/16

Instructional Resources

The Belmont Public Schools shall provide the resources necessary to support its instructional programs. The Superintendent shall develop procedures for the selection, acquisition and use of all instructional resources.

Decisions regarding the purchase of textbooks shall be made in accordance with the provisions of Massachusetts General Laws.

Legal references:

MGL 71:48, 50

Ref: Community Relations: 1014 – Complaints about Instructional Materials

Adopted 3/31/10

Use of Technology

The Belmont Public Schools shall provide technological resources to support its instructional program. The Superintendent shall ensure the development of Acceptable Use of Technology Policies for the district. The policies shall be provided to all staff, shall be published in all applicable handbooks and shall be available on the Belmont Public Schools web site.

The Superintendent shall ensure that the district complies with all federal and state laws and regulations concerning internet safety and technology protection measures.

Legal References:
20 USC 6777

Adopted 3/31/10

Belmont: 6014. Homework

The Superintendent shall oversee professional staff in the development of appropriate guidelines for the frequency, quantity, and content of homework at all grade levels. Such guidelines shall consider educational goals and academic standards of the district and shall be developmentally appropriate. Homework guidelines shall be published in each school's student handbook.

Students who miss schoolwork because of an excused absence, including absence for religious or other major cultural observance, or major economic hardship event, should not be expected to complete homework, study for tests, or do other school work during their absence. Students whose religious observance that allows them to attend school during the day, but requires their full participation after the school day has ended, will be accommodated in the same manner as an excused absence, provided such an absence has been communicated to the related educators by the high school student, parent and/or guardian of the student. Students shall be given the opportunity to complete assignments and tests within a reasonable time, based on the circumstances.

Teachers may assign make up work, and grant full or reduced credit, at their discretion, for students who miss work because of unexcused absences.

Cross reference: Recognition of religious and cultural beliefs and customs, Section 6011

Revised 6/7/16; 3/21/23

Education for Students with Special Needs and Disabilities

The Belmont Public Schools shall ensure that students with special needs receive a free, appropriate public education in the least restrictive environment that meets their needs, as required by federal and state law and regulations. No student with a disability shall, solely by reason of such disability, be denied the benefits of or be subjected to discrimination in any program in the Belmont Public Schools.

The Superintendent shall ensure the development of a process that identifies children with special needs, or disabilities, evaluates their needs, prescribes suitable programs and/or accommodations and assesses their educational progress. This process shall comply with all federal and state laws and regulations governing the provision of special educational services and services for children with disabilities, including the appointment of a compliance officer and adoption and publication of a grievance procedure providing for prompt and equitable resolution of complaints.

References:

Individuals with Disabilities Education Act: 20 USC 1400-1487, and implementing regulations: 34 CFR Part 300

Section 504 of the Rehabilitation Act of 1973: 29 USC 794, and implementing regulations: 34 CFR Part 104

MGL 71B: Children with Special Needs, and implementing regulations: 603 CMR 28

Adopted 3/31/10

Supplemental Instruction

Supplemental instruction will be provided to elementary students identified as needing additional support based on assessment and teacher recommendation in order to meet district learning objectives.

The Belmont Public Schools shall offer direct, systematic and intensive supplemental instruction for Middle and High School students who are identified as needing additional support in order to meet the state required competency standards.

The district shall comply with federal and state laws, regulations and guidelines in determining student eligibility for supplemental instruction and in the provision of such instruction.

Legal References:

20 USC 1400

34 CFR 300 et seq.

Adopted 3/31/10

Home and Hospital Educational Services

The Belmont Public Schools shall provide home or hospital instruction to district students who will be absent from school for a minimum of fourteen days in accordance with regulations of the Massachusetts Department of Elementary and Secondary Education.

Home and hospital instruction is offered in basic elementary subjects and in all secondary subjects required for graduation. Such instruction shall be provided with sufficient frequency to allow the student to continue his or her educational program as long as such services do not interfere with the medical needs of the student.

Legal References:

MGL 71B: 2

603 CMR 28.03 (3) (c)

Adopted 3/31/10

Homeless Students

The McKinney-Vento Education Assistance Act Provisions

The goal of the McKinney-Vento Homeless Education Assistance Act is to ensure that each homeless child or youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths. The Belmont Public Schools' Homeless Education Policy addresses the following key components of the McKinney-Vento Homeless Education Assistance Act.

Definition of Homeless Children and Youth

The Massachusetts Department of Elementary and Secondary Education adopted Section 752(2) of the McKinney-Vento Homeless Education Assistance Act regarding the definition of homeless children and youth.

Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence or have a primary nighttime residence in a supervised, publicly or privately, operated shelter for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing), or a public or private place not designated for or ordinarily used as, a regular sleeping accommodation for human beings.

This definition includes children and youth living in the following situations:

- Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- emergency or transitional shelters, or abandoned in hospitals;
- a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- car parks, public spaces, abandoned buildings, substandard housing, bus or train station or similar settings;
- unaccompanied youth – a youth not in the physical custody of a parent or guardian. This includes youth living in runaway shelters, in abandoned buildings, cars on the street or in inadequate housing, youth denied housing by their families, those who have left home voluntarily even when their parent/s want them to return home, youth doubled up with friends or relatives;
- migratory children living in any of the circumstances described above

The Belmont Public Schools will designate a staff person to serve as the Homeless Education Liaison whose role is to assist homeless students in enrolling in school and to ensure that they receive the educational services for which they are eligible

Enrollment and Dispute Resolution

The Belmont Public Schools will immediately enroll homeless students in school, even if they do not have the documents usually required for enrollment – such as school records, medical records or proof of residency. The Homeless Education Liaison will assist students who arrive without records by contacting the previously attended school system to obtain the required records.

Students identified as homeless have a right to remain in their school of origin or to attend the school where they are temporarily residing. School of origin includes both the current school placement, as well as the designated in-district receiving school if a student becomes homeless during a transition between grades and buildings. Students who choose to remain in their school of origin have the right to remain there, with transportation, until the end of the school year in which they become permanently housed. However, once permanently housed, transportation becomes the responsibility of the parents(s)/guardian(s).

Should a parent/guardian disagree with the school placement decision of the Homeless Education Liaison or other District staff, the parent/guardian has the right to appeal. The parent/guardian will be provided with written notification of the placement decision and the paperwork to complete the appeal process. While the placement decision is under appeal, the student will be allowed to attend the school of the parent/guardian's choice and receive transportation (according to the District Transportation Policy) while the dispute is under review by the Department of Elementary and Secondary Education.

Transportation to School of Origin

The Belmont Public Schools will ensure that transportation is provided, at the request of the parent or guardian or unaccompanied youth, to and from the school of origin. The transportation services will be comparable to those received by other students. If the student moves to an area served by another school district and continues to remain homeless, transportation will be arranged to maintain enrollment at the school of origin as long as the distance between the school district of residence and the school of origin is reasonable.

Access to Comparable Services

The Belmont Public Schools will provide homeless students with services and education programs comparable to those received by other students and for which they meet eligibility criteria, such as services provided under Title I or similar state or local programs; programs for students with disabilities; programs for students with limited English proficiency; vocational or technical programs; gifted and talented programs; and school nutrition programs. The Homeless Education Liaison will expedite the delivery of nutritional benefits and eligibility for free lunch by working directly with the food services department.

Legal References:
42 USC 11431 et.seq.

Revised 3/26/19

Educational Opportunities for Military Children

In an effort to facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of the District because of their parents/guardians being on active duty in the U.S. Armed Services, the District supports and will implement its responsibilities as outlined in the Interstate Compact on Educational Opportunity for Military Children. The School Committee believe it is appropriate to remove barriers to educational success imposed on children of military families because of their parents'/guardians' frequent moves and deployment.

Definitions

Children of military families means school aged children, enrolled in kindergarten through 12th grade, in the household of an active duty member of the uniformed service of the United States, including members of the National Guard and Reserve serving on active duty.

Deployment means the period one month before the service members' departure from their home station on military orders through six months after return to their home station.

Education(al) records means official records, files, and data directly related to a student and maintained by the school including, but not limited to, records encompassing all the material kept in the student's cumulative folder.

The requirements, applicable to eligible students, which must be fulfilled, are listed below. Eligible students are those who are children of active duty personnel, active duty personnel or veterans who have been severely injured and medically discharged, and active duty personnel who die on active duty within one year of service. In addition, children are eligible to receive services for one year following the discharge due to severe injury, retirement or death of an active military parent.

Students are not eligible for the provisions of the Compact if they are children of inactive Guard or Reserves, retired personnel, veterans not included above or U.S. Department of Defense personnel and other federal civil service employees and contract employees.

The District's responsibilities to eligible children include the following:

Sending schools must send either official or unofficial records with the moving students and District receiving schools must use those records for immediate enrollment and educational placement.

Simultaneously, the receiving school must request official records and the sending schools shall respond within 10 days with the records.

Immunization requirements of the District may be met within 30 days from the date of enrollment (or be in progress).

Receiving schools must initially honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, vocational-technical, and career pathway courses if those courses are offered in the receiving school and space is available. The receiving schools must also initially honor placement of like programs to those of the student in the sending state, including, but not limited to, Gifted and Talented programs, and English as a Second language programs. Receiving schools are not precluded from performing subsequent evaluation to ensure the appropriate placement and continued enrollment of the student in courses and programs.

In compliance with federal law, special education students must be placed by the existing IEP with reasonable accommodations in the receiving school.

The District will exercise, as deemed appropriate, the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, as deemed appropriate.

Students of active duty personnel shall have additional excused absences at the discretion of the District for visitations relative to leave or deployment.

An eligible student living with a noncustodial parent or other person standing in loco parentia shall be permitted to attend the school in which he or she was enrolled while living without the custodial parent/guardian without any tuition fee imposed.

The District high school will accept exit or end-of-year exams required from the sending state, national norm-referenced tests, or alternate testing instead of testing requirements for graduation in the District (receiving state). If this is not possible, the alternative provision of the Interstate Compact shall be followed in order to facilitate the on-time graduation of the student in accordance with Compact provisions.

Legal Refs: M.G.L. 15E;
Interstate Compact on Educational Opportunity for Military Children

Adopted 3/26/19

Educational Opportunities for Children in Foster Care

The purpose of this policy is to ensure the educational stability of students in foster care and their equal access to the same free and appropriate public education through high school graduation as provided to other students as required by law. Educational stability has a lasting impact on students' academic achievement and wellbeing, and the School Committee is committed to supporting district and community efforts to ensure that students in foster care have access to high-quality, stable educational experiences.

The law requires that foster care students continue to attend their school of origin, unless after a collaborative decision-making process it is determined to be in the student's best interest to enroll in and attend school in the district in which a foster care provider or facility is located (if different). The law also requires that when it is not in the student's best interest to remain in the school of origin, the student is immediately enrolled and attending in a new school district, even if records normally required for enrollment cannot be quickly produced. Additionally, the law requires the Department of Children and Families (DCF), The Department of Elementary and Secondary Education (DESE), and the school district to designate points of contact; and also that the district collaborate with DCF to ensure that students will receive transportation to the school of origin if needed.

Best Interest Determination

Decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (and if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when different) the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and take into account a variety of factors. Every effort should be made to reach agreement regarding the appropriate school placement for a student in foster care, DCF will finalize the best interest determination.

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. Under the law, to promote educational stability, students should continue to attend their schools of origin while best interest determinations are being made.

Transportation

The district of origin must collaborate with DCF on how transportation will be provided and arranged to ensure that students in foster care who need transportation to remain in their school of origin will receive such transportation while they are in foster care.

Transportation options may include using Title I funds, establishing regional collaborations

among districts, coordinating with existing routes for transportation, seeking help from foster parents(s), etc. Absent other agreements between the district and DCF, the district of origin is responsible for providing transportation to and from the school of origin.

Immediate Enrollment

If it is in the best interest of a student in foster care to leave the school of origin, the student must be enrolled in school in the local school district immediately. To minimize disruption of the student's education, the law requires the district to enroll the student in a new school right away, without waiting to receive the typical student enrollment documentation (other than emergency contact information). The enrolling school must immediately contact the child's school and district of origin to obtain the relevant records and documentation, and the school and district of origin should immediately transfer those records.

To facilitate enrollment, DCF representatives will present the district with a form that indicates that the student is in foster care, along with their state-agency identification badge, when enrolling students.

Legal Refs: Every Student Succeeds Act (ESSA);
Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act)

Adopted 3/26/19

English Language Learners

The Belmont Public Schools shall provide effective language instructional programs for English language learners in accordance with federal and state laws and regulations.

The Superintendent shall develop procedures, in accordance with Department of Elementary and Secondary Education guidelines, to identify, assess and place English language learners and shall implement evaluation procedures to ensure the effectiveness of the program.

Legal References:

20 USC 6301 et seq
20 USC 1703(f)
34 CFR Parts 100 & 200
MGL 71A; 69:1B
603 CMR 14.00

Adopted 3/31/10

Home Schooling

Parents who wish to home school a child between the ages of six and sixteen shall submit a written proposal to the Superintendent including information required by the district in accordance with Massachusetts law. The Superintendent shall approve a proposed home schooling program that meets the minimum standards established for public schools in the Commonwealth.

A student being educated in a home-based program within the district may have access to either curricular or extracurricular public school activities subject to availability and approval of the Superintendent.

Students who home school through high school are not issued diplomas by the Belmont Public Schools.

Legal References:

MGL 76:1

Care and Protection of Charles, 399 Mass. 324 (1987)

Brunelle v. Lynn, 428 Mass. 512 (1998)

Adopted 3/31/10

Non-Instructional Services for Students

The Belmont Public Schools shall provide such non-instructional services as it determines are necessary to enable students' effective participation in district programs and to promote academic achievement. Such services may include health, guidance and counseling services.

Adopted 3/31/10

Evaluation of Instructional Programs

The Belmont Public Schools shall conduct regular evaluations of the instructional programs at each level of the district.

The Superintendent shall ensure the ongoing assessment of the curriculum and instructional programs to measure their effectiveness in meeting district goals. Data from such assessments shall be used to determine the success of programs and to identify areas in which modifications and improvement are needed.

The Superintendent shall report the results of program evaluations to the School Committee and the community.

Data collection and reporting shall conform to all appropriate requirements established by federal and state law and regulations.

Adopted 3/31/10

Belmont Public Schools Service Animals Policy

The Belmont Public Schools does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The District will comply with Massachusetts law and federal law, the Americans with Disabilities Act (ADA) concerning the rights of persons with service animals and will permit such animals on school premises and on school transportation.

For purposes of this policy, a “service animal” includes any dog or miniature horse that has been individually trained to do the work or perform tasks for the benefit of an individual with a disability. Service animals perform some of the functions and tasks that individuals with disabilities cannot perform themselves. Service animals are not pets. There are several kinds of service animals that assist individuals with disabilities.

Examples of such work or tasks:

- Guiding people who are blind
- Alerting people who are deaf
- Pulling a wheelchair
- Alerting and assisting a person with seizures
- Reminding a person with psychiatric disabilities to take medications
- Alert a person with diabetes experiencing low blood sugar

If the service animal's task is not readily apparent, student’s parent or guardian shall be required to answer the following questions;

1. Is the service animal required because of the individual’s disability?
2. What work or task has the animal been trained to do for the individual with the disability?

Additionally, the following applies to service animals:

- 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.

- The District shall not assume or take custody or control of, or responsibility for, any service animal, the handling of, or the care of feeding thereof. The owner or person having custody and control of the animal shall be liable for any damage to persons, premises, property, or facilities caused by the service animal, including, but not limited to, clean up, stain removal, etc.
- If, in the opinion of the School Principal or authorized designee, any service animal is not in the control of its handler, or if it is not housebroken, the service animal may be excluded from the school or program. The service animal can also be excluded if it presents a direct and immediate threat to others in the school.
- For miniature horses, the school may also exclude the miniature horse if the particular school facility cannot accommodate the type, size and weight of the horse; or if the miniature horse's presence in a specific school facility compromises the legitimate safety requirements necessary for safe operations. The parent or guardian of the student, or the individual having custody and control of the animal will be required to remove the service animal from District premises immediately.

If a student or staff member assigned to the classroom in which a service animal is permitted suffers an allergic reaction to the animal, the person having custody and control of the animal will be required to remove the animal to a different location designated by the Building Principal or designee. An alternative plan will be developed with appropriate District staff, as well as involvement of the parents/guardians of the student, so that all students have full access to available educational opportunities. Such plan could include maintaining medical documentation of allergy, allergy plan and emergency medication, and potential room reassignment. This will also apply if an individual on school transportation suffers an allergic reaction. In this case, an alternate plan will be developed in coordination with appropriate school, District, and transportation staff including involvement of the parent/guardian of the student.

The Superintendent of Schools or his/her designee shall be responsible for developing procedures to accommodate a student's use of an assistance animal in District facilities and on school transportation vehicles.

LEG REF: 28 CFR, Part 35

Source: MASC Oct. 2016

Americans with Disabilities Act Title II Regulations

28 CFR 35.136 (i)(2)

Policy: Instruction 6015 - Education for Students with Special Needs and Disabilities

Voted 1/21/2020