

# Service Animals in School: What Families Need to Know

## A Resource Document



If your child has a disability and needs a service animal at school, you may have questions about your rights and the school's responsibilities. This fact sheet explains the difference between service animals and emotional support animals, and how federal and Virginia laws apply.

### What Is a Service Animal?

Under the Americans with Disabilities Act (ADA), a service animal is a dog (and in limited cases, a miniature horse) that is individually trained to do work or perform tasks for a person with a disability.

Examples of tasks a service animal may perform include, but are not limited to:

- Guiding a person who is blind
- Alerting a person who is deaf
- Detecting seizures or changes in blood sugar
- Interrupting self-harming behaviors
- Providing mobility or balance support

A service animal is trained to perform specific tasks related to the person's disability.

### What Is an Emotional Support Animal?

An emotional support animal (ESA) provides comfort, companionship, or a calming presence to a person with a disability. Unlike service animals, ESAs are not trained to perform specific tasks related to a disability.

For example, a child may feel less anxious, more regulated, or more secure when their emotional support animal is nearby. While this benefit is real and meaningful, the law treats ESAs differently from trained service animals.

ESAs do not have the same public access rights as service animals under the ADA.

- Public schools are generally not required to allow emotional support animals in classrooms or school buildings.
- A doctor's letter or prescription for an ESA does not automatically require a school to allow the animal.
- There is no official registration or certification that turns an ESA into a service animal.

### What Laws Apply in Virginia Public Schools?

#### Americans with Disabilities Act (ADA)

Public schools must follow the ADA. If a student with a disability uses a service animal, the school must generally allow the animal to accompany the student in areas where students are allowed to go.

Schools may only ask two questions:

- Is the dog required because of a disability?

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- What work or task has the dog been trained to perform?

Schools cannot require proof of certification, special identification, or training documentation.

### Section 504 of the Rehabilitation Act

A service animal may be considered a reasonable accommodation under Section 504. If a student needs a trained service animal to access school safely and meaningfully, the school must generally allow the animal unless doing so would fundamentally alter the program or create a direct safety risk. If your child has a 504 Plan, the team may discuss:

- How the service animal supports access to learning or school activities
- Where the animal will be during the school day
- Emergency procedures (fire drills, lockdowns, field trips)
- Any allergy or safety concerns and how to address them

The focus under Section 504 is equal access. The question the school must consider is: Does this student need the service animal to have the same opportunity to participate as other students?

### IDEA (Individuals with Disabilities Education Act)

IDEA does not specifically mention service animals. However, if a service animal is necessary for a student to receive a Free Appropriate Public Education (FAPE), the IEP team may need to address how the service animal supports the student's educational program. For example, the IEP team may discuss:

- How the service animal supports access to instruction
- Who is responsible for the animal's handling, care, and supervision during the school day
- Any safety or logistical considerations

IDEA does not require schools to provide or pay for a service animal. The family is responsible for the animal's training, care, supervision, and for providing a trained handler.

If the team is still unable to reach an agreement, families have access to both informal and formal dispute resolution options to help resolve concerns.

### Virginians with Disabilities Act (VDA)

The Virginians with Disabilities Act (VDA) is Virginia's state civil rights law that protects individuals with disabilities from discrimination. It works alongside federal laws like the ADA and Section 504. Under the VDA, a person with a disability has the right to be accompanied by a trained service dog in public places, including public schools. This means Virginia law reinforces the same general access rights provided under the ADA.

- A person with a disability has the right to use a trained service dog
- Schools may not charge extra fees or impose special requirements because a student uses a service dog
- The law does not require certification, registration, or special identification for the dog

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The VDA defines a three-unit service dog team as a team consisting of a trained service dog, a person with a disability, and a person who is an adult and who has been trained to handle the service dog. As of July 1, 2026, pursuant to an amendment to the VDA, the three-person team can include the parent of the person with the disability as the handler.

In most school situations, the ADA is the primary law that schools follow regarding service animals. The VDA supports and reinforces those rights at the state level. If there is ever a conflict between state and federal law, schools must follow whichever law provides greater protection for the person with a disability.

### Can a School Exclude a Service Animal?

A school may ask that a service animal be removed if:

- The dog is out of control, and the handler does not take effective action
- The dog is not housebroken
- The dog poses a direct threat to the health or safety of others

Fear of dogs or allergies alone is generally not a valid reason to exclude a service animal. Schools must try to accommodate all students' needs.

### What Should I Do If I Want My Child to Bring a Service Animal to School?

- Notify the school in writing
- Be prepared to explain what tasks the dog performs
- Ask for a meeting if your child has an IEP or 504 Plan so the team can discuss logistics and supports
- If the school turns you down, you can access available dispute resolution mechanisms

### Resources

ADA National Network – Taking a Service Animal to School

ADA National Network – Service Animals and Emotional Support Animals

Legal Clarity – When Can Schools Legally Deny Service Animals

Franklin County Law Library – Education of Students with Disabilities: Federal and State Laws: Service and Assistance Animals

Virginians with Disabilities Act – Chapter 9. Rights of Persons with Disabilities



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