Service Animals in Arkansas Schools: What Every Administrator Should Know (Part 1)

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Navigating the ADA, Reasonable Accommodations, and Safety in Practice

If you've ever had a parent or visitor arrive at your school event with a dog, you've probably found yourself asking: What are my legal responsibilities? What questions am I allowed to ask? How do I balance access, safety, and the needs of all students and families? This article is meant to help school administrators feel more confident when it comes to service animals under the Americans with Disabilities Act (ADA), especially in those tricky moments when time is short and stakes feel high.

ADA Basics: Full and Equal Enjoyment

The ADA provides that people with disabilities are entitled to "full and equal enjoyment" of public accommodations. In practice, that means schools and similar facilities generally must make reasonable accommodations and modifications to allow access—including permitting service animals when necessary. The Department of Justice (DOJ) interprets this to mean that schools generally have to adjust their policies to allow individuals with disabilities to be accompanied by their service animals in all areas where others are allowed. Service animals, in the context of the ADA, are almost always dogs (although sometimes miniature horses) that are individually trained to perform tasks for a person with a disability. Tasks can range from guiding someone who is visually impaired to alerting a person to an oncoming seizure.

When Can a School Exclude a Service Animal?

The ADA sets a high bar for denying access to service animals, but there are a few specific exceptions. Schools can exclude a service animal if its presence would fundamentally alter the nature of the program (think a sterile operating room) or if the animal poses a direct threat to the health or safety of others. There are also two other practical exceptions: if the animal is out of control or not housebroken. However, fear of dogs or allergies alone are generally not valid reasons for exclusion. The law requires administrators to make an individualized assessment about safety—relying on the best available objective evidence and reasonable judgment, not assumptions or stereotypes.

The "Two Question" Rule: What You Can Ask

The ADA only allows two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform? If the answers aren't forthcoming, it's reasonable to pause and seek clarification—but it's important to remember that the person isn't required to show an ID card or proof. Further, school staff may not ask for documentation or require a dog to wear a special vest. However, individuals who misrepresent an animal as a service animal may be subject to civil penalty.

Meaningful Access: What Does It Really Mean?

"Meaningful access" is the gold standard. In schools, that usually means ensuring that a person with a disability can participate in educational activities or, for parents, observe their children just like everyone else. The law recognizes that schools can offer alternative accommodations if they provide the same level of access—but not less. For example, if a parent wants to bring a service dog to a school dance to observe their child, and the school asks them to step aside temporarily to clarify the dog's role, that may be reasonable as long as the parent can still see their child and isn't excluded from the event.

Case Examples: Safety, Distraction, and Reasonable Accommodation

Courts have weighed in on situations where schools or other public accommodations had to make tough calls. In some cases, schools were allowed to restrict service animals due to distractions, allergies, or infrequent need if other means of support were available. Generally speaking, the prevailing view is that service animals should be accommodated unless there's a strong, evidence-based reason not to. For instance, one court found that excluding a service animal was not justified when a student faced increased medical risk and couldn't meaningfully participate without the animal. Another case sided with the school when the student's anxiety attacks were rare and alternative supports were available—but this was considered a narrow exception. Because there are many court cases discussing these issues and they often turn on the specific facts of each case, we often find ourselves identifying the closest examples to apply to a particular client's situation so as to provide the best guidance.

Practical Takeaways for School Administrators

- Don't rely on documentation or a vest: You can't require it, and the ADA doesn't mandate it.
- Stick to the two allowed questions: "Is this a service animal required because of a disability?" and "What work or task has the dog been trained to perform?"
- Assess safety individually: Make decisions based on the specific situation, not generalizations about dogs, disabilities, or fears.
- Allow meaningful participation: If a parent or student can participate in the event or activity alongside others, you're likely meeting your legal obligations.
- Temporary restrictions can be reasonable: Asking someone to step to the side while you clarify information is usually fine—permanent exclusion is generally not, unless a real safety risk is present.
- Be prepared to explain your reasoning: If you restrict access, be ready to show it was based on evidence and necessity—not on assumptions.

In an upcoming Part 2 of this article, we will discuss the difference between service animals and emotional support animals.