

Schools fight families over autism service dogs

August 21 2009, By LINDSEY TANNER , AP Medical Writer



Nichelle Drew, center, leaves Villa Grove Elementary School in Villa Grove, Ill., with her son Kaleb, 6, and his autism service dog, Chewey, after attending a half day of school on Friday, Aug. 21, 2009. Like seeing-eye dogs for the blind, trained dogs are now being used to help autistic children deal with their disabilities. But some schools want to keep the animals out, and families are fighting back. (AP Photo/Robin Scholz)

(AP) -- Like seeing-eye dogs for the blind, trained dogs are now being used to help autistic children deal with their disabilities. But some schools want to keep the animals out, and families are fighting back.

Two autistic elementary [school](#) students recently won court orders in Illinois allowing their [dogs](#) to accompany them to school. Their lawsuits follow others in California and Pennsylvania over schools' refusal to allow dogs that parents say calm their children, ease transitions and even keep the kids from running into traffic.

At issue is whether the dogs are true "service dogs" - essential to managing a disability - or simply companions that provide comfort.

School districts say they are not discriminating, just drawing the line to protect the safety and health of other students who may be allergic or scared of dogs.

"The school district has 650 students, not just one. So we have to balance," said Brandon Wright, attorney for the Villa Grove district in central Illinois, which objected to 6-year-old Kaleb Drew's plan to bring his yellow Labrador retriever, Chewey, to school.

Kaleb's family won a judge's order in July allowing the dog to come to class until a trial, set to start Nov. 10. That means when Kaleb starts his first full day of first grade Monday, Chewey will be by his side.

Service dogs have long been used by the blind, but training them to help those with autism is relatively new. While there's little research on how these animals affect autistic children, families like Kaleb's say they have seen marked improvement. And the support group Autism Speaks includes a list of dog-training groups among resources on its Web site.

Autism is a developmental disorder that involves behaviors such as poor [eye contact](#), trouble communicating and repetitive movements such as rocking or hand-flapping. Those with the disorder are prone to outbursts and may have trouble with changes in their environment.

The dogs are trained to be a calming influence, providing a constant between home, school and other new places. Sometimes, as in Kaleb's case, the dogs are tethered to children to prevent them from running off in dangerous situations.

"It's done so much more than we thought it could," said Kaleb's mother,

Nichelle Drew. "We want Kaleb to be able to experience more of life," and the dog has helped him do that, she said.

Chewey does not react when Kaleb "throws a fit" during times of transition from one activity to another, which calms him much more quickly, Drew said.

The tether fitted around Kaleb's waist helps the dog stop Kaleb from running into traffic at pickup time, as he is prone to do.

Under the federal Americans with Disabilities Act, "a person with autism would be considered a person with a disability in nearly all cases, and a service animal is any guide dog, signal dog or other animal individually trained to provide assistance to someone with a disability," said Alejandro Miyar, a spokesman for the Department of Justice.

Miyar declined comment on specific cases but said schools are required to make accommodations for disabled students to use a service animal. Illinois is among several states with similar laws.

Schools, though, can argue that the animals do not provide a functional service. Wright said Kaleb's school already provides him with adequate special services. Officials believe Chewey is more of a companion or comfort dog, not a true service dog.

Elizabeth Emken, vice president of government relations for Autism Speaks, said her 17-year-old autistic son has used a service dog for about two years.

Emken said the dog helps control her son's pacing and circling, but the family opted against allowing the boy to take the dog to school because she did not know if he would be able to manage the dog effectively.

"Personally, I can see the pros and cons" of allowing the animals in schools, Emken said, though she believes schools should not ban the assistance.

Families of autistic kids elsewhere have fought similar battles, including recent cases in Manteca, Calif., about 70 miles northeast of San Francisco, and North Franklin Township, Pa., near Pittsburgh.

And cases involving other disabilities, including deafness and diabetes, have cropped up in other states.

On Thursday, a judge sided with a family in Columbia, near St. Louis, that sued over their school district's unwillingness to allow an [autism](#) service dog in a special education pre-kindergarten classroom.

Still, 5-year-old Carter Kalbfleisch will not have the dog with him when he starts classes Monday. A hearing is scheduled that day so the school can work out the logistics of accommodating the dog, which his family credits with helping stop the boy from running off and keeping him from eating things like rocks.

The case still could head to trial, though the family's attorney, Clay St. Clair, said Friday the initial ruling is based on the Illinois law allowing service animals in school. The district did not return calls.

"I don't know if it would have been a simpler issue if we were dealing with a guide dog or something the school board was a little more familiar with," St. Clair said.

Associated Press Writer Jim Suhr in St. Louis contributed to this report.
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