

SERVICE ANIMALS IN SCHOOLS

The Newport Board of Directors acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a “service animal” as required by federal laws and Washington State’s law against discrimination. This policy governs the presence of service animals in the schools, on school property, including school buses and at school activities.

A “service animal” means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by the service animal must be directly related to the individual’s disability.

Examples of work or tasks include, but are not limited to the following:

- Assisting individuals who are blind or have low vision with navigation and other tasks,
- Alerting individuals who are deaf or hard of hearing to the presence of people or sounds,
- Providing nonviolent protection or rescue work,
- Pulling a wheelchair,
- Assisting an individual during a seizure,
- Alerting an individual to the presence of allergens,
- Retrieving items, such as medicine or the telephone,
- Providing physical support and assistance with balance and stability to individuals with mobility disabilities, and
- Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks.

It is a civil infraction to misrepresent an animal as a service animal. A student’s parent/guardian who believes their student needs to bring a service animal to school or an employee who wishes to bring a service animal to school, must submit a written request to the building principal. The building principal, in consultation with the Section 504 coordinator or director of special services, as appropriate, will determine whether to permit the service animal in school. The principal shall not ask about the nature or extent of a person’s disability, but may make two inquiries to determine whether an animal qualifies as a service animal. The principal may ask if the animal is required because of a disability and what work or task the animal has been trained to perform. The principal shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal, or require that the service animal demonstrate its task. The principal may not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for a person with a disability.

The superintendent will develop procedures to implement the policy.

Cross Reference:

Cross References:

5010 - Nondiscrimination and Affirmative Action

3210 - Nondiscrimination

2162 - Education of Students With Disabilities Under Section 504

of the Rehabilitation Act of 1973

2161 - Special Education and Related Services for Eligible Students

2029 - Animals as Part of the Instructional Program

Policy 2029	Animals as Part of the Instructional Program with Disabilities Policy 2162 Policy 3210 Policy 5010	Policy 2161 Education of Students with Disabilities Under Section 504 Nondiscrimination Nondiscrimination and Affirmative Action	Education of Students
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Legal References: American Disabilities Act (ADA), Revised Title II Regulations, §35 Service animals Section 504 of the Rehabilitation Act of 1973

RCW 49.60.040 RCW 28A.642	Definitions Discrimination Prohibition
WAC 392-145-021(3) WAC 392-172A-01155 (3) WAC 392-172A-01035	General Operating Requirements Related Services Child with a Disability or Student eligible for Special Education
WAC 392-190	Equal Educational Opportunity – unlawful discrimination prohibited
WAC 162-26	Public accommodations, disability discrimination

Management Resources: 2018 - December 2018 - December Policy Issue

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