

## **Tumwater School District Board Policy**

### **SERVICE ANIMALS IN SCHOOLS**

The Tumwater School District 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. The parent/guardian of a student who believes the 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 or not 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 inquires 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 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

Legal References:           American Disabilities Act (ADA), Revised Title II  
                                  Regulations, §35 Service animals  
                                  Section 504 of the Rehabilitation Act of 1973  
                                  RCW 28A.642 Discrimination Prohibition  
                                  RCW 49.60.040 Definitions  
                                  WAC 162-26 Public accommodations, disability  
                                  discrimination  
                                  WAC 392-145-021(3) General operating requirements  
                                  WAC 392-172A-01035 Child with a disability or student  
                                  eligible for special education  
                                  WAC 392-172A-01155 (3) Related services  
                                  WAC 392-190 Equal education opportunity - Unlawful  
                                  discrimination prohibited

Management Resources:   2018 - December 2018 - December Policy Issue

**ADOPTION DATE: March 27, 2014**

**REVISION DATE: December 7, 2022**