Procedure - Service Animals in Schools

A. Service Animal Uses

Service animals are 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. Use of a service animal by a student with a disability will be allowed in school when it is determined that the student's disability requires such use in order to assist or accommodate access to the instructional program, school services and/or school activities.

Use of a service animal by an employee with a disability will be allowed when such use is necessary as a reasonable accommodation to enable the employee to perform the essential functions of their job or to access benefits of employment provided to all employees in the same job classification.

The use of a service animal by an individual with a disability will not be conditioned on the payment of a fee, security deposit, or surcharge.

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.

B. Requirements for Service Animal Access

Before a service animal will be permitted in school, on school property or at school sponsored events, the student's parent or the employee must provide a description of the task(s) the service animal is expected to perform in assisting the person with a disability.

The district will provide access to a person with a disability who needs a service animal provided that the tasks performed by the service animal are directly related to the disability; and the animal has been individually trained to perform a task, is housebroken; is free of disease and parasites, has a harness, leash or tether so it cannot run free and is under the control of the person with a disability.

A service animal must also be licensed and immunized in accordance with the laws, regulations, and ordinances of the county, and the state of Washington.

C. **Parents or Animal Handlers**

Parents or animal handlers who will be present in school for the purpose of assisting a student with his/her service animal are required to submit to a sex offender registry and criminal background check. In addition, parents and handlers must comply with all standards of conduct that apply to school employees and volunteers.

D. **Removal or Exclusion of a Service Animal from School or School Property**

The building principal or district administrator may request an individual with a disability to remove a service animal from school, a school sponsored activity, or school property if the animal is out of control and the animal's handler does not take effective action to control the animal. Examples of the animal being out of control include, but are not limited to the following:

1. The presence of the animal poses a direct threat to the health and/or safety of others;
2. The animal significantly disrupts or interferes with the instruction program, school activities or student learning. However, annoyance on the part of the others is not an unreasonable risk to property or others to justify the removal of the service animal;
3. The presence of the animal would result in a fundamental alteration of any school program;
4. The individual in control of the animal fails to appropriately care for the animal, including feeding, exercising, taking outside for performance of excretory functions and cleaning up after the animal;
5. The animal fails to consistently perform the function(s)/service(s) to assist or accommodate the individual with the disability;
6. The animal is ill; or
7. The animal is not housebroken.

If the district excludes a service animal, it will provide the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises.

E. **Service Animals at School-Sponsored Events**

Individuals with disabilities may be accompanied by their service animals to events or activities open to the public that are held in schools or on school property.

The building administrator may revoke or exclude the service animals for the reasons set forth in paragraph "D" above.

F. **Responsibility/Liability**

1. Neither the district, nor its employees, are responsible for the cost, care or supervision of the service animal. (*See Policies 2161, Special Education and Related Services for Eligible Students, and 2162, Education of Students With Disabilities Under Section 504 of the Rehabilitation Act of 1973, for responsibility for related services*);

2. A service animal must be under the control of its handler. A service animal must also have a harness, leash or other tether, unless either the handler is unable because of a disability to use a harness, leash or other tether, or the use of the harness, leash or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (*e.g., voice control, signals or other effective means*); and

3. The owner/handler of the service animal is responsible for any and all damage caused by the service animal at school, on school premises or at school activities.

G. **Appeals**

A parent or employee whose service animal has been excluded or removed may appeal the decision to the superintendent. If dissatisfied with the superintendent's decision, the parent or employee may appeal to the board.

H. **Resources**

1. District Contact

   Crystal Lanz, Superintendent

2. Superintendent of Public Instruction

   Equity and Civil Rights Office

   P.O. Box 47200

   Olympia, WA 98504-7200

   360.725.6162

3. Washington State Human Rights Commission

   711 South Capitol Way, Suite 402

   P.O. Box 42490

   Olympia, WA 98504-2490

   360.753.6770

4. Office for Civil Rights

   U.S. Department of Education

915 Second Avenue, Room 3310

Seattle, WA 98174206.607.1600

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