

SERVICE ANIMALS IN SCHOOLS

A. Service Animal Uses

Service animals are animals that are individually trained to perform tasks for people with disabilities such as guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting and protecting a person who is having a seizure or performing other special tasks. Service animals are working animals, not pets.

Use of a service animal by a student with a disability will be allowed in schools when it is determined that the student's disability requires such use 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.

Use of a service animal by a parent/guardian or other individual with a disability will be allowed in schools and on district property. The service animal will be permitted to accompany the individual with a disability to all areas of a facility where members of the public are normally allowed to go, unless its presence or behavior creates a fundamental program alteration or direct threat to safety, e.g. student schedules, space. An individual with a service animal may not be segregated from others. If a building principal or district administrator is not certain that an animal is a service animal, he or she may ask the person who has the animal if it is a service animal required because of a disability. A building principal or district administrator cannot require any proof of a person's disability or identification or certification of the service animal's status.

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.

B. Requirements for Service Animal Access

In order to facilitate the success of the service animal, the student's parent/guardian or the employee shall provide a description of the task(s) the service animal is expected to perform in assisting the person with a disability before the animal will be permitted in school, on school property or at school-sponsored events.

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 that 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 the disability.

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

C. Parents or Animal Handlers

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 instructional 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 exclude the service animal 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).
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. This responsibility includes cleaning any areas of the school or school premises where the service animal has performed its excretory functions.

G. Appeals

A parent or employee whose service animal has been excluded or removed may appeal the decision to the superintendent or designee in accordance with WAC 392-190-065, Compliance—Complaint procedure—District superintendent. If dissatisfied with the superintendent's decision, the parent or employee may appeal to the board in accordance with WAC 392-190-070, Compliance—Appeal procedure—Local school board.

Cross Reference: Board Policy 2030 Service Animals in Schools