

## INSTRUCTION

### 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 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.

An animal whose function is the provision of emotional support, well-being, comfort or companionship are not considered service dogs under the ADA.

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:

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. A service animal is individually trained to provide assistance to an individual with a disability. The student's parent or the employee must complete a Service Animal Worksheet, RCW 28A.642, RCW 49.60 (attached) and submit to building principal or district administrator.

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 Kitsap 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 obtain a criminal background check through established OSPI procedures. 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 will inform 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 or District 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).
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.

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| 1. District<br>Central Kitsap School District<br>9210 Silverdale Way<br>Silverdale, WA 98383  | 2. State Superintendent of Public<br>Instruction<br>Equity and Civil Rights Office<br>P.O. Box 47200<br>Olympia, WA 98504-7200<br>360.725.6162  |
| 3. State of Washington - Human<br>Rights Commission<br>711 South Capitol Way, Suite 402<br>P.O. Box 42490<br>Olympia, WA 98504-2490<br>360.753.6770 | 4. United States<br>Office of Civil Rights<br>U.S. Department of Education<br>915 Second Avenue, Room 3310<br>Seattle, WA 98174<br>206.607.1600 |

Adopted: May 9, 2012

## Service Animals Worksheet

RCW 28A.642, RCW 49.60

Washington State law defines a service animal as an animal that is trained for the purpose of assisting or accommodating a disabled person's sensory, mental or physical disability. The law also defines a "dog guide" as a dog trained to guide persons who are blind, or trained to assist persons who are hearing impaired.

An animal whose function is the provision of emotional support, well-being, comfort or companionship are not considered service dogs under the ADA.

The following questions are to help the team gather information in order to determine if a service animal will be approved.

Is the service animal required because of a disability?
What work or task, based on the disability of the student/employee, has the service animal been trained to perform?
<i>A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of disability to use a harness, leash or other tether, or the use of a harness, leash or other tether would interfere with the service animals 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.)</i> Is the student/employee able to be in control of the animal?
<i>The school district is not responsible for care or supervision of the service animal.</i> What is the plan for care of the animal throughout the day? (e.g., water, food, waste elimination)