

## INSTRUCTION

### Procedure 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 wheel-chairs, alerting and protecting a person who is having a seizure or performing other special tasks. Service animals are working animals, not pets. The work or task an animal (dog) has been trained to provide must be directly related to the person's disability. Animals (dogs), whose sole function is to provide comfort or emotional support do not qualify as service animals under the Americans with Disabilities Act (ADA).

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.

#### 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. (Form F-1)

The district will provide access to a person with a disability who needs a service animal provided the following requirements are adhered to:

- a. The animal must have a temperament that allows it to be around people without danger of biting or injuring others.
- b. The animal must be housebroken.
- c. The owner/handler will assume liability if the animal harms a person.
- d. A service animal must also be licensed and immunized in accordance with the laws, regulations and ordinances of the City of Kennewick, the County of Benton, and the State of Washington. The animal must be free of

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disease and parasites. Documentation from a licensed veterinarian on immunizations and health is required.

- e. The animal must be trained in the work that it performs for the person. The work or task must be directly related to the person's disability. Animals whose sole function is to comfort or provide emotional support and do not perform a task, do not qualify as a service animal under ADA and will not be allowed at school.

*Request for Service Animal Involvement* (F-1) must be filled out and submitted to the building principal. If approved, a Management Plan for the Care of the Animal (F-2) will be completed.

**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

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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 2153 Education of students with Disabilities Under Section 504 of the Rehabilitation Act of 1973 and 2151 Education of Students with Disabilities According to the Individuals with Disabilities Education Act - IDEA*)
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*); so it cannot run free and is under the control of the person with a disability, 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

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school activities.

**G. Appeals**

A parent or employee whose service animal has been excluded or removed may appeal the decision to the superintendent or designee. If dissatisfied with the decision, the parent or employee may appeal to the Board of Directors.

**H. Resources**

1. Student Services Director  
Kennewick School District  
1000 W. 4<sup>th</sup> Ave  
Kennewick, WA 99336  
509-222-5003
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 98174  
206.607.1600

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