

WASHINGTON CENTER FOR DEAF AND HARD OF HEARING YOUTH

Policy: **2030**

Adopted: December 4, 2020

SUBJECT: Use of Service Animals in Schools

Approved by:



Nancy Fitta, Chair, Board of Trustees

Per RCW 72.40.015, one of the primary functions of the Washington Center for Deaf and Hard of Hearing Youth (Agency) is to manage and direct the supervision of the Washington School for the Deaf (WSD).

The Board of Trustees 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 animal 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.

A student's parent/guardian who believes their 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 Superintendent or designee, as appropriate, will determine whether 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 inquiries 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. In working with students and service animals the Agency shall comply with all state and federal laws.

The Superintendent will develop procedures to implement the policy.

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

Cross References

5209 - Nondiscrimination
3210 - Nondiscrimination-Students
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

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Revised Dates: