

INSTRUCTIONAL SERVICES

Policy 6145 **(Regulation 6145)**

Curriculum Services

Service Animals in Schools

This policy governs the presence of service animals in the District's buildings, on school property (including school buses), and at school activities. The Board of Education adopts this policy to ensure that individuals with disabilities are permitted to participate in and benefit from District programs, activities and services, and to ensure that the District does not discriminate on the basis of disability.

Students and/or adults with disabilities may be accompanied by a service animal as defined by federal and Missouri law on school property, in school buildings, and at school functions as permitted by law and subject to the conditions of this Policy.

Service Animals

Under federal law, a "service animal" means "any dog 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." Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition (See, however, provisions on miniature horses below). The work or tasks performed by a service animal must be directly related to the handler's disability. 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 for the purposes of this definition.

Under Missouri law, the term "service dog" is defined as a dog that is being or has been 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. Service dogs include but are not limited to: guide dogs, hearing dogs, medical alert or response dogs, mobility dogs, and mental health service dogs or psychiatric service dogs. Under Missouri law, "mental health service dog" or "psychiatric service dog" is defined as: a dog individually trained for its owner who is diagnosed with a psychiatric disability, medical condition or developmental disability recognized in the most recently published Diagnostic and Statistical Manual of Mental Disorders (DSM) to perform tasks that mitigate or assist with difficulties directly related to the owner's psychiatric disability, medical condition, or developmental disability." An emotional support dog, whose purpose is to provide comfort or companionship does not meet the definition of a service dog under Missouri or federal law.

The District will permit the use of a miniature horse as a service animal if: (1) the miniature horse has been individually trained to do work or perform tasks for the benefit of an individual with a disability.

In determining whether to permit the use of a miniature horse as a service animal, the District will consider: (1) the type, size and weight of the miniature horse and whether the facility can

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accommodate these features; (2) whether the handler has sufficient control of the miniature horse; (3) whether the miniature horse is housebroken; and (4) whether the miniature horse's presence compromises legitimate safety requirements that are necessary for the safe operation of the facility. All additional requirements outlined in this Policy which apply to service animals, shall apply to miniature horses.

If an individual with a disability requests to use a service animal in a District building, on District property, in a District vehicle or at a District function, the District will not ask about the nature or extent of the person's disability. However, the District may make the following inquiries to determine whether an animal qualifies as a service animal: (1) whether the animal is required because of a disability; and (2) what work or task the animal has been trained to perform. The District may not make these inquiries when it is readily apparent that an animal is trained to work or perform tasks for an individual with a disability.

The District will not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.

Misrepresentation of Service Dogs

In accordance with Missouri law, a person knowingly misrepresenting a dog as a service dog for the purpose of receiving accommodations of the Americans with Disabilities Act will be guilty of a class C misdemeanor and shall be civilly liable for damages resulting from such misrepresentation.

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