

1 **Bigfork School District #38**

2
3 **NONINSTRUCTIONAL OPERATIONS**

8425

4
5 Service Animals

6 For the purposes of this policy, state law defines a service animal as a dog or any other animal that is
7 individually trained to do work or perform tasks for the benefit of an individual with a disability. Federal
8 law definition of a disability includes a physical, sensory, psychiatric, intellectual, or other mental
9 disability.

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11 The District shall permit the use of a miniature horse by an individual with a disability, according to the
12 assessments factors as outlined in Policy 8425P, if the miniature horse has been individually trained to do
13 work or perform tasks for the benefit of the individual with a disability.

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15 The Bigfork School District will permit the use of service animals by an individual with a disability
16 according to state and federal regulations. The School District will honor requests for service animals in
17 accordance with the applicable Section 504 or Special Education policy adopted by the Board of Trustees.
18 The work or tasks performed by a service animal must be directly related to the handler’s disability.

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20 Examples of work or tasks performed by the service animal to accommodate an identified disability
21 include, but are not limited to, assisting individuals who are blind or have low vision with navigation and
22 other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds,
23 providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a
24 seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the
25 telephone, providing physical support and assistance with balance and stability to individuals with
26 mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or
27 interrupting impulsive or destructive behaviors.

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29 The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being,
30 comfort, or companionship do not constitute work or tasks for the purposes of this definition.

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32 The District may ask an individual with a disability to remove a service animal from the premises if:
33 • The animal is out of control and the animal’s handler does not take effective action to control it;
34 • Or the animal is not housebroken

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36 The District is not responsible for the care or supervision of the service animal.

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38 Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of
39 the District’s facilities where members of the public, participants in services, programs or activities, or
40 invitees, as relevant, are allowed to go.

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42 Cross Reference: Policy 8425P Procedure for allowance of service animals
43 Policy 2161 Special Education
44 Policy 2162 Section 504 of the Rehabilitation Act of 1973

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46 Legal Reference: 28 CFR 35.136 Service Animals
47 28 CFR 35.104 Definitions
48 49-4-203(2), MCA Definitions

49 Policy History:

50 First reading on: 12/8/21

51 Second reading/Adopted on: 1/12/22