

**MONTGOMERY  
COUNTY  
INTERMEDIATE  
UNIT #23**

SECTION: PROPERTY  
TITLE: SERVICE ANIMALS  
ADOPTED: April 27, 2016  
REVISED:

718. SERVICE ANIMALS	
1. Purpose	The Board adopts this policy to ensure that individuals with disabilities are permitted to participate in and benefit from Intermediate Unit programs, activities and services, and to ensure that the Intermediate Unit does not discriminate on the basis of disability.
2. Definition	<p><b>Service animal</b> means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability.</p> <p>Miniature horses may be utilized as <b>service animals</b> if:</p> <ol style="list-style-type: none"> <li>1. The miniature horse is individually trained to do work or perform tasks for the benefit of an individual with a disability.</li> <li>2. The facility can accommodate the type, size and weight of the miniature horse.</li> <li>3. The presence of the miniature horse does not compromise the safe operation of the facility.</li> </ol> <p>The work or tasks performed by a service animal shall be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, 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 individuals 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.</p> <p>The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.</p>
28 CFR 35.104	
28 CFR 35.136	
28 CFR 35.104	
28 CFR 35.104	
3. Authority	The Board shall permit individuals with disabilities to use service animals in Intermediate Unit buildings; on Intermediate Unit property; and on vehicles that are owned, leased or controlled by the Intermediate Unit, in accordance with this policy
43 P.S. 953	
29 U.S.C. 794	

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<p>42 U.S.C. 12101 et seq 28 CFR 35.130</p>	<p>and applicable state and federal law and regulations.</p>
<p>4. Guidelines</p>	<p><u>Admission of Service Animals to Schools</u></p> <p>A student or an employee with a disability may submit a request to bring a service animal to school for educational or employment purposes. A student or employee seeking to bring a service animal to an Intermediate Unit program or activity must comply with the requirements as set forth in this policy and any administrative regulations governing this issue.</p> <p>Individuals conducting training of a service animal may be accompanied for the purpose on Intermediate Unit business by a service animal in training, but training shall not normally occur in the classroom during instructional time. An individual conducting the training of a service animal must comply with the requirements as set forth in this policy and any administrative regulations governing this issue.</p>
<p>Pol. 103.1, 113</p>	<p>Parents/Guardians of students with disabilities may submit a request to the building administrator or program supervisor for their student to bring a service animal to an Intermediate Unit program or activity. The building administrator or program supervisor shall forward the request to the appropriate Section 504 or IEP team. The team shall gather the necessary information and evaluate the request to bring a service animal to an Intermediate Unit program or activity. Any service animal accompanying a student with a disability to an Intermediate Unit program or activity shall be handled and cared for in a manner detailed in the student's IEP or Section 504 Service Agreement.</p>
<p>28 CFR 35.130</p>	<p>Before a service animal shall be allowed in an Intermediate Unit building, or on Intermediate Unit property or vehicles, the Intermediate Unit shall request the following documentation from the owner or handler of the animal:</p>
<p>28 CFR 35.136</p>	<p>1. Verification of the need for a service animal.</p>
<p>28 CFR 35.136</p>	<p>2. Description of the function(s) the service animal is trained to perform in relation to the individual's disability.</p>
<p>3 P.S. 455.1 et seq</p>	<p>3. Proof of current vaccinations and immunizations of the service animal.</p>
	<p><u>Admission of Service Animals to Public Events</u></p>
<p>43 P.S. 953 28 CFR 35.136</p>	<p>Individuals with disabilities may be accompanied by their service animals while on Intermediate Unit property for events that are open to the general public. This right of access does not extend to the schools generally or to other activities that are not open to the general public.</p>
<p>28 CFR 35.136</p>	<p>Intermediate Unit administrators may inquire of the owner or handler of an animal whether the animal is required because of a disability and the specific tasks that the animal has been trained to perform, but shall not ask questions about an individual's</p>

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	<p>disability.</p> <p>Individuals conducting training of a service animal may be accompanied by a service animal in training while on Intermediate Unit property for events that are open to the general public. This right does not extend to the schools generally or to other activities that are not open to the general public. The handler of a service animal in training must, upon request by Intermediate Unit staff, present documentation of immunizations and vaccinations. A service animal in training must be housebroken and fully socialized, which means the animal will not bark, yip, growl or make disruptive noises; will have a good temperament and disposition; will not show fear; will not be upset or agitated when it sees another animal; and will not be aggressive. If a service animal in training begins to display improper behavior, the handler immediately will act to correct the animal or remove the animal from the district building, property or vehicle. If a service animal in training is out of control and the handler does not take effective action to control it, Intermediate staff may request that the animal be removed from the premises.</p>
<p>28 CFR 35.136</p> <p>4. Delegation of Responsibility</p>	<p>The Intermediate Unit shall not require an owner or handler of a service animal to pay an extra charge for the animal to attend events for which a fee is charged.</p> <p>The Executive Director or designee may develop and disseminate administrative regulations to implement Board policy and accommodate individuals with disabilities requesting use of a service animal in Intermediate Unit buildings and on Intermediate Unit property and vehicles.</p>
<p>28 CFR 35.136</p>	<p>The designated administrator shall ensure that all individuals involved in a situation where a service animal will regularly accompany an individual in Intermediate Unit buildings or on Intermediate Unit property or vehicles are informed of the Board policy and administrative regulations governing this issue. Involved individuals can include administrators, appropriate employees, student and parent/guardian.</p> <p>The owner or handler of a service animal shall be solely responsible for:</p> <ol style="list-style-type: none"> <li>1. Supervision and care of the animal, including any feeding, exercising, clean up and stain removal.</li> <li>2. Control of the animal at all times through the use of a harness, leash, tether or by other effective means.</li> <li>3. Damages to Intermediate Unit buildings, property and vehicles caused by the animal.</li> <li>4. Injuries to students, employees, volunteers and visitors caused by the animal.</li> <li>5. Annual submission of documentation of vaccinations and immunizations.</li> </ol> <p>The building administrator or program supervisor shall receive and forward to the Executive Director or designee each completed request by an individual with a disability to be accompanied by a service animal. The Executive Director or designee shall respond to the request.</p>

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Intermediate Unit administrators may exclude a service animal from Intermediate Unit buildings, property and vehicles under the following circumstances:

1. Presence of the animal poses a direct threat to the health and safety of others.
2. Owner or handler is unable to control the animal.
3. Animal is not housebroken.
4. Presence of the animal would require a fundamental alteration to the program.

Pol. 103  
Pol. 104

Any individual with a service animal who is aggrieved by a decision to exclude, limit or remove a service animal may appeal that decision in accordance with Board policy. The appeal must be in writing and provide detailed information regarding the basis of the appeal.

References:

Rabies Prevention and Control in Domestic Animals and Wildlife Act –  
3 P.S. Sec. 455.1 et seq.

Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.

Nondiscrimination on the Basis of Disability, Title 28, Code of Federal

Regulations – 28 CFR Part 35, Part 36

Pennsylvania Human Relations Act – 43 P.S. Sec. 953

Federal Equal Employment Opportunity Commission Regulations, Title 29, Code of  
Federal Regulations – 29 CFR Part 1630

Board Policy – 000, 103, 104