

# COMMUNITY COLLEGE OF VERMONT

*See also:*

*Complaint Resolution policy  
Disabilities Accommodation policy  
Non-Discrimination policy*

## SERVICE ANIMAL POLICY

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### POLICY

Community College of Vermont intends to provide the broadest possible access to service animals in all of its public and employment areas. CCV is committed to insuring that individuals with disabilities requiring the use of a service animal can participate in classes, services, employment and activities at all CCV centers.

Note: The use of a service animal is a right and does not require the steps necessary to request disability related accommodations. If an individual with a service animal wishes to request disability accommodations, s/he should be directed to the Disability Accommodation policy and an ADA coordinator.

### GENERAL GUIDELINES

#### Definitions

**Service Animal:** The Department of Justice / ADA rule defines “service animal” as a dog (or in some cases a miniature horse) that 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 animals are working animals, not pets. The work or task an animal has been trained to provide must be directly related to the person’s disability. Examples of such work or tasks are not limited to, but include:

- Guiding people who are blind or low vision,
- Alerting people who are deaf or hard of hearing,
- Pulling a wheelchair,
- Alerting and protecting a person who is having a seizure,
- Reminding a person with mental illness to take prescribed medications,
- Assisting a person with Post Traumatic Stress disorder (PTSD) during an anxiety attack,
- Providing non-violent protection or rescue work,
- 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.

**Comfort or social emotional support animal:** Dogs and other animals that are used purely for emotional support, comfort, therapeutic benefit, or companionship, and not trained to perform tasks that mitigate the effects of a disability, are considered comfort or social emotional support animals and are not covered under the ADA. The Community College of Vermont does not have any form of housing. Therefore, fair housing laws governing comfort or social emotional support animals are not addressed in this policy.

### **Inquiries Regarding Service Animals**

When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions:

- (1) Is the dog a service animal required because of a disability?
- (2) What work or task has the dog been trained to perform?

Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility. An individual with a service animal may not be segregated from other students.

### **Safety, Care, and Control of Service Animals**

Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

The service animal must be clean, housebroken, and in good health. Owners and/or users of service animals must abide by current city ordinances/laws pertaining to licensing and vaccination requirements for service animals. It is the responsibility of the owner and/or user of the animal to know about these ordinances and/or laws. All owners and/or users of service animals are responsible to clean up after and properly dispose of their animal's waste.

### **Exclusions of Service Animals**

Unless the service animal is not meeting the behavioral or sanitary expectations outlined in this policy, a person with a disability cannot be asked to remove a service animal from the premises.

A person with a disability may be asked to remove a service animal from the premises if the animal is out of control and the handler does not take effective action to control the animal, or if the animal is not housebroken. A service animal may be excluded from a facility, including a classroom, if the animal poses a direct threat to the health or safety of others. A service animal may be excluded from a facility, including a classroom, if that animal's behavior, such as barking, is disruptive to the other participants within the facility.

When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to return to the classroom or activity without the animal's presence.

A service animal may be excluded from the College temporarily or permanently, following the procedures outlined in this policy, if it is found to be in violation of the above requirements.

### **Concerns Regarding Service Animals**

A member of the College who has a concern about the behavior of a service animal should direct his/her concern, verbally or in writing, to the ADA coordinator at the corresponding academic center. A directory of ADA coordinators is provided on the CCV public website. In addition, any CCV staff member can direct a person with a concern about a service animal to the appropriate ADA coordinator. Concerns regarding service animals of employees should be reported to the Human Resources Director.

### **Procedure for Addressing Concerns Regarding Service Animals**

The ADA coordinator will investigate the concern and may consult with the ADA Resource coordinator. The Regional Director and Center Office Manager will be consulted if the animal poses a health and safety risk. The individual with the service animal will be contacted as a part of the investigation and will be informed of the outcome.

In circumstances in which the concern is unrelated to the behavioral or sanitary expectations of the service animal, the ADA coordinator will determine the resolution on a case-by-case basis. For example, if the service dog is in compliance but another student raises a concern about an allergy, the ADA coordinator will work with both parties to reach a resolution that accommodates all, such as assigning students to different areas of the classroom.

In circumstances in which the service animal is not meeting behavioral or sanitary expectations and in which there are significant health or safety risks, the service animal may be excluded immediately. In the absence of immediate health or safety concerns, a written plan may be established with specific expectations and a timeline to allow for the resolution of the concerns.

Should the behavioral or sanitary expectations not be met in the time defined, and should the repeated failure of the animal to meet these standards create a continued disruption or risk to health or safety, the college may exclude the service animal permanently.

Any person, including the individual with the service animal, who wishes to appeal a decision related to a service animal should pursue resolution through CCV's 504 coordinator or designee (see Complaint Resolution Policy).