

<b>SERVICE ANIMALS</b>	<b>7985</b>
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Purpose

This policy is to provide regulations regarding the use of service animals on District property, to comply with ADA Regulations; and to ensure that an individual with a verifiable disability, visual or not, who needs a service animal may participate in and benefit from District and College services, programs, and activities.

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Background

1. Service animals are animals trained to assist individuals with disabilities in the activities of normal living. The Americans with Disabilities Act (ADA) definition of a service animal is “. . . any . . . animal individually trained to do work or perform tasks and functions that a person who is disabled cannot perform for himself or herself, and for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.” If an animal meets this definition, it is considered a service animal regardless of whether it has been licensed or certified by a state or local government or a training program.
2. Regulations implementing Title II of the ADA (28 C.F.R. Section 35.130(b)(7)), California law (Civil Code Section 54 et seq. and Penal Code Section 365.5), and San Luis Obispo County Community College District policy (Board Policy 7965 § VIII) allows service animals to accompany persons with verifiable disabilities onto the Cuesta College campus.
3. This policy differentiates “service animals” from “pets”, describes types of service animals, denotes campus locations that are off-limits to service animals based only on issues of safety, and sets behavioral guidelines for service animals.

Definitions

1. Service Animal: Any animal individually trained to do work or perform tasks for the benefit of a person with a verifiable disability. Service animals are usually dogs. A service animal is sometimes called an assistance animal. If there is a question as to whether an animal is a service animal, contact one of the resources listed below:
  - a. Director of Disabled Student Programs and Services;
  - b. Director of Public Safety.
2. Partner/Handler: A person with a service or therapy animal. A person with a verifiable disability is called a partner; a person without a disability is called a handler.
3. Team: A person with a verifiable disability (or handler) and his or her service animal. The twosome works as a cohesive team in accomplishing the tasks of everyday living.
4. Trainee: An animal undergoing training to become a service animal. Trainees are permitted on District property, in accordance with regulations addressed above. A trainee will be housebroken and fully socialized. To be fully socialized means the animal will not, except under rare occasions, bark, yip, growl, howl, or make any type of 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. A trainee will be under the control of the handler at all times, who may or may not have a disability. If the trainee begins to show improper behavior, the handler will act immediately to correct the animal or will remove the animal from District property.

5. **Therapy Animal:** An animal with good temperament and disposition, and who has reliable, predictable behavior, selected to visit people with disabilities or people who are experiencing the frailties of aging or confinement as a therapy tool. The animal may be incorporated as an integral part of a treatment process. A therapy animal does not assist an individual with a disability in the activities of daily living. The therapy animal does not accompany a person with a disability all the time. Thus, a therapy animal is not covered by laws protecting service animals and the rights given to service animals.
6. **Pet:** A domestic animal kept for pleasure or companionship. Pets are not permitted in College facilities. Permission may be granted only by the Director of Public Safety for a pet to be in a college facility for a specific reason at a specific time (e.g., a pet dog or cat is used as a demonstration tool in a zoology class, speech class, etc.).

#### Types of Service Animals

1. **Service Dog:** A dog that has been specially trained as a “Guide Dog”, “Hearing Dog”, “Ssig Dog”, “Seizure Dog”, or “Assistance Dog”.
2. **Guide Dog:** A dog carefully trained to serve as a travel tool by persons with severe visual impairments or who are blind.
3. **Hearing Dog:** A dog that has been trained to alert a person with significant hearing loss or who is deaf when a sound (e.g., a knock on the door) occurs.
4. **Ssig Dog:** A dog trained to assist a person with autism. The dog alerts the partner to distracting repetitive movements common among those with autism, allowing the person to stop the movement (e.g., hand flapping). A person with autism may have problems with sensory input and need the same support services from a dog that a dog might give to a person who is blind or deaf.
5. **Seizure Dog:** A dog trained to assist a person with various types of seizure disorders; how the dog serves the person depends on the person’s needs. The dog may stand guard over the person during a seizure, or the dog may go for help. A very few dogs have somehow learned to predict a seizure and warn the person in advance.
6. **Assistance Dog:** A dog that has been specially trained to assist a person who has mobility or health impairment. Types of duties the dog may perform include carrying, fetching, opening doors, ringing doorbells, activating elevator buttons, steadying a person while walking, helping a person up after the person falls, pulling a wheelchair, etc.

#### Requirements for Faculty, Staff, and Students

1. Allow the service animal to accompany the partner at all times on campus, except where service animals are specifically prohibited, (Section VIII).
2. Do not pet a service animal. Petting a service animal when the animal is working distracts the animal from the task at hand.

3. Do not feed a service animal. The service animal may have specific dietary requirements. Unusual food or food at an unexpected time may cause the animal to become ill.
4. Do not deliberately startle a service animal.
5. Do not separate or attempt to separate a partner/handler from his or her service animal.

#### Requirements of Service Animals and Their Partner/Handler

1. **Vaccinations:** The animal must be immunized against diseases common to that type of animal. Dogs must have had the general maintenance vaccine series, including but not limited to vaccinations against rabies, distemper, and parvovirus. Other animals must have had the appropriate vaccination series specific for the type of animal, [County Code § 9.08.150, 9.08.170, 9.08.180, 9.08.190]. All vaccinations must be current. Though dogs in San Luis Obispo County are not required to wear or display a rabies vaccination tag, the owner must provide proof of a rabies vaccination upon request.
2. **Licensing:** The County of San Luis Obispo ordinance [§ 9.08.160], following state law requires all dogs be licensed by the time they reach 4 months of age. Guide dogs, hearing dogs, dogs serving mobility-impaired persons, and other service animals receive the license at no cost, [County Code Title IX, § 9.08.260].
3. **Health:** The animal must be in good health, displaying no skin, eye, ear, or nose irritation, infection, or discharge, unless the animal has a release from a veterinarian showing the animal free of any health risk to the public. The animal must be free of fleas and external parasites.
4. **Leash and Control:** The animal must be on a leash at all times. The partner/handler must be in control of the animal at all times. The care and supervision of a service animal is solely the responsibility of its partner/handler.
5. **Cleanup:** The partner/handler must follow District policy in cleaning up after the animal defecates. District policy requires the partner/handler to: always carry equipment sufficient to clean up the animal's feces whenever the animal and partner/handler are off the partner's property, or animal's home base.
6. **Registration:** A partner/handler who is a District disabled student who wishes to bring a service animal/trainee onto the campus must register his/her animal with the Disabled Student Programs and Services (DSPS) Department. Employees and other partners/handlers who wish to bring service animals onto the campus must register their animals with the Public Safety Office. Visitors with service animals must check in with the Public Safety Office. (See form attached.)

#### When a Service Animal Can Be Asked to Leave

1. **Disruption:** The partner/handler of an animal that is unruly or disruptive (e.g., barking other than warning or protection, running around, bringing attention to itself) may be asked to remove the animal from District property. If the improper behavior happens repeatedly, the partner/handler may be told not to bring the animal onto District property until the partner/handler takes significant steps to mitigate the behavior. Mitigation can include, but is not limited to, muzzling a barking animal, refresher training for both the animal and the partner/handler, or providing proof of additional certified training from a state licensed facility.
2. **Health:** Service animals that are ill should not be taken into public areas. A partner/handler with an ill animal may be asked to leave the District property.

3. Uncleanliness: Partners/handlers with animals that are unclean, noisome and/or bedraggled may be asked to leave District property. An animal that becomes wet or muddy, but is otherwise clean, should be considered a clean animal. Animals that shed in the spring sometimes may look bedraggled. If the animal in question is well groomed, consider the animal tidy even though its spring coat is uneven and messy-appearing or it has become wet from weather or weather-related incidents.

Areas Off Limits to Service Animals

1. Mechanical Rooms/Custodial Closets: Mechanical rooms, such as boiler rooms, facility equipment rooms, electric closets, elevator control rooms, and custodial closets are off-limits to service animals. The machinery and/or chemicals in these rooms may be harmful.
2. Areas Where Protective Gear is Necessary: Any room where protective gear is worn is off-limits to service animals. Examples impacting students include the foundry, glass laboratory, wood and metal shops, photographic lab, and chemistry or biology labs.
3. Areas Where There is a Danger to the Service Animal: Any room, including a classroom, where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface; where there is hot material on the floor (e.g., molten metal or glass); where there is a high level of dust; or where there is moving machinery is off-limits to all service animals.

Exceptions:

1. A Dean and Division Chair/Director, in consultation with an instructor, may authorize opening a laboratory to service animals.
2. A Dean and Division Chair/Director of a research laboratory or an instructor in a classroom or teaching laboratory with moving equipment may grant permission to an individual service animal and partner/handler team to enter the research laboratory, classroom, or teaching laboratory with moving machinery. Admission for each team will be granted or denied on a case-by-case basis. The final decision shall be made based on the nature of machinery and the best interest of the service animal. Example: The machinery in a classroom may have moving parts at a height such that the tail of a large dog could easily be caught in it; which is a valid reason for keeping large dogs out. However, a very small hearing dog may be shorter than any moving part and, therefore, considered for admission to the classroom.
3. Access to other designated off-limits areas may be granted on a case-by-case basis by the Director of Learning Support/Disabled Student Programs and Services.
4. To be granted an Exception: A student partner/handler who wants his or her service animal to be granted admission to an off-limits area should contact the Disabled Student Program and Services (DSPS) Department and any non-student partner/handler, including an employee, who wants his or her service animal to be granted admission to an off-limits area should contact the Public Safety Department. An employee of DSPS or Public Safety, respectively, should fill out the disability accommodation request form for the partner/handler and then the partner/handler should take the form to the appropriate Dean, Division Chair, or instructor for his/her signature. This form will remain in the student's file in DSPS or on file in Public Safety, as appropriate, for the current semester only.
5. The District will work with a partner/handler whose service animal has been excluded for an off-limits area to otherwise reasonably accommodate the partner/handler's needs.

### Evaluation Procedures

1. The District's Director of Learning Skills/Disabled Students Programs and Services or Director of Public Safety must determine whether the service animal meets the basic ADA definitions. This determination is based upon whether the service animal has been trained to provide the specific task or service required by the individual because of his/her disability (ies) and whether the animal can actually provide that task or service. If the animal cannot perform the identified task or service, the District may exclude the animal from its facilities and campuses.
2. The District must rigorously analyze whether the presence of the service animal would actually have a significant effect upon the service, program, or activity involved. If the District determines that the use of the service animal causes a fundamental alteration in District services, programs, or activities, the District may exclude the animal from its facilities and campuses. (28 C.F.R. § 130 (b)(7).)
3. The District must determine whether the presence of a particular service animal poses a significant risk to the health or safety of other persons that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services. In doing so the District must make an individualized assessment based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence to determine the probability that the potential injury will actually occur. If the District determines that the presence of the service animal does pose a direct threat to the health or safety of persons participating in District service, programs, or activities, the District may exclude the animal from its facilities and campuses. (28 C.F.R. § 36.208.)
4. If the District determines that the use of a particular service animal will not be permitted, the Director of Learning Support/Disabled Student Program Services will take the following steps to ensure that the individual with a disability is not discriminated against on the basis of that disability:
  - a. Determine whether alternative modifications to District policies, practices, or procedures can be made to permit the individual to participate in District services, programs, or activities.
  - b. Determine whether academic adjustments or auxiliary aids may be used by a student with a disability to permit his/her participation in District services, programs, or activities.
5. An individual with a disability who is denied the use of a service animal may appeal to the Vice President/Assistant Superintendent of Student Services.

### Grievances

Anyone dissatisfied with a decision made concerning a service animal should refer to the Unlawful Discrimination Grievance Procedures. (Board Policy 1565)

(Approved: 11/07/01)



# Service Animal Registration Form

- STUDENT**  
Submit to DSPS
- EMPLOYEE**  
Submit to Public Safety
- VISITOR**  
Submit to Public Safety

Name of Student: \_\_\_\_\_ SSN: \_\_\_\_\_

Name of Service Animal: \_\_\_\_\_ Breed: \_\_\_\_\_ Color: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Phone: \_\_\_\_\_

Name of Veterinarian \_\_\_\_\_

Is verification of your disability on file with Disabled Student Programs & Services or the Public Safety Office?  YES  NO

City License Tag # or County Licenses Tag # \_\_\_\_\_

Rabies Vaccination Tag # \_\_\_\_\_ Date of Last Rabies Vaccination \_\_\_\_\_

What service(s) is the animal providing relative to your disability? \_\_\_\_\_

What special training did the service animal receive? \_\_\_\_\_

Name of Trainer: \_\_\_\_\_

Address of Trainer: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

- The partner/handler must follow District policy in cleaning up after the animal defecates. District policy requires the partner/handler to: always carry equipment sufficient to clean up the animal's feces whenever the animal and partner/handler are off the partner's property, or animal's home base.
  - The partner/handler understands his/her potential liability should a service animal injure someone.
- Partner/  
Handler  
Signature: \_\_\_\_\_

Name of Medical Professional who prescribed the use of a service animal: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip \_\_\_\_\_ Phone: \_\_\_\_\_

**COMPLETE THIS SECTION ONLY IF REQUESTING ACCOMMODATION OR RESTRICTED AREA ACCESS**

**DISABILITY ACCOMMODATION REQUEST APPROVAL/DISAPPROVAL**

**REQUEST ACCESS TO RESTRICTED AREA**

*(Division Chair/Director and Dean or Vice President approval required.)*

Describe Access/Accommodation: \_\_\_\_\_

Division Chair/Director  Approved  Disapproved \_\_\_\_\_

Dean  Approved  Disapproved \_\_\_\_\_

Assistant Superintendent/Vice President  Approved  Disapproved \_\_\_\_\_

(Required only where there is no dean.)