



## Service Animals on Campus Policy

**Policy:** Only service animals are permitted inside College buildings. Unattended animals are not permitted on College grounds nor in unattended vehicles at any time. In cases of special events sponsored by the College or in connection with the teaching of a specified class, animals may be permitted.

According to the Americans with Disabilities Act (ADA), “Service Animals” are dogs (and sometimes miniature horses, if permitted by 29 C.F.R. §36.302 (c)(9)), that are individually trained (to perform a specific job or task) to do work or perform tasks for the benefit of individuals with disabilities, including physical, sensory, psychiatric, intellectual, or other mental disabilities. Examples of such tasks include, but are not limited to: guiding blind individuals, alerting deaf individuals, pulling a wheelchair, retrieving items (such as medication or a telephone), alerting and protecting an individual who is having a seizure, reminding an individual with a mental illness to take prescribed medications, calming an individual with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties directly related to the individual’s disability. “Service Animals” are generally permitted to accompany individuals with disabilities to all areas where members of the public are allowed to go. Animals whose sole function is to provide comfort or emotional support do not qualify as “Service Animals.” Service animals are working animals, not pets. The work or task the animal has been trained to provide must be directly related to the person’s disability.

**“Emotional Support” or “Comfort” animals are not service animals. Questions about comfort or emotional support animals as a reasonable accommodation under the Americans with Disabilities Act should contact the Assistant Vice President of Human Resources, Title IX Coordinator or the Accessibility Services Coordinator for case-by-case review and consideration.**

**“Pets”** are animals kept for ordinary companionship and are not considered “Service Animals”.

- Service animals do not need to be identified as such however it is permissible to ask if the animal is a trained service animal. For example, ***“Is this animal required because of a disability?”*** If someone feels it is necessary, he or she may also ask the individual, ***“What work or task has this animal been trained to perform?”***
- We may NOT ask an individual to disclose the nature of his or her disability, to provide an accommodation letter from the Office of Accessibility Resources (OAR), or to provide

training documentation of the service animal. The animal does not need to wear a tag or vest that indicates that it is a service animal. We can ask for a record of vaccinations.

- A person with a disability cannot be asked to remove his or her service animal from the premises unless: (1) the animal is out of control and the handler does not take effective action to control the animal or (2) the animal is not housebroken.

### **MINIATURE HORSE EXCEPTION**

**Reasonable modifications:** Niagara County Community College shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability.

**Assessment factors:** In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, Niagara County Community College shall consider—

- The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- Whether the handler has sufficient control of the miniature horse;
- Whether the miniature horse is housebroken; and
- Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.
- Requirements which apply to service animals, shall also apply to miniature horses.

### **SERVICE ANIMAL USE ON CAMPUS**

- Visitors to campus with service animals may access all public facilities, with the exception of areas where service animals are specifically prohibited due to safety or health restrictions or where the service animal may be in danger. For more information or questions please contact the **Assistant Vice President of Human Resources, Title IX Coordinator at A-261 or 716-614-5951.**
- Students with a disability who wish to utilize a service animal in the classroom are strongly encouraged to register with the **Accessibility Services Coordinator at A-167 or 716-614-6229.**

- Employees with a disability who wish to utilize a service animal in the classroom or College office are strongly encouraged to register with the **Assistant Vice President of Human Resources, Title IX Coordinator at A-261 or 716-614-5950.**
- Service animals on campus must comply with all state and local licensure and vaccination requirements.
- The care and supervision of a service animal is the responsibility of the individual who uses the animal's service. The individual must maintain control of the animal at all times. The animal should always be on a leash, harness or other tether, unless either the handler is unable because of a disability to use a harness, leash or other tether, or the use of a harness, leash or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control.
- The individual using the animal's service is responsible for ensuring the cleanup of all animal waste. All service animals must be housebroken. College Grounds/Maintenance may designate animal toileting areas.

### **INTERACTING WITH SERVICE ANIMALS BY THE GENERAL PUBLIC**

Service animals work and perform tasks and are not pets. The general public should not:

- Touch or feed a service animal;
- Deliberately distract or startle a service animal;
- Separate or attempt to separate a service animal from the individual using the animal's service.

### **DISPUTE RESOLUTION**

Disputes or disagreements about a disability determination, appropriateness of an accommodation, service quality, or an animal restriction should first be raised with the Disabilities Specialist. If the matter cannot be resolved, a written complaint can be filed with the College's Compliance Officer.

For more information, use this link to the American's with Disabilities Act's (ADA) policy on Service Animals:

[https://www.ada.gov/service\\_animals\\_2010.htm](https://www.ada.gov/service_animals_2010.htm)