



On-Campus Presence of Therapy and Service Animals Riverland Policy #2.1B.4

PURPOSE:

Riverland Community College is committed to providing members of the Riverland Community College community with disabilities equal access to programs, services and physical facilities. Riverland acknowledges some members of the community with disabilities may require the use of assistance animals

APPLICABILITY:

Inquiries Regarding Service Animals

In general, Riverland Community College may make two inquiries to determine whether an animal qualifies as a service animal. Riverland Community College may ask:

1. If the animal is required because of a disability and;
2. What work or task the animal has been trained to perform.

Riverland Community College may not make inquiries about a service animal (including the two questions above) when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

SCOPE: Students

DEFINITIONS:

Service Animal: A service animal is an animal that is 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. The work or tasks performed by a service animal must be directly related to the handler'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 non-violent 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.

Emotional Support, Comfort, or Therapy Animals (Student Housing only): A emotional support animal is an animal selected or prescribed to an individual with a disability by a healthcare or mental health professional to play a significant part in a person's treatment process, e.g., in alleviating the symptoms of that individual's disability. An emotional support animal does not assist a person with a disability with activities of daily living and does not accompany a person with a disability at all times. An emotional support animal is not a service animal.

DOES THIS POLICY HAVE A PROCEDURE? Yes

Before a service animal will be allowed to be on campus, the animal must be certified by a formal animal-assisted therapy or service organization recognized in the State of Minnesota. In limited circumstances, College administrators may approve the presence on campus of therapy animals in training.

Animals on College Grounds

- 1) All animals brought onto College grounds must be under the control of the owner/handler at all times, and must be restrained by a leash or other appropriate device that does not exceed six feet in length. A service animal need not be on a leash or other device if 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 (e.g., voice control, signals, or other effective means).
- 2) Animals may be confined in vehicles parked on campus for a reasonable period of time as long as the animal is not endangered and does not endanger others or create a public nuisance. In the event of endangerment to the animal or others, or public nuisance, the animal's handler or owner is subject to citation and the animal may be humanely impounded. Animals confined in vehicles on campus that appear to be in distress or otherwise endangered, or that are endangering others or creating a nuisance should be reported to College Security.
- 3) If any aspect or circumstance of the condition, health, or behavior of any animal on campus is deemed by the College to be a threat to the health or safety of any member of the campus community or to any other animal, then that animal may be removed from campus in any manner deemed necessary by College officials. Such action may be taken even if the animal posing a threat would otherwise be permitted on campus under this policy. Animals on campus whose condition, health, or behavior appears to present a threat to the health or safety of any member of the campus community or to any other animal should be reported to the College Security.

Service Animals

- 1) The Americans with Disabilities Act ("ADA") provides that businesses and other entities that serve the public must allow people with disabilities to bring their service animals into all areas of the facility where customers or other members of the public are normally allowed to go.
- 2) If an individual's need for a service animal and the qualifications of the animal are not obvious, the individual may be asked: (a) whether the animal is required because of a disability; and (b) what work or tasks the animal has been individually trained to perform.
- 3) Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the College grounds and facilities where members of the public participants in services, programs or activities, or invitees are allowed to go.
- 4) A service animal may be excluded from campus, classrooms, or other facilities, when:
 - a. the animal's behavior poses a direct threat to the health or safety of others;
 - b. the animal is out of control and the animal's handler does not take effective action to control it;
 - c. the animal is not housebroken; or
 - d. the animal's behavior fundamentally alters the nature of the programs, services, facilities, privileges, advantages, or accommodations at issue.

Emotional Support, Comfort, or Therapy Animals (Student Housing only)

- 1) An emotional support, comfort, or therapy animal is not a service animal.
- 2) Such animals may not reside in Student Housing without the approval of the Housing Manager. A student requesting permission to have such an animal in his or her on-campus housing must provide

Housing staff, with the assistance of Disability Services as needed, appropriate documentation. See the Student Housing Handbook for more information and details.

- 3) Student Housing requires advance notice in order to gather, review, and verify the necessary documentation, which includes, but is not limited to: verification of a disability, the determination of any conflicting disabilities in the immediate vicinity where the animal will be housed, and verification of all vaccinations and the health of the animal including all the necessary licensing. If documentation is immediately available, the time for the approval process may be shortened.
- 4) Documentation of the need for such an animal should include a signed letter, on professional letterhead, from the person's physical or mental healthcare provider or licensed therapist. At a minimum, the letter should include the following items:
 - a. The provider's diagnosis of the person's condition.
 - b. A clear description of the current impact and functional limitations resulting from the disability.
 - c. The provider's confirmation that the Emotional Support Animal has been prescribed for treatment purposes and is necessary to help alleviate symptoms associated with the person's condition and/or to help the person use and enjoy university housing services.
 - d. The provider's description of the service(s) that the animal will provide.
 - e. Any additional rationale or statement the College may reasonably need to understand the basis for the professional opinion.
- 5) Disability Services staff may review documentation to determine that a qualifying disability exists.

Service Animals Control Requirements

- 1) The animal should be on a leash when not providing a needed service to the owner.
- 2) The animal should respond to voice or hand commands at all times and must be in full control of the owner.
- 3) To the extent possible, the animal should be unobtrusive to other individuals and the learning, living, and working environments.
- 4) Identification – It is recommended that the animal wear some type of commonly recognized identification symbol, identifying the animal as a working animal but not disclosing disability.

Animal Etiquette

To the extent possible, the owner should ensure that the animal does not:

- 1) Sniff people, dining tables or the personal belongings of others.
- 2) Display any behaviors or noises that are disruptive to others unless the behavior is related to the service provided to the owner.
- 3) Block an aisle or passageway for fire egress.

ADDITIONAL REQUIREMENTS FOR SERVICE ANIMALS, AND THEIR HANDLERS

- 1) License and Tags: All service animals must meet local, county, and/or state license or permit regulations. It is required that service animals have an owner identification tag.
- 2) Health: All service animals must comply with local, county, and/or state vaccination and health requirements, which may include Distemper, Parvovirus, Parainfluenza, and Bordetella. A copy of immunization records must be submitted with a proposal for the animal to be on campus. Animals must have a clean bill of health from a licensed veterinarian, including current vaccinations and immunizations against diseases common to that type of animal. Service animals must be pest and parasite free.
- 3) Clean-up Rule: The handler must (a) always carry equipment sufficient to clean up the animal's feces, (b) never allow the animal to defecate on any property, unless the handler immediately removes the waste, (c) be responsible for the proper disposal of the animal's feces, and (d) assume responsibility for any damage caused by the waste or its removal. Crates and cages must be clean and odor-free.

- 4) Disruption: The handler of a service animal that is unruly or disruptive may be asked to remove the animal from College classrooms and facilities.
- 5) Food and water areas: Food and water areas must be kept clean and food must be stored properly.

Removal of Service Animals

The College Security may order the removal of service animals for the following reasons:

- 1) **Out of Control Animal**: An owner may be directed to remove an animal that is out of control and the owner does not take effective action to control it. If the animal's improper behavior happens repeatedly, the owner may be prohibited from bringing the animal into any college facility until the owner can demonstrate that s/he has taken significant steps to mitigate the behavior.
- 2) **Non-housebroken Animal**: An owner may be directed to remove an animal that is not housebroken.
- 3) **Direct Threat**: An owner may be directed to remove an animal that Riverland Community College determines to be a substantial and direct threat to the health and safety of individuals. This may occur as a result of a very ill animal, a substantial lack of cleanliness of the animal, or the presence of an animal in a sensitive area like certain laboratories or mechanical or industrial areas.

When a service animal is properly removed pursuant to this policy, Riverland Community College Disability Service Office will work with the owner to determine reasonable alternative opportunities to participate in the service, program, or activity without having the service animal on the premises.

Appeal Process

Any student with an objection to a decision concerning a service animal should reference the College Discrimination or Grievance Procedures. If an individual believes that they have been discriminated against on the basis of their disability or due to a denial of protected rights under this policy or state or federal disability laws, they may file a grievance. Nothing in this policy shall prohibit a person from filing a complaint with an external agency.

LIST RELATED POLICIES, PROCEDURES OR FORMS:

Policy and Law

This policy was created in accordance with Titles I and II of the Americans with Disabilities Act, as amended, and Section 504 of the Rehabilitation Act of 1973.

Date of Implementation: November 9, 2018

Date of Adoption: November 8, 2018

Responsible Division / Author: Academic Vice President of Academic & Student Affairs

Date & Subject of Revisions: [Click or tap here to enter text.](#)